The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:
WASHINGTON, DC, October 9, 2001.
I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.
J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES
The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS
The SPEAKER pro tempore. There being no requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 2 p.m. today. Accordingly (at 12 o’clock and 32 minutes p.m.) the House stood in recess until 2 p.m.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. BRADY) come forward and lead the House in the Pledge of Allegiance.
Mr. BRADY of Pennsylvania led the Pledge of Allegiance as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING THE REV. WILSON GOODE, SR., AS GUEST CHAPLAIN
(Mr. BRADY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. BRADY of Pennsylvania. Mr. Speaker, I am proud to be here to welcome our guest chaplain, my good friend and former employer, the right Reverend W. Wilson Goode. Reverend Goode has always served God and the public at the same time. He rose from deacon to associate pastor at the First Baptist Church of Paschall.
He rose from a Philadelphia neighborhood block captain to Philadelphia’s Mayor, who, in his infinite wisdom, appointed me as his deputy.
He went from organizing his block to leading faith-based initiatives at the nonprofit Public/Private Ventures. He is Associate Professor of Political Science and Urban Policy at Eastern College, where he puts his experience as Chairman of the Pennsylvania Public Utility Commission, Deputy Assistant Secretary for the U.S. Department of Education, Philadelphia’s Managing Director and Mayor of Philadelphia, to work for his students.
Dr. Goode has been awarded 14 honorary doctorates and has published an autobiography, In Good Faith. He is a family man, who has seen his son elected to the city council.

HOUSE OF REPRESENTATIVES

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

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THE JOURNAL
The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

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This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
More than anything else, Wilson Goode is a person who can bring people together. He did that as a mayor, he did that in his candidacy, and now does that as a reverend.

Mr. Speaker, in these troubled times it is important that we hear from people like W. Wilson Goode, so I welcome him with pride, and I thank him for being here.

Again, there are a whole lot of titles that he holds, a whole lot of positions that he held, but the one most endearing with me, the position and title that he holds with me, is dear friend. I thank him, and may God continue to bless him, and God bless our troops.

CALLING TERRORISTS “TERRORISTS”

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, since September 11, journalists have been working overtime to report on the war on terrorism. They have done a good job. Terrorism, the Taliban, Afghanistan, are not well understood by the American people, and our newspapers and electronic media have been working hard to educate us.

I have one serious concern, though. Some of our news organizations have decided not to use the word “terrorist” to describe the suicidal maniacs who took so many lives 4 weeks ago.

Now, I understand that reporters want to be objective. I understand that if they are going to be trusted and taken seriously, the media does not want to take sides.

But reporters also have a duty to report the truth. There comes a point when this kind of even-handedness stands in the way of the truth. The truth here is that the killers were madmen and terrorists, willing to take the law into their own hands and kill thousands of innocent men, women, and children.

The lie is that they were victims of Western imperialism who died valiantly for their cause. This is not a debate even the media should be removed from, it is a debate between good and evil. If we refuse to tell the truth or call a spade a spade, we are making the killers just a little bit stronger.

We should call bin Laden’s killers terrorists, because that is what they are.

INTRODUCTION OF THE OFFICE OF HOMELAND SECURITY ACT

(Mr. NEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEY. Mr. Speaker, yesterday President Bush formally opened the Office of Homeland Security, and appointed Governor Tom Ridge as its Director. I applaud the President’s efforts, and I am pleased with his vision for the office.

Yet, concerns have arisen regarding how much control Governor Ridge will actually have. As Ash Carter of the Boston Globe noted, “White House czars have historically been toothless, unable to control activities of cabinet bureaucracies. To be effective as homeland security czar, Ridge will need influence over the budgets.”

That is why I joined with the gentlewoman from California (Ms. HARMAN) in introducing the Office of Homeland Security Act. Our bill will make the office permanent under color of law and provide Governor Ridge the budget authority he will need to coordinate the Federal agencies and resources necessary to protect America from terrorism.

Mr. Speaker, passage of this legislation is critical to our efforts to combat terrorism here at home. I encourage all of my colleagues to support it.

SWIFT AND DELIBERATE ACTION

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise today in strong support of the swift and deliberate manner in which the President of the United States launched a counter-terror war this weekend against al Qaeda and their government patrons.

By initiating military action in a timely and overwhelming manner, we are sending a clear message about the price to be paid for attacking the people of the United States of America.

The heroes of this conflict will now be fashioned, Mr. Speaker, from among the brave young men and women in uniform who have been called upon to defend our freedom. We in this Congress have given those brave young men and women everything they need to succeed. Their duty now is to serve. Our duty is to pray.

Let us pray for victory, but let us also pray for the safe restoration of our soldiers, sailors, and airmen to their families and friends and communities. The Bible tells us that God has not given us the spirit of fear, but a spirit of power and love, and of a sound mind.

Those who think America trembles from the East to the West, from the North to the South, will be proven wrong, not just at the sound of our guns, but at the fortitude that will be demonstrated by the American people in the days and months and years ahead as we move toward victory in this worthy cause.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 244 is to authorize the printing of a revised and updated version of the House document entitled “Our Flag.”

Mr. Speaker, it is with great pride that I stand here today and speak on behalf of this resolution authorizing the reprinting of the publication “Our Flag.” Probably at no other time in recent history has our flag had such significance in many Americans’ hearts, due to the tragic situation that occurred on September 11, and also the fact that our men and women are, as we speak, answering the call of our country. So it is very close to our hearts.

But it always has been, Mr. Speaker. Traditionally, the American flag has been a symbol of liberty, and it has been carried as a message of freedom to all parts of the world.
AUTHORIZING PRINTING OF REVISED VERSION OF "HISPANIC AMERICANS IN CONGRESS"

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 90) authorizing the printing of a revised and updated version of the House document entitled "Hispanic Americans in Congress," as amended.

The Clerk read as follows:

H. Con. Res. 90
Resolved by the House of Representatives (the Senate concurring), that the House suspend the rules and agree to the concurrent resolution of the 107th Congress, entitled "Hispanic Americans in Congress," (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

SEC. 1. PRINTING OF REVISED VERSION OF "HISPANIC AMERICANS IN CONGRESS".

(a) In General.—An updated version of House Document 103–299, entitled "Hispanic Americans in Congress" (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) Number of Copies.

(1) In General.—Except as provided in paragraph (2), in addition to the usual number, there shall be printed 30,700 copies of the document referred to in subsection (a), of which—

(A) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(B) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate.

(2) Alternative Number.—If the total printing and production costs of the number of copies provided under paragraph (1) exceed $220,000, there shall be printed the maximum number of copies of the document referred to in subsection (a) for which such total costs do not exceed $220,000, with distribution allocated in the same proportion as in paragraph (1).

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is House Concurrent Resolution 90, authorizing the printing of a revised and updated version of the House document entitled "Hispanic Americans in Congress." This has been a regular occurrence in the 107th Congress, as amended.
Hispanics and Hispanic Americans have played a fundamental role in U.S. history. From the early Spanish explorers, to the founding of the oldest city in the U.S. in St. Augustine, Florida, Hispanics have been a part of our history from its earliest beginnings. The first Hispanic Members of Congress were elected from Florida, New Mexico, and California in the early 19th century. My home State of Texas elected its first Hispanic Representative in 1961, when Henry C. Bonilla, from San Antonio, was elected to Congress. Today, there are 21 Hispanic Members of Congress representing seven States, two territories, and coming from all walks of life. Hispanics still remain under-represented in Congress.

The 2000 Census figures show that Hispanics are now the largest minority group comprising 12.5 percent of the population, yet they make up only 4.8 percent of Congress. If Hispanic representation was as big as they can dream, I urge my colleagues to support this resolution that will help give rise to the next generation of Hispanic leaders.

Mr. SERRANO. Mr. Speaker, I yield myself such time as I may consume. This book, Hispanic Americans in Congress, serves as a record of Hispanic histories. It was through the work of the gentleman from New York (Mr. REYES), the gentleman from Texas (Mr. HINOJOSA), all Members, and certain Members on both sides, that the book Hispanic Americans in Congress was originally compiled. It was also authorized by the Government Printing Office by the Joint Committee on Printing of lands now part of the continental United States, in what is now Florida. Other Spanish explorers pushed still further into American territory.

Indeed, as Americans fought for independence from Great Britain on the east coast of this continent, The Spanish were exploring and settling the west coast. Barely 2 months after the signing of the Declaration of Independence in 1776, the Spanish founded a little settlement that we know today as San Francisco, CA.

Hispanics have also played a tremendous role in the history of this institution. And they continue to do so today.

Mr. Speaker, the first Hispanic-American to serve in Congress, Delegate Joseph Martin Hernandez, represented the newly acquired Florida territory in the House during the 17th Congress. The first Hispanic-American Senator, Octaviano Larrazolo, represented New Mexico in the 70th Congress after a public career that included service as Governor of his State.

From 1822 to 1995, a total of 63 distinguished Hispanic-Americans served in the two Houses. Since then, 9 more distinguished Hispanic-Americans have served, all of whom continue serving today. Biographies of the newest Hispanic-American Members, and updated biographies of others, will be included in the new edition as appropriate.

Mr. Speaker, of the more than 11,600 individuals who have served in the two Houses since 1798, fewer than three-fifths of 1 percent have been Hispanic-Americans. In the Congresses of the 21st century and beyond, there is no doubt that many more Hispanic-Americans will have the honor of taking seats in the House and Senate.

There is every reason to be proud of the contributions of the Hispanic-Americans who have served to date, which is why it is so important to chronicle those contributions.

Mr. Speaker, as we enter the 21st century, we must continue to honor and record the substantial contributions that Hispanic-Americans are making to the deliberations of the most democratic legislative body on Earth.

A new edition of Hispanic-Americans in Congress will gather, in one updated volume, useful historical information for teachers, students, and others, describing the careers of the Hispanic-American men and women who have served in Congress.

I urge the House to support the concurrent resolution. I thank the distinguished chairman of the Congressional Hispanic Caucus, the gentleman from Texas (Mr. REYES), and the gentlemen from Texas (Mr. HINOJOSA), all Members, and certain Members on both sides, for their support and for the opportunity for me to update my picture in the book.

Mr. Speaker, I reserve the balance of my time.

Mr. Hoyle. Mr. Speaker, we were also pleased to help the gentleman from New York (Mr. SERRANO) update that picture, although we felt it was far too dark.

Mr. Speaker, I yield back the balance of my time.

Mr. SERRANO. Mr. Speaker, I yield as much time as he might consume to the gentleman from Texas (Mr. HINOJOSA).

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I urge the House to support the concurrent resolution. I thank the distinguished chairman of the Congressional Hispanic Caucus for bringing it to the floor.

Mr. REYES. Mr. Speaker, I would like to commend the House leadership for bringing this House concurrent resolution 90 onto the floor today. This bill, offered by my colleague and former chairman of the Congressional Hispanic Caucus JOSE SERRANO, would authorize the printing of an updated version of the book Hispanic Americans in Congress from 1822 to 1995 in this book, by Carmen Enciso, Tracy North, and the Hispanic Division at the Library of Congress, was originally published in 1995 by the Government Printing Office under the direction of the Joint Committee on Printing.

This book, Hispanic Americans in Congress, has been the most comprehensive publication documenting
the service of every Hispanic American who has served in the U.S. Congress. Through its compilation of brief biographies of every Hispanic Member, from Joseph Marion Hernandez, elected to represent Florida in 1822, to our colleagues elected in the 1900s, this book will look to the future with the diversity of Hispanic lawmakers and the contributions we have made to the country as a whole.

In reading this book, you will learn about the key leadership role played by Hispanic Members of Congress, from all parties, in advancing civil rights, assisting farmers and migrant farm-workers, feeding and housing the indigent, enhancing bilingual education, providing a voice for immigrant communities, serving our veterans, advocating democracy and development in Latin America, supporting small businesses, revitalizing our urban economies, and protecting our environment.

It is fitting that during Hispanic Heritage Month, the Congress act to direct the publication of an updated version of Hispanic Americans in Congress. Since it was published in 1995, nine additional Hispanic Americans have been elected to Congress. Anyone who reads this book today will find no more than half of the current membership of the Congressional Hispanic Caucus. I therefore urge all my colleagues to join me in supporting House Concurrent Resolution 90 so that we can have an up-to-date and appropriate record of the service of Hispanics in the Congress of this great Nation.

Mr. UDALL of New Mexico. Mr. Speaker, I rise in strong support of this noncontroversial resolution and urge its immediate passage. It is most appropriate that we are considering this measure during the waning days of Hispanic Heritage Month.

My home state of New Mexico has sent 17 Hispanic-Americans to Congress—that is a record. New Mexico is also the only state that has ever elected two Hispanic-Americans to the United States Senate.

The presence of Hispanics predates the founding of our Nation, and, as among the first to settle on this continent, Hispanics and their descendants have had a profound and lasting influence on American history, values and culture. Since the arrival of the earliest Spanish settlers more than 400 years ago, these Americans have contributed immensely to our peace, freedom and legacy.

I am honored to represent a state that has one of the largest percentages of Hispanic-Americans. This month, as we remember with special gratitude the gifts that Hispanics bring to every aspect of our country, I urge Hispanic-Americans, and, indeed, all New Mexicans, to take great pride in their heritage. Mr. Speaker, for these and countless other reasons, I ask that we pass this measure at once.

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Mr. BACA. Mr. Speaker, I support House Concurrent Resolution 90, which authorizes the printing of the book, "Hispanic Americans in Congress."

Within the pages of "Hispanic Americans in Congress" you will find inspirational stories of bravery, commitment, dedication, and selflessness. Such examples include Congressman "Ed" Roybal. Since Romualdo Pacheco in 1876, the state of California had not had a Latino Representative to Congress. Congressman Edward Roybal became part of history in 1962 by becoming the second ever Latino Member of Congress. "Ed" Roybal has been an inspiration to countless numbers of Latino citizens, community activists and elected leaders. Congressman Roybal is one of the many examples of Latino leadership that will inspire our leaders of tomorrow.

Since it was published in 1995, nine additional Hispanic Americans have been elected to Congress than in the previous 140 years. We have reason to be proud of the contributions Latinos have made to our country. The future grows brighter everyday for Latinos. Latinos buying power is over one-third of a trillion dollars and every day a hard working American of Latino origin is setting up a business or buying a house. Little by little, Latinos have worked their way to recognition. This book will help inspire that joy of recognition, will serve history, and will motivate our youth with positive role models.

Mr. Speaker, I plead that we pass H. Con. Res. 90, so we may recognize Latino achievement and inspire new generations of Latino Members of Congress. Let us commemorate Congressman Roybal and the many others that have helped our community prosper.

Mr. SERRANO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 90, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**AUTHORIZING PRINTING OF "ASIAN AND PACIFIC ISLANDER AMERICANS IN CONGRESS"**

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 130) authorizing printing of the book entitled "Asian and Pacific Islander Americans in Congress."

The Clerk read as follows:

H. CON. RES. 130

Resolved by the House of Representatives (the Senate concurring),
the present, as he now serves as a Senator. Two Asian Pacific Islander Members have been women, the gentlewoman from Hawaii (Mrs. MINK) and Representative Patricia Saiki, who is also from Hawaii.

On October 9, a grand total of 32 Asian Pacific Islanders have served with distinction. We have reason to be proud of the many achievements they have brought to Congress and their service here.

This is why the printing of this history is necessary. This book, “Asian and Pacific Islander Americans in Congress,” memorializes, by detailed account, the invaluable legacy that Asian Pacific Americans have left in their many years as Members of Congress.

There is no doubt, that as individual Members, these Asian Pacific Americans have in different and invaluable ways, made important contributions to their country. As a whole, they have made a difference to Congress as an institution, to the positive side, so to speak, to the many issues which they have advocated before our Nation.

I wanted to thank in particular the sponsor of this resolution, the gentleman from Guam (Mr. UNDERWOOD) with whom I proudly serve. I would like to thank the gentleman from Maryland (Mr. HOYER), the ranking member of the Committee on House Administration and his staff; and the gentleman from New York (Mr. SERRANO), who joins me here today. Additionally, I want to thank all who have supported this resolution and who have worked hard to bring it to the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. SERRANO. Mr. Speaker, I yield myself such time as I may consume. I am delighted to support this concurrent resolution, introduced by the gentleman from Guam (Mr. UNDERWOOD) with whom I proudly serve. I would like to thank the gentleman from Maryland (Mr. HOYER), the ranking member of the Committee on House Administration, and his staff; and the gentleman from New York (Mr. SERRANO), who joins me here today.

Additionally, I want to thank all who have supported this resolution and who have worked hard to bring it to the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. BACA. Mr. Speaker, it is with great pride that I support H. Con. Res. 130, to authorize the printing of a book entitled “Asian and Pacific Islander Americans in Congress” to recognize the contributions and achievements of Asian and Pacific American members of Congress.

Since 1903 thirty-three Asian and Pacific American men and women have served the American people in Congress as members of the House and Senate. Today, I am proud to serve alongside nine such Members who continued to represent America’s ever-growing diversity.

In honor of this well deserved recognition, Mr. Speaker, I would like to call your attention to one particular former Member, our current Secretary of Transportation, Norman Mineta.

The Honorable Mineta’s career has been one of historic firsts.

Norman Mineta’s distinguished career has been marked by great achievements not only in his field of expertise, transportation, but as an Asian American in civil rights. Normand and his family were among the 120,000 Americans of Japanese ancestry forced from their homes and businesses into internment camps during World War II. Forty years later Mineta served as the driving force behind the passage of H.R. 442, the Civil Liberties Act of 1988, which officially apologized for and redressed the injustices endured by the Japanese Americans during World War II.

Norman, like so many Asian Pacific Americans, has dedicated his life to public service. After graduating from the University of California at Berkeley, Mineta joined the Army and served as an intelligence officer in Japan and Korea. Norman entered politics in 1967, serving on the San Jose City Council until 1971 when he was elected Mayor. Norman Mineta was the first Asian Pacific American mayor of a major U.S. city. In 1975, he was elected to the U.S. House of Representatives, where he represented the heart of California’s Silicon Valley until 1995. Norman Mineta was known in this chamber for his commitment to the people of his district, for bipartisan consensus building, and for his policy achievements in transportation, technology, trade and the environment.

After a brief turn in the private sector as a vice-president at Lockheed Martin Corporation, Mineta again answered the call of public service and served as Secret of Transportation. As a new administration came into office this year, Norman was again called into service by President Bush who appointed him as the Secretary of Transportation. Norman Mineta made another first as the first Secretary of Transportation to have previously served in a cabinet position.

Throughout his career, Norman Mineta has never forgotten his commitment to the Asian Pacific American community. In 1994 he founded the Congressional Asian Pacific American Caucus and served as its first chairman. The caucus is committed to advancing and promoting issues of concern to Asian Pacific Americans (APA) and ensuring that the concerns and needs of the APA community are met. The Caucus also works to educate other Members of Congress and the public about the history, contributions, and concerns of Asian Pacific Americans.

Mr. Speaker, I look forward to the publica-
tion of the “Asian and Pacific Islander Americans in Congress” in honor of our colleagues who, like Norman Mineta, have made history serving our country with pride.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to speak in support of H. Con. Res. 130 which would authorize the printing of the book entitled, “Asian and Pacific Islander Americans in Congress.”

This book will provide not only statistical information on Asians and Pacific Islanders who have served, and are serving our great Nation as Members of Congress. More importantly, the book expresses the idea that by acknowledging and believing that Asian and Pacific Islanders have in upholding and strengthening the freedom and democracy we all cherish and, indeed, need to protect.

As our diverse population is the texture of the American fabric. Our racial differences bring to it the quality and value of a society that is able to embrace ethnic equality. We are, assuredly, a Nation of opportunities for all.

The Asian and Pacific Islanders are proud of the 33 Members who have served in Congress from 1903 to present. Their contributions come from a broad range of cultures and experiences. Many served in our armed forces. Many have educated our children as
Congresswoman PATSY M. INK who has the dis-

and Ranking Member S. TENY HOYER for their

administration Committee Chairman BOS NEY and Payne ex-yi (Mr. NEY) for their

equitable leadership in moving House Con-

current Resolution 130 to the floor today. I

would also like to take the opportunity to ex-
tend my appreciation to fellow colleagues from

the Congressional Asian Pacific American Caucus for their support and co-sponsorship of

this resolution.

The passage of this resolution would author-

ize the Library of Congress to print a book en-
titled "Asian and Pacific Islander Americans in Congress" for the first time. This book would

chronicle the histories of all Members of Con-

gress of Asian and Pacific Islander descent from

1903 to the present and would com-

plement the collection of historical references

published by the Library of Congress which

commemorate the histories of African Ameri-
cans, Hispanic Americans, and Women Mem-

bers of Congress.

In the history of Congress, there have been

33 Members who have served our nation, in-
cluding 13 Members who were Resident Com-
mis sioners from the Philippines during the
time it was a U.S. Territory. Benito Y. Tuason
Legarda and Pablo Ocampo were the first Fil-

ipinos elected as Resident Commissioners in

the 60th Congress in 1907.

Among the pioneers was Delegate Jonah
Kuhio Kalanianiloa, the first Pacific Islander in
Congress who represented the Territory of Ha-

waii from 1903 to 1923. He also held the dis-
tinction of being a Native Hawaiian prince and

member of the Hawaiian royal family.

The first Asian American in Congress was

Congressman Dalip Singh Saund from Impe-

rial Valley, California. Congressman Saund was

born in Amritsar, India, and immigrated to the

United States in 1920 to attend college. He

later became a U.S. citizen and was elect-

ted to serve on the judicial branch in California

before his election to the U.S. House of Rep-

resentatives in 1957, where he served three con-
csecutive terms.

The first Delegate from Guam and Chamor-
ro in Congress was Antonio B. Won Pat, who

served six consecutive terms in Con-
gress after winning his seat in 1937. Nearly

a decade later, Delegate Fofo Iosefo Fili Sunia
became the first American Samoan in Con-

gress in 1981.

There have been many other pioneering

Members of Congress, who broke through

stereotypical barriers and stand with us today,
including Senator DANIEL K. INOUYE who

was elected in 1958 as Hawaii’s first Representa-
tive to the U.S. House of Representatives and

Congresswoman PATSY MINK who has the dis-
tinction of having been the first Asian Ameri-
can woman in Congress. Another important

pioneer is former Congressmen Norman Mi-

neta, who helped to establish the annual com-

memoration of Asian Pacific American Herit-
age month in May and founded the Congress-

sional Asian Pacific American Caucus. Today,

Mr. Mineta continues to serve our nation as its

Secretary of Transportation. His leadership in

the Department of Transportation in the after-
math of 9/11 has shown our nation’s

disposition to be steadfast and strong. The security of our

transportation systems have been reinforced

and are now stronger than ever.

As our country continues to heal from the

terrorists attacks on September 11, 2001, which

took the lives of more than 6,000 men,

women, and children in New York City, Penn-
sylvania, and in our backyard at the Pentagon, we

also must consider the backlash that has

ensued for Asian Americans in our country.

In the week following the tragic at-
tack, 645 Americans of Asian and Arab de-

scent experienced incidents of the hate crimes

against them. It is my hope that the production

of this book will help to educate all Americans

and pay a tribute to the contributions that Asian

and Pacific Islander Americans have achieved

as Members of Congress. These Members

have been teachers, lawyers, and public of-

ficials before serving in Congress. Some have

endured and overcome the backlash of intern-

ment and racial profiling experienced during

World War II. Some have served with our Na-
tion’s military with distinction and have be-

come highly decorated war heroes. However,

one fact remains among all of these 33 indi-

viduals, each one has embraced the ideals of

our Constitution and our flag, and has fortifie

the fabric of our great Nation.

The 107th Congress has 9 Members of

Asian and Pacific Islander heritage, including

three Members from Hawaii, two Members from

California, one Member from Virginia, one

Member from Oregon, and delegates from

Guam and American Samoa. As members of

the Congressional Asian Pacific American

Caucus, one of our goals is to inform other

Members about the history and contributions

of Asian and Pacific Islander Americans.

This concurrent resolution authorizing the printing

of Asian and Pacific Islander Americans in Con-
gress will follow in the same tradition as “Hispanic

Americans in Congress”, “Black Americans in

Congress”, and “Women in Congress,” which

is also distributed to school libraries across

the Nation.

Indeed Asian and Pacific Islanders are a di-

verse constellation of people from 40 major

subpopulations including indigenous popu-
lations of Chujans, Hawaiians, and

Samoans and immigrant populations from

India, Pakistan, China, Japan, Korea, the Phil-

ippines, Cambodia, Vietnam, Laos and other

countries in Asia. Like the histories of Native

Americans and Alaskan Natives, the histories

of indigenous Pacific Islanders predate the

history of the founding of our country, which

has been historically populated by immigrants

from Europe, Asia, South American and all

points abroad.

Asian and Pacific Islander Americans have united

with Americans in condemning the terrorist actions.

Members of these communities

have lost family and friends from these

horrendous attacks and are still mourning their

loss. Yet these Americans have been victim-

ized by hate crimes, committed by other

Americans. As we fight terrorism at home and

abroad, we must also address the bigotry and
discrimination that threatens to tear apart our

Nation from within. As Americans, we must

continue to teach tolerance to future genera-

tions and value our nation’s diversity. The 

passage H. Con. Res. 130 is an important step

toward reaching that noble goal.

Once again I would like to thank my col-

leagues, Mr. NEY and Mr. HOYER, for their

leadership in moving this important resolution

to the House floor and urge all Members to support

the final passage of H. Con. Res. 130

in Congress.

Mr. SERRANO. Mr. Speaker, I yield

back the balance of my time.

Mr. NEY. Mr. Speaker, I yield back

the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent reso-

lution, H. Con. Res. 130.

The question was taken; and (two-

thirds having voted in favor thereof)

the rules were suspended and the con-

current resolution was agreed to.

A motion to reconsider was laid on the

table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unani-

mous consent that all Members may have

5 legislative days within which to revise and extend their remarks and in-
clude extraneous material on the sub-
ject of the concurrent resolution just

agreed to, H. Con. Res. 130.

The SPEAKER pro tempore. Is there objection to the request of the gen-

tleman from Ohio?

There was no objection.

PROVIDING FOR APPOINTMENT OF ROGER W. SANT AS CITIZEN RE-

GENT OF BOARD OF REGENERANTS OF SMITHSONIAN INSTITUTION

Mr. NEY. Mr. Speaker, I move to sus-

pend the rules and pass the Senate joint resolu-
tion (S.J. Res. 20) providing for the appointment of Roger W. Sant as a citizen regent of the Board of Re-

gents of the Smithsonian Institution.

The Clerk read as follows:

S.J. Res. 20

Resolved by the Senate and House of Rep-

resentatives of the United States of America in Con-

gress assembled, That section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian In-

stitution, in the class other than Members of

Congress, occurring by reason of the resigna-

tion of Howard H. Baker, Jr., of Washington, D.C., is filled by the appointment of Roger W. Sant of Washington, D.C. The appoint-

ment is for a term of 6 years and shall take effect on the date of enactment of this joint resolu-

tion.

The SPEAKER pro tempore. Pursu-

ant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself

such time as I may consume.

Mr. Speaker, it is again a pleasure to be here with my colleague, the gen-
tleman from New York (Mr. SERRANO),

and to pay before the House Senate

Resolution 20, which provides for the appointment of Roger W. Sant to serve as a citizen regent on the Smith-

sonian Institution’s Board of Regents.
This governing board of the Smithsonian is comprised of 17 members, which includes the Chief Justice of the Supreme Court and Vice President of the United States, three Members each of the U.S. House and Senate, and nine citizen members nominated by the board and approved jointly in a resolution of Congress. The nine citizen members serve for a term of 6 years each and are eligible for reappointment to one additional term.

Roger Sant currently serves as the chairman of the board for AES Corporation, which is a leading global power company and was cofounded by Mr. Sant in 1981. He graduated from Brigham Young University and received his MBA with distinction from the Harvard Graduate School of Business Administration.

Mr. Sant chairs the board of the Summit Foundation and several other prominent boards, including Marriott International Resources for the Future, the Energy Foundation, and the National Symphony.

He has previously been director of the Mellon Institute’s Energy Productivity Center and has authored books on energy conservation. Mr. Sant has also been on the Ford administration and was a key player in forming early initiatives to create an energy policy in the United States.

Roger Sant’s broad business background and his educational experience, particularly in the area of energy conservation, make him a strong candidate for nomination to the Smithsonian Institution’s governing Board of Regents. I urge my colleagues to support H. Res. 20.

Mr. Speaker, I reserve the balance of my time.

Mr. SERRANO. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of Senate Joint Resolution 20 to appoint Roger W. Sant to be a citizen regent of the Smithsonian Institution for the reappointment of Anne d’Harnoncourt.

Mr. SERRANO. Mr. Speaker, I yield back the balance of my time.

Mr. Speaker, I yield myself such time as I may consume, and I urge the House passage here today.

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the Senate joint resolution just passed, S.J. Res. 20.

The SPEAKER pro tempore. The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

Providing for Reappointment of Anne d’Harnoncourt as Citizen Regent of Board of Regents of Smithsonian Institution

Mr. NEY. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 19) providing for the reappointment of Anne d’Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read as follows:

S.J. Res. 19

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Anne d’Harnoncourt of Pennsylvania, is filled by reappointment of the incumbent for a term of 6 years. The reappointment shall take effect on December 29, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Senate Joint Resolution 19 provides for the reappointment of Anne d’Harnoncourt to serve on the Smithsonian Institution’s Board of Regents.

Anne d’Harnoncourt currently serves as the chief executive officer of the Philadelphia Museum of Art. She graduated magna cum laude from Radcliffe College in Cambridge and received her master’s degree with distinction from the Courtauld Institute of Art in London.

Mrs. d’Harnoncourt started her museum career at the Tate Gallery in London. She has also worked at the Art Institute of Chicago and has worked in several different levels within the Philadelphia Museum of Art before being named the chief executive officer in 1997.

Anne d’Harnoncourt has an extensive background, as you can see, Mr. Speaker, in the arts, and is head of one of our Nation’s premier museums. I believe her strong background makes her an excellent candidate for reappointment to the Smithsonian Institution’s Board of Regents, and I urge my colleagues to support S.J. Res. 19.

I also want to thank the ranking member, the gentleman from Maryland (Mr. HOYER), and my colleague here today, the gentleman from New York (Mr. SERRANO), who have made this resolution possible.

Mr. Speaker, I reserve the balance of my time.

Mr. SERRANO. Mr. Speaker, I yield myself such time as I may consume, and I urge the House passage here today.

Mr. Speaker, I reserve the balance of my time.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume, and I urge the House passage here today.

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the Senate joint resolution just passed, S.J. Res. 19.

The SPEAKER pro tempore. The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

A motion to reconsider was laid on the table.

General Leave

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the Senate joint resolution just passed, S.J. Res. 19.

The SPEAKER pro tempore. There is objection to the request of the gentleman from Ohio.
Resolved by the Senate (the House of Representa- tives concurring), That effective for the One Hundred Seventh Congress, the Chair- man of the Committee on Rules and Adminis- tration of the Senate may designate an- other member of the Committee to serve on the Joint Committee on Printing in place of the Chairman.

The Chair recognizes the gentleman from Ohio (Mr. NEY) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. HOYER) and the gentleman from New York (Mr. SERRANO) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. SERRANO) and the gentleman from New York (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. SERRANO) and the gentleman from Maine (Mr. BALDACCI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BARTON).
These reserves are in four sites on the Gulf Coast, two in Texas and two in Louisiana, and each of them has somewhere between 80 and 160 million barrels of oil.

The reserve is authorized to have a capacity of 1 billion barrels. It does not have that capacity in place. It has capacity to actually store about 700 million. As I said earlier, there are 545 million barrels currently in the reserve.

We could put approximately 155 million barrels of oil in the capacity that we have. The negotiations and the work that we are doing right now with DOE and the Bush administration officials would be to take oil in kind from the Federal OCS. We could receive approximately 170,000 barrels per day and put that oil into the reserve. There would be no out-of-pocket cost to the U.S. Treasury if we did that; and in doing that kind of swap, we should be able to get to 700 million barrels without any extraneous expense.

If we want to go to the 1 billion barrels, if the reserve is authorized, we will need to appropriate funds to build additional capacity, and we may need to appropriate funds to purchase oil.

Mr. Speaker, the resolution before us indicates if we need to purchase oil, we give preference to marginal wells or stripper wells, as they are called in the Southwest. These are wells that produce less than 10 barrels a day.

The last time we had an oil price collapse about a week and a half ago, we lost between 500,000 and 1 million barrels of stripper well production that will never come back.

This resolution would encourage the Secretary of Energy to give preference to marginal well purchases. It is authorized by law that we purchase marginal well domestic oil. This would give preference to those purchases.

We think if we could purchase some of the oil that we could buy it at a very inexpensive price. The acquisition cost in the reserve today is about $27 a barrel. The world oil market price is around $20 a barrel. When stripper well prices fall below $15 or $16 a barrel, they begin to be shut down. If we subtract the royalty and the taxes that they are paying, the severance taxes, stripper well prices are already at that $15 a barrel price. It is not demanded by this resolution that we purchase oil for the reserve from marginal wells, but it is given a preference.

Mr. Speaker, I feel very strongly that it is in our national interest to have the Strategic Petroleum Reserve in a state of readiness. I can state to the Congress, I toured one of the sites at Big Hill down by Beaumont, Texas last week. Their security was excellent. Their operational capability was 100 percent. They told me that they could begin drawing down the reserve the day after the President giving the order to do it, perhaps within hours if given the order to do it.

Ironically, they said that they would not be able to start drawing down the reserve the day after the President giving the order to do it, unless they gave them the order to do it. This resolution would encourage the Department to take steps to fully stock the Strategic Petroleum Reserve. At this time of low oil prices, it makes sense to use our Nation’s insurance against an oil supply shock by nearly 40 percent if we fill the reserve to capacity.

This is also a very opportune moment in fiscal terms for the Secretary to fill the Strategic Petroleum Reserve. The acquisition cost of the oil and gasoline at the pump have fallen to a great deal in the last month, so it will cost the taxpayer less now to fill the reserve than it would have a month ago. For instance, the day before the attack on our Nation spot prices for crude averaged slightly more than $28 a barrel. Today, the spot price for the same product has fallen below $20 per barrel, a 20 percent decrease in price. We should act now, because any supply disruption, even if it does not threaten our national security, could be very expensive and increase the cost to our constituents of filling the reserve.

The resolution also urges the Secretary of Energy to expand the reserve to its fully authorized capacity of 1 billion barrels. This is a long-term position that is supported by Members on a bipartisan basis. By fully realizing the potential of the Strategic Petroleum Reserve, we could nearly double our protection against a severe supply disruption from what we have today.

Finally, the resolution urges the Secretary to consider purchasing oil for the reserve from marginal wells that would otherwise cease production in a manner consistent with current law. Marginal wells are an important resource, and there is strong bipartisan support for ensuring the continued operation of these wells.

Although this resolution does not carry the force of law, it does send an important message to the administration and others that there is strong support for filling the Strategic Petroleum Reserve to its maximum authorized capacity, and it does it in a way that is respectful and consistent with both current law and the War Powers Resolution we recently passed.

Mr. Speaker, I urge my colleagues to support this resolution.

CONGRESS OF THE UNITED STATES;
HOUSE OF REPRESENTATIVES,
SPENCER ABRAHAM,
Secretary, Department of Energy, Independence Avenue, Washington, D.C.

DEAR SECRETARY ABRAHAM: I am writing to encourage the Department to take steps to fully stock the Strategic Petroleum Reserve. At this time of low oil prices, it makes sense to use our Nation’s insurance against an oil supply shock by nearly 40 percent if we fill the reserve to capacity. As you know, these reserves can be used to protect our nation.
Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have no other speakers so I am going to wrap this up quickly. I thank the gentleman from Maine (Mr. BALDACCI) for his excellent work in the last Congress on the Reﬁned Products Reserve. That reserve is in place. We have checked with DOE ofﬁcials, and it is full. It is ready to be utilized if there is a shortage of fuel oil. Officials, and it is full. It is ready to be utilized if there is a shortage of fuel oil this winter in the Northeast. Hopefully, we will not need to utilize it. But it is another example of the ﬁne bipartisanship that we have on this subcommittee and the full committee. The gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Virginia (Mr. BOUCHER) worked on this subcommittee and the full committee. The gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Virginia (Mr. BOUCHER) worked with the gentleman from New York (Mr. SCHENELLA) and the gentleman from New York (Mr. SWEENEY), and others on the Republican side to move that legislation in the last Congress.

Mr. Speaker, I do not want to belabor the point on the Strategic Petroleum Reserve. Suffice it to say it is another tool in our country’s arsenal as we go after terrorists. We do not want to give any terrorist anywhere in the world the idea that they can blackmail us economically by shutting off our oil supply.

We have invested so far in the reserve approximately $15 billion in 1998 dollars. For a very small incremental cost, we can ﬁll the reserve to its full 1 billion barrel capacity, and it will be available to be used by the President of the United States if he sees ﬁt to utilize it to protect our economy.

Mr. Speaker, I hope we can pass this with all yea and no nays, to send a very strong signal to our potential enemies around the world that we are not only ready to ﬁght terrorism diplomatically and militarily, but we are also ready to use our economic might if we have to.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BALDACCI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question was taken.

The SPEAKER pro tempore (Mr. PETRI). In the opinion of the Chair, two-thirds of those present have voted in the afﬁrmative.

Mr. BARTON of Texas. Mr. Speaker, on that I demand the yeas and nays. The Clerk will order them printed.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

HERBERT H. BATEMAN POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield remarks to suspend the rules and pass the bill (H.R. 1749) to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the “Herbert H. Bateman Post Ofﬁce Building.”

The Clerk read as follows:

H.R. 1749
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HERBERT H. BATEMAN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, shall be known and designated as the “Herbert H. Bateman Post Ofﬁce Building.”

(b) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Herbert H. Bateman Post Ofﬁce Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlwoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlwoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 1749.

The SPEAKER pro tempore. Is there objection to the request of the gentlwoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1749. This legislation will name the local Post Office at 685 Turnberry Road in Newport News as the “Herbert H. Bateman Post Ofﬁce Building,” after former Representative Herb Bateman, who represented the First Congressional District of Virginia in 1982. While in Congress, Representative Bateman was a senior member of the House Committee on Armed Services and the Committee on Transportation and Infrastructure until his untimely death on September 11, 2000.

While in Congress, Representative Bateman was a senior member of the House Committee on Armed Services and the Committee on Transportation and Infrastructure until his untimely death on September 11, 2000.

As a Member of this body, Representative Bateman is remembered as being a strong supporter of the military and protector of the large shipbuilding industry in Newport News, Virginia. Representative Bateman was recognized as a defender of our national security, a staunch advocate for the readiness of our armed forces, and worked tirelessly to ensure the Naval superiority of America.

In short, he was a great patriot.

Mr. Speaker, I want to commend and thank the gentlwoman from Virginia (Mrs. JO ANN DAVIS) for introducing this measure.

Mr. Speaker, I would just indicate, I know that the gentleman from Virginia (Mr. SCOTT) had intended to be here to support and work to pass this bill. Unfortunately, he did not make it. I would simply again commend the gentlwoman from Virginia.
Mr. Speaker. I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker. It is my honor to be here today to urge the consideration of H.R. 1749 to designate a post office in Newport News, Virginia as the “Herbert H. Bateman Post Office Building.”

The Virginia Delegation is pleased to support this bill. He was well thought of and highly respected by all of us. The delegation has always worked cooperatively and in a bipartisan fashion on issues affecting Virginia and Herb steadfastly contributed to that spirit.

It is fitting that we pay tribute to Herb's memory and service by naming a post office for him. His unwavering support of a strong military and of the men and women who dedicate their lives to protecting our nation. His dedication to clearing up the Chesapeake Bay, and so much more.

Herb Bateman took great pride in serving the people of America's First District for 18 years. In doing so, he was an asset not only to the people of the Northern Neck and the Eastern Shore of Virginia but to the nation as a whole. It is fitting, therefore, that we take steps to honor and memorialize Herb, so that his service to America will never be forgotten.

Mr. WOLF. Mr. Speaker, I join my fellow members of the Virginia congressional delegation and our colleagues today in support of H.R. 1749, the Herbert H. Bateman Post Office Designation Act, and thank Congresswoman JO ANN DAVIS of the First District for introducing this legislation to honor the memory of Congresswoman Laura Callaway Bateman.

Mr. SCHROCK. Mr. Speaker, it is my pleasure to rise today in support of H.R. 1749, which will honor our good friend, Congressman Herb Bateman. For eighteen years, Herb served Virginia's first district, which he faithfully represented, and to his country in his service in the U.S. Air Force during the Korean war. But Herb was more than just a distinguished Representative. He also worked to protect the welfare of the people of America and of the men and women who dedicate their country.

On a political and ideological level, there was much to learn from Herb: His fiscal conservatism and commitment to restraining big government and protecting taxpayers' interest. His unwavering support of a strong military and of the men and women who dedicate their lives to protecting our nation. His dedication to clearing up the Chesapeake Bay, and so much more.

Herb Bateman was a decent, hard-working, likeable man who could reach across the aisle to work together for the best interests of America.

Mr. Speaker, it is fitting that we honor Herb's memory and service to the 1st Congressional District, and to do so, I urge my colleagues to pass H.R. 1749 in tribute to the late Herb Bateman.

Mr. SCHROCK. Mr. Speaker, it is my pleasure to rise today in support of H.R. 1749, which will honor our good friend, Congressman Herb Bateman. For eighteen years, Herb served Virginia's first district, which he faithfully represented, and to his country in his service in the U.S. Air Force during the Korean war. But Herb was more than just a distinguished Representative. He also worked to protect the welfare of the people of America and of the men and women who dedicate their country.

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Herb Bateman was a decent, hard-working, likeable man who could reach across the aisle to work together for the best interests of America.
The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

AUTHORIZING PRINTING OF REVISED EDITION OF PUBLICATION ENTITLED "OUR FLAG"

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 244. The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 244. The yeas have answered in the negative: The nays have answered in the affirmative.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 18, as follows: [Roll No. 372]

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 3 o’clock and 1 minute p.m.), the House stood in recess until approximately 6 p.m.

REPORT ON H.R. 3061, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. REGULA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-229) on the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 1, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

House Concurrent Resolution 244, by the yeas and nays;
House Resolution 250, by the yeas and nays.

Ms. HOOLEY of Oregon changed her vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the Table.

The Speaker pro tempore (Mr. PETRI) ruled that the motion to reconsider be made not to be debatable and that a motion to reconsider be made not to be dispensed with.

The question is on the order of business, and the Clerk will now call the question on the concurrent resolution.
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

URGING SECRETARY OF ENERGY TO FILL STRATEGIC PETROLEUM RESERVE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 250, as amended. The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BAR-...)

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 3, not voting 18, as follows:

(Roll No. 373)

YEAS—409

NAYS—3

Not Voting—18

CONGRESSIONAL RECORD—HOUSE

October 9, 2001

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 373 on October 9, 2001 I was unavoidably detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules in which a recorded vote was ordered and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

SUPPORTING THE GOALS OF PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 254) supporting the goals of Pregnancy and Infant Loss Remembrance Day. The Clerk read as follows:

H. Res. 254

Whereas each year, approximately 1,000,000 pregnancies in the United States end in miscarriage, stillbirth, or the death of a newborn baby; Whereas it is a tragedy to lose the life of a child; Whereas babies sometimes live within or outside their mothers' wombs for only a short period of time; Whereas even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized; Whereas more than 35 States have designated October 15, 2001, as Pregnancy and Infant Loss Remembrance Day; Whereas the observance of Pregnancy and Infant Loss Remembrance Day can give validity to those who have lost a baby through miscarriage, stillbirth, or other complications; Whereas Pregnancy and Infant Loss Remembrance Day will provide the people of the United States with an opportunity to increase their understanding of the great tragedy involved in the deaths of unborn and newborn babies; and Whereas Pregnancy and Infant Loss Remembrance Day will enable the people of the United States to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members and work to prevent the causes of these deaths: Now, therefore, be it

Resolved, That the House of Representatives supports the goals of Pregnancy and Infant Loss Remembrance Day.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from
Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me commend the gentleman from Texas (Mr. ARMLEY) for introducing this resolution. I rise in strong support of this resolution.

When a baby or child dies, there is deep grief for the hopes, dreams and wishes that will never be. What is left behind is a sense of loss and a need for understanding.

Many lives are touched when there is a loss of a pregnancy, infant, or child. It is estimated that miscarriages occur in 15 to 20 percent of pregnancies. Each year in the United States, about 25,000 babies, or 68 babies every day, are born still. This is about one stillbirth in every 115 births. Approximately 80,000 infants, children, teenagers, and young adults die each year from various causes.

Pregnancy and Infant Loss Remembrance Day, which would be held on October 15, and National Children's Memorial Day, which is observed on December 10, will help in bringing about a process of healing to families coping with and recovering from the loss of an infant or loved one. People who come into contact with a grieving family have a role in helping to resolve their grief. The role of each person will be determined by his or her relationship with the family and the stage of grief that family is in. Families will always struggle to cope with the devastating crisis precipitated by the loss of a child. As a community, we should remember, no one can take the pain away from a grieving family. Pain is a normal part of grieving. Parents often cry, feeling ill or depressed, or have other emotional responses months or years after a death. Parents often want to talk about their loss and are pleased when others take the time to listen.

There will always be need for compassionate support for grieving families, and I hope that all Americans will take the time to show their compassion for families that have experienced the loss of an infant or a child on October 15 and December 10.

Again, I commend the gentleman for such a thoughtful resolution which speaks to the needs of people not only in our country, but all over the world. I support this resolution.

Mr. Speaker, I reserve the balance of my time.
see them go through all the many things they had planned.

So on October 15, we want to join with 43 States, including my own great State of Texas, and say to those parents who have had to all too many times suffer while feeling alone and not understood, “We are going to take a little time out and we are going to think of your loss, and we are going to think of your baby as you know your baby in your dreams. We are going to know, along with you, your loss is greater than any heart can bear, and it will be with you forever. And yes, we will hope for you to have other children, but we will take a moment to say that we do understand with you that no matter how many children more you might have in your life, those children do not, cannot, and will not replace that very, very special baby.”

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

In closing, Mr. Speaker, let me just once again commend the esteemed majority leader for such a well-thought-out and well-developed resolution.

Oftentimes when there is great tragedy or a tremendous need or a calamity, we are determined to do is as a country what we can do to help. I think in these instances there is one thing that we can all do. That is to show, display, and demonstrate a level of understanding and sensitivity to those who are indeed experiencing the loss. So a level of understanding is something that we can all give.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, once again, I commend the majority leader, the gentleman from Texas (Mr. ARMEE), for bringing this important resolution to the House. I also thank the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, the gentleman from Florida (Mr. WELDON), chairman of the Subcommittee on Civil Service and Agency Organization, as well as the ranking members of the full committee and subcommittee, the gentleman from California (Mr. WAXMAN) and the gentleman from Illinois (Mr. DAVIS), for expediting consideration of this important resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to speak in strong support of H. Res. 254. This bill supports the goals of Pregnancy and Infant Loss Remembrance Day, by promoting, supporting, educating, and increasing the awareness regarding grieving parents nationwide.

In 1995, 15.7 percent of pregnancies ended in fetal demise—miscarriage or stillbirth. In 1996, 983,000 babies died from miscarriage and stillbirth. These figures do not include neonatal loss, Sudden Death Syndrome, or other causes.

Many parents grieve alone or in silence, sometimes never coming to terms with their loss. Mothers especially suffer firsthand the emotional and physical pain and heartache associated with such a tragedy.

Remembering this Day is the right step in helping all Americans relate to and assist parents who suffer the loss of an unborn or still-born child.

I urge my colleagues to support H. Res. 254 to remember the families who have experienced the tragedy of losing a child by miscarriage or stillbirth.

Mrs. JO ANN DAVIS. Mr. Speaker, I urge all Members to support House Resolution 254, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, House Resolution 254.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The UNITED STATES AND THE WORLD COMMUNITY MUST DO MORE FOR THE PEOPLE OF AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, Medecins Sans Frontieres, the 1999 winner of the Nobel Peace Prize, has today accused the United States of conducting nothing more than cynical military propaganda when we describe our operations in Afghanistan as “humanitarian.”

The tragic truth is, they are right. The Bush administration’s celebrations concerning the U.S. Air Force drops of food packages, totalling 75,000 food ration packages over the 2 days of Sunday and Monday, are not deserved. Medicins Sans Frontieres accuses us of little more than window dressing, seeking to divert public attention from a worldwide humanitarian disaster that could soon rival the Rwandan/Congolese catastrophe of 1994 and 1995.

Before the September 11 crisis, the U.N. World Food Program estimated that there were 2 million civilians in Afghanistan totally dependent on foreign food aid. The World Food Program was trucking in 500 tons a day, or enough to feed only 1 million people. So just 4 weeks ago, each day that went by, some 1 million Afghan men, women, and children were without food.

But now the situation is much worse. Our military operations have started, and the number dependent on food aid has grown rapidly while international food distribution has actually fallen to almost nothing. The BBC reports today that UNICEF believes that the number of Afghans in need has now grown to 5.5 million people, of which an estimated 70 percent are women and children.

Mr. Speaker, the number of people, 5.5 million, easily exceeds if not even doubles the population of some of the largest cities in our own country. Can we imagine how horrified we would be, and how we would, as a nation, react if the population of cities such as Dallas or San Diego or San Francisco or Detroit were starving to death?

Mr. Speaker, that is the scale of the humanitarian catastrophe now confronting Afghanistan. These 5.5 million people desperately require about 2,750 tons of food aid each day, based on World Food Program estimates of 500 tons per million people per day. And this says nothing about the medical needs of these people.

Clearly, our two airdrops of 37,000 ration packages, though well-intentioned and bravely carried out by U.S. Air Force aircrews, are not nearly enough to prevent a humanitarian disaster. Maybe, as alleged by Medecins Sans Frontieres, it does help soothe our collective conscience, but it does little more.

The Heritage Foundation has called Afghanistan the worst U.S. foreign policy failure of all time, and have visited the Afghan refugees in their camp. In addition, Mr. Speaker, the U.S. Government should be promoting democracy in Afghanistan. Bobby Kennedy had the following to say: “Can we ordain ourselves the awful majesty of God, to decide what cities and villages are to be destroyed; who will live and who will die; who will join refugees wandering in the desert of our own creation?”

Although Bobby Kennedy was referring to our involvement in Vietnam, his words apply to our involvement in Afghanistan. The United States and the world community must do more for the people of Afghanistan. Mr. Speaker, the clock is ticking for 5.5 million innocent people.

THE BRIDGE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DEMINT) is recognized for 5 minutes.

Mr. DEMINT. Mr. Speaker, today the gentleman from Washington (Mr. BAIRD) and I are introducing the BRIDGE Act of 2001. BRIDGE is short for Business-Retained Income During Growth and Expansion. This bill number H.R. 3062.

I am introducing the bill on behalf of myself, the gentleman from Washington (Mr. BAIRD), the gentleman from Illinois (Mr. CARLSON), the gentleman from California (Mr. MUKHTAR), the gentleman from Illinois (Mr. MANZULLO), the gentleman from New
York (Ms. Velázquez), the gentleman from Pennsylvania (Mr. Toomey), the gentleman from New Jersey (Mr. Pascrell), the gentleman from Kentucky (Mr. Lewis) and the gentlewoman from Pennsylvania (Ms. Hart). We are confident many other Members will join us in cosponsoring this very timely and bipartisan bill.

This bill is the result of extensive discussions with Members, staff, and business trade groups, hearings before the Committee on Small Business, as well as the vital input of Tatum CFO Partners, a national financial services firm.

I appreciate the work of the gentleman from Illinois (Chairman Manzullo) and the gentleman from Pennsylvania (Chairman Toomey) in scheduling the hearings on access to capital during the current economic downturn. The temporary tax deferral would help the entrepreneur to utilize the funds in the business until it can grow large enough to obtain financing from more traditional sources.

Employment and Economic Growth: By providing needed capital to keep expanding the business, the Bridge Act would assist the entrepreneurial sector (the "emerging growth companies") that created most of the net new jobs in the U.S. economy in the past decade. A Cognetics, Inc. study, Who’s Creating Jobs? 1999 (David Birch, Jan Gundersen, Anne Haggerty, William Parson), indicates that 85% of the new jobs for 1994-1998 were created by companies with 100 or fewer employees. There are indications that these growing companies are the only ones that are generating net new job growth in the current economic situation.

The bill would help to reinvigorate the economy by offsetting employment cutbacks elsewhere in the economy. The Bridge Act would provide critically needed capital for these companies, which could help create over 600,000 new jobs during the first three years, based on sample data from financial statements of profitable firms with $10 million in sales or less (database sample provided by Dr. Michael Camp, Economist and Vice President of Research, the Kaufman Center for Entrepreneurship, Kansas City, MO) (see attached Table).

A recent study by the National Commission on Entrepreneurship (High-Growth Companies: Mapping America’s Landscape, July 2001) reports that rapidly growing companies (15% or more growth per year in their Census survey for 1992-1997) are in all industry sectors and in all Labor Market Areas in every State in the United States. For State data, see web at: www.ncoe.org/lma

Timing of Income Tax Liability for Growing Small Businesses: Because of the micro-economics of rapid growth, an expanding business on accrual accounting that is experiencing increased revenues and book (accrued) profits can also be simultaneously experiencing negative cash flow due to reinvestment of the cash to fund the growth. When a growing business, with negative cash flow, has to come up with immediate cash to pay an accrued tax liability, this can have a severe adverse financial effect on the firm’s ability to survive until it receives more cash inflow. The bill would allow the realization of the timing of the tax payment until the entity can more readily obtain the necessary capital to pay the tax, which would be payable in installments over four years after a 2-year deferral (all with interest).
ECONOMIC EFFECTS OF THE SEPTEMBER 11 CATASTROPHIC

The SPEAKER pro tempore (Mr. SCHROCK). Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, let me begin with a commentary on the comments from the gentlewoman from Georgia, who quoted French sources as criticizing as inadequate our relief supplies to the people of Afghanistan. I agree we should do as much as we can to feed the people of Afghanistan and to get that food to them. And I admire the courage of American pilots who are doing just that, but let us put this in context.

During World War I and World War II, the French did very little to deliver food to the Germans. In fact, it really was not part of our strategy during World War II to drop food onto German cities; and in fact, the French, aspiring for their own freedom, cheered as we bombed Dresden, not with food but with bombs.

America has reached a new level of humanitarian in its decision that not only does it wage war against the government, the Taliban, but it also wages war food aid to the civilians under the control of that government. And I think that we should first give America credit for reaching this new plateau in humanitarianism because we criticize the fact that we are not doing enough, and I am sure that we will do more.

I rise chiefly to deal with the economic effects of the September 11 catastrophe. I urge that we do be temporary, be fast, and be consistent with our Nation's long-term budgetary and fiscal needs. Keep in mind, that on September 10, before this disaster, we faced a tough budgetary situation, that next decade the baby boomers will be retiring and Social Security will have to pay out benefits, and in order to do that, we cannot abandon our long-term efforts of fiscal responsibility to deal with the short-term economic downturn.

We need to adopt fixes to stimulate the economy that are fast, like providing $300 or $600 of tax relief to those Americans of the most modest means who did not get any tax relief out of the bill we passed earlier this year. Why? Because those Americans will spend that money. They will buy things.

In contrast, we should not provide a capital gains tax cut because that is a cut not for people who buy stock but for people who sell it. At this point, a capital gains tax cut could only be called the "Panacean Selling Facilitation Act" in that it provides tax relief not to those who can keep their investments in America but those who dump their stocks.

It is important that our relief be temporary so that we can demonstrate to investors around the world that we will return to fiscal responsibility and pay off the national debt at least by 2015 or 2016. Doing that is not only critical for being able to meet Social Security's commitments to the baby boomers and to long-term interest rates down because no one will lend money for 10- and 20- and 30-year terms.

Investors will not provide mortgages and long-term financing unless they are certain that long-term the dollar will be valuable and will be stable because the Federal Government will return to the effort to pay down the national debt.

Our departure from fiscal responsibility must be temporary. If we institute permanent changes, we will be in trouble.

I might also add that, in building infrastructure, we should build the infrastructure that we need to provide for homeland security. We need to build security structures near our reservoirs and nuclear plants, and that is where we should focus our infrastructure building, as much as I would like to see us focus on the other needs of the country, the needs that existed before this event such as dealing with congestion on freeways in Los Angeles, the most congested city in our country.

We ought to be careful, Mr. Speaker, in adopting the fiscal policies that will guide this country through this difficult period. If we adopt major changes in our spending and taxation and get out of town by the end of October we will not have been careful. We will have simply rushed something through. We cannot get it done in October, and we cannot wait till February.

And so we in Congress ought to be willing to be here through the month of November to do what this country needs but to do it carefully.

NATIONAL PARK SYSTEM DEMONSTRATION FEES

The SPEAKER pro tempore (Mr. SCHROCK). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

CAPITAL GAINS

Mr. SOUDER. Mr. Speaker, first before I discuss what I intend to discuss here for a few minutes, a matter of importance, the National Park System, let me make a brief comment on capital gains.

Depending on when the effective date of the capital gains cut came in, it is unlikely that a whole lot of people in the stock market have capital gains. But we are also looking at real estate questions, at companies expanding. And the idea that somehow we will spend our way out of a recession, rather than grow our way out, is backwards. If we do not have real substantive incentives to get people back to work in all sectors of our economy, we are in deep trouble in this economy.

DEMONSTRATION FEES

Mr. Speaker, I would like to talk about demonstration fees. This was supposedly a test to see whether it would relieve the financial pressures on our national parks. At some point, either this demonstration has worked or it has not. It is time to either make them permanent or remove them. In fact, we have had very few complaints, almost none at most parks. The fees range from $10 to $30 to enter the park, negligible compared to most entertainment in America. Fees for special services for those related costs, camping, back country expenses, are logical because the money goes directly to pay for those expenses.

These fee dollars have helped supplement the park's complete projects efforts. For example, 6 percent in 1999 of Yellowstone Park's revenue were from the demonstrations fee. The less attended park, Theodore Roosevelt National Park in North Dakota, netted about $300,000 a year for projects. In the year 2000 that included projects such as boundary fence repair, overlook trails, radio-collar elk monitoring, trailhead and interior trail signs throughout the park, new laser slide programs for a visitor center and an archological exhibit at the Medora Visitor Center.

Fee uses are diverse, visitor service usage intensive with these fees and all, help fund unmet park needs. The long-range source problem is that Congress and/or the President keep adding additional units to the National Park Service. This has been especially tru...
The demonstration fees have helped supplement these budgets. This has, in fact, led to an unofficial “crown jewel” approach. Former Park Director James Ridenhour argued that Congressional “park-barreling” was diluting the national vision and uniqueness of the National Park System. In fact, the major national parks plus the major cultural parks have the strongest financial support groups and the most demo fees. People are voting with their own money; it flows through the funds, associations, and their park fees.

These demonstration fees should be made permanent because they have become an essential part of preserving our most popular and beloved parks. But, unfortunately, the National Park pass is beginning to threaten the success story. This was further complicated by our so-called technical corrections to the National Parks’ Omnibus Management Act.

Each park has historically kept most of the demonstration fee collected at the gate. Because most projects require planning of multiple years, they plan ahead. Parks also get to keep a significant percentage of the national parks pass fees sold at that park. But as more parks put in demo fees and as demo fees have risen, those who visit multiple parks or visit one park frequently obviously purchase a pass. The more passes sold disadvantage the more remote parks. Demonstration fees not collected or passes not sold at those parks dramatically reduce the revenue at those parks which was, after all, the original purpose.

Furthermore, the Technical Corrections Act set aside 15 percent of sales for administration and promotion of the National Parks Pass. Obviously we have administration costs, and that is a whole other subject. But why are we promoting the national parks pass? National parks take a dollar from specific parks, draining the original intent. There is no data to suggest that promoting the pass in general increases usage of the parks. It just goes to the Washington office rather than the individual park. And even if it did increase usage, that is the wrong dollar, 15 percent of sales.

Parks with demonstration fees which need a pass are generally nearly overcrowded in peak seasons already. Why would we want to have more people go to them? Every person, who purchases a day pass at a park is given the option of purchasing a national parks pass, so no one is getting shortchanged. Furthermore, the cost of the national parks pass has become too low. As some parks go up to $30, we need to re-examine this system.

We need to look at making it $100 and there are two problems with that: Low-income families and local residents. A ZIP code criteria for lower fees possibly. Although there is no philosophical defense for that, it may need to be a practical consideration. A refundable tax credit for low-income families would address the income problem. It would cost the government nothing because the people who paid the $100 are just getting it back, likely would cost the parks little, but would eliminate the complaint that poor families could not afford the $100. If we do not address this problem, our park revenue is going to decline. It is something we must address for the sake of our national parks.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Pallone) is recognized for 5 minutes.

(Mr. Pallone addressed the House.

His remarks are printed in the Extensions of Remarks.)

ANTITERRORISM AND HOMELAND SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Paul) is recognized for 5 minutes.

Mr. Paul. Mr. Speaker, the CIA has a budget of over $30 billion. The FBI has a budget of over $3 billion. In addition, $10 to $12 billion are specifically designated to fighting terrorism. Yet, with all this money and power, we were not warned of the events that befell us on September 11.

Since the tragic attacks, our officials have located hundreds of suspects, frozen millions of dollars of assets and gotten authority to launch a military attack against the ring leaders in Afghanistan. It seems the war against terrorists or guerrillas, if one really believes we are in an actual war, has so far been carried out satisfactorily and under current law. But the question is do we really need a war against the civil liberties of the American people?

We should never casually sacrifice any of our freedoms for the sake of a perceived security. Most security, especially in a free society, is best carried out by individuals protecting their own property and their own lives. The founders certainly understood this and is the main reason we have the second amendment. We cannot have a policeman stationed in each of our homes to prevent burglaries, but owners with property with possession of a gun can easily do it. A new giant agency for homeland security cannot provide security; it can undermine and erode our liberties. This approach may well, in the long run, make many Americans feel less secure.

The principle of private property ownership did not work to prevent the tragedies of September 11, and there is a reason for that. The cries have gone out that due to the failure of the airlines to protect us, we must nationalize every aspect of aviation security. This is a radical and dangerous idea, and will lead us further away from the principle of private property ownership and toward increasing government dependency and control with further sacrifice of our freedoms.

More dollars and more Federal control over the airline industries are not likely to give us the security we all seek.

All industrial plants in the United States enjoy reasonably good security. They are protected not by the local police but by owners putting up barbed wire fences, hiring guards with guns, and requiring identification cards to enter. All this, without any violation of anyone’s civil liberties. And in a free society private owners have a right, if not an obligation, to profile if it enhances security. This technique of private security through the principle of private property ownership is about to be rejected in its entirety for the airline industry.

The problem was that the principle of private property was already undermined for the airlines by partial federalization of security by FAA regulations. Airports are owned by various government entities. The system that failed us prior to 9-11 not only was strictly controlled by government regulations, it specifically denied the right of owners to defend their property with a gun. At one time, guns were permitted on airlines to protect the U.S. mail. But for more than 40 years, airlines have not been allowed to protect human life with firearms. We argue that the gun is powerful enough to worry about flying the airplane and have no time to be concerned about a gun. How come drivers of armored vehicles can handle both? Why do we permit more protection for money being hauled around the country in a truck than we do for passengers on an airplane? If government management of airline security has already failed us, why should we expect expanding the role of government in this area to be successful? One thing for sure, we can argue that it is too expensive to get everyone and all the lines to get a lot longer. The Government’s idea of security is asking “who packed your bag”; “has the bag been with you since you packed it”; and requiring plastic knives to be used on all flights while taking fingernail clippers away from pilots.

Pilots overwhelmingly support their right to be armed, some even threatening not to fly if they are not permitted to do so. This could be done quickly and cheaply by merely removing the requirement from my bill, H.R. 2896, would do. We must not forget four well-placed guns could have prevented the entire tragedy of 9-11.
This is a crucial time in our history. Our policy of foreign interventionism has contributed to this international crisis. How we define our enemies will determine how long we fight and when the war is over. The expense will be worth it if we make the right decisions. Targeting the faces of bin Laden makes sense, but invading eight to 10 countries without a precise goal will prove to be a policy of folly, lasting indefinitely, growing in size and cost in terms of dollars and lives, and something for which most Americans will eventually grow weary.

Our prayers and hopes are with our President that he continues to use wise judgment in accomplishing this difficult task, something he has been doing remarkably well under the very difficult circumstances.

But here at home it is surely a prime responsibility of all Members to remain vigilant and not, out of fear and panic, sacrifice the rights of Americans in our effort to maximize security.

Since the President has already done a good job in locating, apprehending and defunding those associated with the 9/11 attacks while using current existing laws we should not further sacrifice our liberties with a vague promise of providing more security. We do not need a new national agency in order to impose a concept of Homeland Security that challenges our civil liberties. This is an idea whose time has not yet come.

The SPEAKER pro tempore (Mr. SCHROCK). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FARMWORKER HOUSING CONDITIONS IN U.S.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. SCHROCK) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I would like to take this time today to discuss an issue that is very important to me and, hopefully, to the Nation, and that is the issue of housing conditions of farm workers in this country.

The Housing Assistance Council released their report on findings from a survey of farm worker housing conditions on September 20, 2001. Structural problems, broken appliances, overcrowded living conditions were common findings among farm workers’ homes. Unfortunately, family with children are suffering the worst conditions.

This survey is the first nationwide of farm worker housing in 20 years and confirms what smaller studies and anecdotal descriptions have been saying all along; that is, farm workers work incredibly hard to put food on other people’s tables, but all too often live in dismal conditions.

The survey revealed that half of the homes surveyed were overcrowded, and three-quarters of those crowded units were occupied by families with children. Twenty-two percent lacked at least one functioning major appliance, such as stove, refrigerator, bathtubs or showers; twenty percent had serious structural problems, and more than half lacked access to a working laundry machine.

Children lived in two-thirds, or 65 percent, of the units classified as severely substandard; and 60 percent of the homes were adjacent to fields where pesticides were applied.

I recognize that there are several needs that a farm country faces today, security being among the first, education, health care, nutrition and poverty. This study dramatizes many of those needs, and the main need being that hardworking Americans and their children should not be living in squalid and unhealthy conditions. These are housing conditions that none of us could stand to be in, not even for a second. Nobody should be subjected to such adversity.

This major research project was conducted over a 3-year period, from 1997 through 2000. Data on 4,625 housing units in 22 States and Puerto Rico were collected in a non-random survey by more than 100 outreach workers and 16 organizations that work with farm workers around the country, and analyzed by the Housing Assistance Council. Major funding was provided by USDA and HUD.

I continue to be impressed by the quality and the content of this study and other studies conducted by HAC. After reading the study, I was appalled to learn that in America we still have such horrendous living conditions. We have made very little prog in this area. It is disheartening and disappointing that we live in such a rich country and do not make available decent housing to invited farm workers, where the law requires that we should, to those workers in our fields and picking the fruits and vegetables which help feed all our families.

It is particularly worrisome to note that such a large proportion of farm worker families with children live adjacent to fields where pesticides are sprayed. This means that they are affected with long-term effects in their families and in their bodies.

I would like to focus on the fact that we do very little to help fund these programs, both the USDA as well as HUD. It is imperative that we recognize that many of these Federal programs, such as HUD, can assist our farm workers. On this floor, during the HCD and WDD appropriation, we voted against this. We should put monies back into HUD to make sure we assist in this program. The report clearly shows the need for a full-scale national study for farm workers, especially pertaining to housing, education, and health.

I would like to reiterate my avid support for finding ways of funding the farm workers’ housing needs, but also that there are many other programs that we need to commit ourselves to. I want to congratulate Housing Assistance Council, its executive director, for this document and the work it makes available for all of us to care about farm workers who work so hard.

HISPANIC HERITAGE MONTH

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, the gentleman from Texas (Mr. REYES) is recognized for 60 minutes as the designee of the minority leader.

General Leave

Mr. REYES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this Special Order.

Together, Americans all over this country and across the world have cried, Americans have held vigils, and have searched for ways to make sense out of these senseless acts. Together, over the past few weeks we have made an effort to resume our way of life, and slowly but surely we are getting back to work. As one Nation, and as partners with other countries across the world, we now seek those responsible for the terrible events of September 11, and we will stick together to bring those responsible to justice. Just as we have been united in our grief and efforts to help the victims of September 11, we now are united in supporting our troops as they take the necessary steps to defend our freedom and our security.

Mr. Speaker, one of many remarkable things that we have witnessed during these past weeks has been the striking and spontaneous display of unity and pride that we saw from the Great American Nation. Individuals from every race, ethnicity, and spiritual belief have joined as one to wear the red, white and blue and fly our flag and sing our national anthem. It has been noted in news reports and a number of inter views that it is remarkable how quickly our differences have been put aside to tackle this Nation’s tragedy.
And as remarkable and moving as these displays have been, as a Nation we must remain steadfast in respecting and upholding the American principles that make our Nation unique in the world. Just as most of us have stood together those who have fallen, to remember their families and their friends, we have sadly witnessed some terrible attempts from individuals resulting from misguided prejudice and anger. I am referring, of course, to the increased acts of violence that have been perpetrated against Arab Americans, Muslims, and Sikhs living in our own country.

Like all Members of Congress, and particularly the Members of the Congressional Hispanic Caucus, we condemn these actions and call on every American to celebrate, and not undermine, the principles that have made this country great. To celebrate the richness of our country, it is with honor that Members of the Congressional Hispanic Caucus take the floor of the people’s House tonight to pay tribute to every single American and to highlight the contributions in particular of Hispanic Americans during this Heritage Month.

Today, however, my remarks will focus on the education of Hispanic Americans. Our education history parallels the development of the public schools and the treatment of other minority groups in our educational system. Because time does not permit, I will only go back a few years to make my point regarding the treatment of Hispanics in our society. Twenty-four years before the renowned Brown v. Board of Education Supreme Court decision, the League of United Latin American Citizens filed class action suits on behalf of Hispanic children who were the victims of discrimination of public schools.

I, myself, would have been forced to walk to a segregated school far from my home if not for the resolve of my brother, a Korean war hero, who demanded that the nearby white elementary school accept me and my brothers. In the rest of the country, all through the 1930s, 1940s and 1950s, the education of Hispanic children was dependent on decisions made by our judicial system.

Finally, in 1965 Congress began to respond to decades of inaction with the creation of the Elementary and Secondary Education Act. The ESEA has helped to galvanize local and national civil rights and educational organizations to rally and support Hispanic students in public schools. Throughout the years we have enjoyed the support of the National Council of LaRaza, the Mexican-American Legal Defense and Education Fund, the National Association of Bilingual Education, as well as hundreds of other organizations who monitor the treatment of Hispanic children and young adults in our Nation’s schools.

In 1965, our low-income Hispanic children were finally targeted for special assistance in local schools. Hispanics were included in the title I population for economic reasons. However, it was not until the mid-1990s that limited English proficient children were identified as being in need of academic programs to improve their academic achievement. Today, title I, as it is commonly known, serves more Hispanic children than any other ethnic group in the country.

The fight is by no means won. Even today, we are concerned that because of funding, the pending Elementary and Secondary Education Act reauthorization will not allow the full participation of all children and limited-English proficient children.

In addition, critical programs that help limited English migrant children, such as the National Bilingual Education Act, have been slated for drastic policy and administrative changes by the administration and are severely underfunded. Yet, Hispanics continue to have the highest dropout rates in the Nation. Exacerbating this problem is the acute shortage of qualified teachers teaching in their major of study. The Department of Education has indicated that we need an additional 50,000 new qualified bilingual teachers now. This is important because by 2025, one in every four public school students is projected to be Hispanic.

Students who have post secondary aspirations face limited, but significant choices in selecting colleges and universities. Sixty percent of all Hispanics in higher education are enrolled in Hispanic-serving colleges and universities, better known as HSIs. These institutions produce most of the baccalaureate and graduate degrees from Hispanics nationwide.

Mr. Speaker, in the Hispanic Congressional Caucus we are committed for increasing educational opportunities for Hispanic students. The conferees on the education bill have received our suggestions for improving the ESEA so it works directly towards these goals. We will continue to advocate for Pell Grants, for GEAR UP, for TRIO, more funding for Head Start, and Hispanic-serving institutions, and all of the exemplary programs that enhance equal educational opportunities for our children, youth and adults.

In closing, Mr. Speaker, I am asking my colleagues for their support in joining with the Congressional Hispanic Caucus to write a new and more positive history and heritage for Hispanics in our Nation using education as our cornerstone. Let our legacy be one of not only assisting Hispanic children, youth and adults to avail themselves of educational opportunities, but in helping them realize the full potential to which this great country. Hispanics have contributed a large share of medals of honor winners in defending America.

Mr. Speaker, I invite all of my colleagues to join me in ensuring that achievements. Today, title I, as it is commonly known, serves more Hispanic children than any other ethnic group in the nation.
Mr. REYES. Mr. Speaker, I thank the gentleman from Texas (Mr. HINOJOSA) for his leadership not only in education, but on many border issues for a region of the country that has been largely ignored.

Mr. Speaker, I recognize the gentleman from Texas (Mr. RODRIGUEZ), who has done great work for the Congressional Hispanic Caucus and as a member of our Border Caucus, in many areas, in particular health, health care, identifying the diseases that disproportionately affect our communities.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas (Mr. REYES) for providing this opportunity for us to be here today to speak on Hispanic Heritage Month and the contributions that Hispanics have played throughout the country. I also want to congratulate the gentleman from Texas (Mr. HINOJOSA) for playing a significant role in the area of education and LULAC.

Mr. Speaker, I would like to take a moment to express my deepest sympathy to the families of those lost in the attacks on the World Trade Center and the Pentagon. On September 11, agents of evil and hatred declared war against our country, seeking to use terror as a weapon in cowardly attacks.

By targeting symbols of American strength and success, the terrorists intended not only to destroy the bricks and mortar that hold our Nation together, but also to assault the core values and the civil liberties at the foundation of our democracy. We face new challenges for which we are not fully prepared, and we recognize that we have also failed in not being up to the challenge. Part of this challenge also is a recent rash of violence against other Americans and immigrants solely because of the fact that they might be Arab or Muslims.

The terrorist attack is an affront to all Americans and to American civil liberties, exactly what the terrorists would want us to do. This is the time for us to unite and to have better understanding. It is a time to embrace the very diversity that is the source of our national pride for so many Americans.

Mr. Speaker, I stand here also very proud because I see people reaching out and reading books on Islam, reading material, trying to educate themselves on Muslims and the different religions, and this is going to be important for us to be able to grasp what we are confronting, as well as having a better understanding of different people.

Mr. Speaker, September 15 through October 15 is Hispanic Heritage Month. I would like to take this opportunity to recognize the contribution and achievements of our Hispanic community. We are Puerto Ricans, Cubanos, Chicanos, Dominicans, and Mexican Americans in North America, South America. We come from Florida, California, Texas, and the other 50 States. We come from New York and Washington, D.C. also. We are Americans. We represent a broad spectrum of values and political beliefs. We have strength in the numbers and our desire to better our communities. Our goals are one and the same with the rest of America.

I want to take this opportunity to talk about three special Americans that we feel very strongly about, three Mexican Americans. These three are Medal of Honor recipients, and I want to take this opportunity to talk about them and their history and their accomplishments.

In so doing, I also want to add that Mexican Americans and Hispanics in general have over 37 Medal of Honor recipients within our ranks. We take pride during these times of difficulty, our people have been there to stand for America.

It was beautiful this past weekend to go to a meeting in Pearsall, Texas, a little community where over 250 people were giving a collection of food for the needy. There was a veteran there over 80 years old. He came to me and in all sincerity said, I am 81 years old, but if you need me to go to Afghanistan, I am ready. Tears almost came to my eyes as he said that. He meant it, and I know that we have a lot of Hispanics out there willing to give of themselves.

In that same light, let me talk about a man, a hero of ours, Cleto Rodriguez, who we have named a school in San Antonio after, Cleto Rodriguez Elementary. He was a rifleman. His unit was attacked, and he strongly defended the Paco Railroad Station in Manila in the Philippine Islands.

While making a frontal assault across the open field, his platoon was halted 100 yards from the station by intense enemy fire. On his own initiative, Cleto Rodriguez left the platoon. He went on his own accompanied by one of his friends and continued forward to a railroad siding. There he engaged the enemy in a one-man action. Although under constant enemy observation, the two men remained in this position for over an hour targeting and firing at the people that were there.

It was estimated that they killed over 35 hostile soldiers and wounded many others in that specific scrimmage. As they moved closer to the station, discovering a group of Japanese replacements, they attempted to reach the pill box. They opened heavy fire, killed three and stopped subsequent attempts for the men to be able to get replacements again.

As the two went forward, the story is they kept on firing and were able to kill the machine gun people. The figures are shown and reflected in the numbers as the recipient of the Medal of Honor. The enemy fire became even more intense as they advanced within a yard of the building covered by his companion. Private Rodriguez boldly moved to the building and threw five grenades one at a time through the doorway killing an additional seven Japanese, destroying a 20-millimeter gun as well as wrecking a heavy machine gun.

With their ammunition running low, by that time they did not have any more bullets or very few, the two men started to return back to the American lines, providing cover for each other as they withdrew. During this movement, Private Rodriguez companion was killed in 2½ hours of fierce fighting. The team of two killed, it is estimated, over 82 Japanese, completely disorganized their defense and paved the way for the subsequent overwhelming defeat of the enemy at this particular point.

Two days later, Private Rodriguez again enabled his comrades to advance when he single-handedly killed six Japanese and destroyed a well-protected 20-millimeter gun by his outstanding skill with his weapons, gallantry in the face of tremendous odds. Private Rodriguez, on two occasions, materially aided the advance of our troops in Manila. That is the story of Cleto Rodriguez and the beautiful work that he did in behalf of all of us.

I also want to take this opportunity to talk about Roy Benavidez, another Mexican American from our area. Cleto was from San Marcos, Texas, and lived in San Antonio, where he joined the military and where the school is named after him.

Roy Benavidez, also a Texan who also lived in the San Antonio area, I want you to know that the late Roy Benavidez, who received the Medal of Honor in 1961 for valor in Vietnam, is the latest soldier whose name will be borne on a Navy ship. Navy Secretary Richard Danzig announced September 15 that the next in a series of resupply ships will be named the U.S. Naval Station in Manila. That is the story of Cleto Rodriguez and the beautiful work that he did in behalf of all of us.

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The Benavidez is scheduled to be launched next summer. It is the seventh in a class of 950-foot-long roll-on/roll-off sealift ships. The diesel-powered ships are 106 feet abeam, displace about 62,000 long tons and can sail at a sustained speed of 22 knots.

I want to mention to you a little briefly on Roy Benavidez and his background and his history. Mr. Benavidez was in the Army and was also a special forces soldier. He was of Mexican descent and also part Yaqui Indian ancestry. He became a hero because of the heroic actions of his selfless service is truly an American legend. The Navy made him a true American hero, rising from humble origins in south Texas to become an Army legend. The Navy's recognition of his selfless service is truly an appropriate tribute to Master Sergeant Benavidez' memory and to the ideals of our Nation that he epitomized. He is only one of 37 Hispanics that have received this honor.

I want to take this opportunity to also mention one additional Medal of Honor recipient. He is a close friend of mine, a good friend that continues to work in San Antonio, to work with young people to keep them off of drugs, to work on a variety of different projects with veterans, to make sure that he helps to educate veterans and service men and women that are homeless in helping in a lot of ways, and, that is, the Medal of Honor recipient Louis Ricardo Rocco from San Antonio. Louis Ricardo Rocco, a warrant officer, distinguished himself when he directed a medical evacuation team on an urgent mission to evacuate eight critically wounded Army of the Republic of Vietnam personnel. As the helicopter approached the landing zone, it became the target for intensive enemy automatic weapons fire. Disregarding his own safety, Warrant Officer Rocco identified and placed accurate suppressive fire on the enemy positions as the aircraft descended toward the landing zone. Despite damage from the enemy fire, the aircraft was forced to crash land, causing Warrant Officer Rocco to sustain a fractured wrist and hip and severely bruised back.

Ignoring his injuries, he extracted the surviving wreckage. He sustained burns to his own body. Despite intensive enemy fire, Warrant Officer Rocco carried each unconscious man across approximately 20 meters of exposed terrain to the Army of the Republic of Vietnam perimeter. On each trip, he went for each one, not once but eight times. His severely burned hands and broken wrist caused excruciating pain, but the lives of the unconscious crash survivors were more important to him than his personal discomfort. He continued his rescue efforts. Once inside the friendly position, Warrant Officer Rocco helped administer first aid to his wounded comrades until his wounds and burns caused him to also collapse and finally lose consciousness. His intense devotion to duty were directly responsible for saving these men and others.

His unparalleled bravery in the face of enemy fire, his complete disregard for his own pain and injuries and his performance were far above and beyond the call of duty and were in keeping with the highest traditions of self-sacrifice and courage of the military service. And so I am proud to say that I am a special forces guy. I don't need anything. Just drop me there.
Mrs. NAPOLITANO. Mr. Speaker, I thank the gentleman from Texas (Mr. RODRIGUEZ) for his leadership and his dedication and also for chronicling the Medal of Honor winners, three of 37 Medal of Honor winners that come from the Hispanic community. We are blessed, Mr. Speaker, in our caucus, in the Congressional Hispanic Caucus, with having Members of our caucus that have diverse backgrounds, diverse interests, much like other Members of Congress that focus their attentions on our issues that they feel should be a priority for this Congress.

Next, the gentlewoman from California (Mrs. NAPOLITANO) has a small business and an economic empowerment background. With that, I yield to the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I come to this floor today to honor and pay tribute to all fellow Hispanic Americans and to highlight some of their excellent contributions to our country.

Hispanic Americans have hard worked, become part of the American experience and have greatly influenced America’s culture and our society.

Hispanic Americans have played an integral part in our country’s exceptional story of success. We have served heroically in every American conflict.

You just heard my colleague indicate there were 37 Hispanic Americans who earned the Nation’s highest military decoration, the Medal of Honor. I believe there were 38. I will settle for 37, but I think it was 38.

Mr. Speaker, we are not only working in the United States. Hispanic Americans have helped shape all aspects of the American experience and have greatly influenced America’s culture and our society.

Hispanic Americans have played an integral part in our country’s exceptional story of success. We have served heroically in every American conflict. You just heard my colleague indicate there were 37 Hispanic Americans who earned the Nation’s highest military decoration, the Medal of Honor. I believe there were 38. I will settle for 37, but I think it was 38.

The United States academic and scientific communities have benefited from the contributions of Hispanic Americans, like physicist Luis Walter Alvarez, who was awarded the Nobel Prize in Physics in 1986, while business leader Roberto Goizueta, chairman of Coca-Cola and a Cuban-American businessman, was among those who came, among them Hispanics, have contributed to your greatness, to our world leadership.

God bless America.

Mr. REYES. Mr. Speaker, I thank the gentlewoman from California (Mrs. NAPOLITANO) for her leadership.

As members of the Congressional Hispanic Caucus, I want you, Mr. Speaker, to know that we are not satisfied with having 18 Members. We are working aggressively to expand our caucus. I want to thank the gentlewoman from California (Mrs. NAPOLITANO) and our next speaker for their tireless efforts to identify great Latino candidates that can join our caucus, we hope, in the near election.

With that, Mr. Speaker, I yield to the gentlewoman from California (Mr. BACA), who, himself a veteran, tonight wants to discuss the contributions of Hispanics to the Armed Services.

Mr. BACA. Mr. Speaker, first of all, I would like to recognize the gentleman from Texas (Mr. REYES) for creating...
this opportunity to acknowledge the contributions of Hispanics to this great Nation in the area of education, the area of business, the area of media, the area of veterans, the area of civil rights, individuals like Cesar Chavez and Dolores Huerta of the United Farm Workers, and for equality and justice for all. I want to thank our Chair for taking the lead in having this.

There are many individuals whose names will not even come out right now, but I want to take a moment to look at the contributions that Hispanics have made to this great Nation, from the time that we were here to the time that we will exist, and as we look at the growth in the population, we will continue to contribute to this great country, because we believe in this country, we live in this country, we are proud of this country.

Last month, the sanity of our Nation was violated on our own soil. Our Hispanic communities are now rising to our Nation’s defense. I state that our Hispanic sons and daughters are now rising to our National Hispanic defense. The Hispanic community understands freedom is not free, that freedom does not come without a price.

Historically, as a community, we have militarily invested our hearts and soul in securing the peace for our abuelas, for our hijas, for our families. If asked, more than 85,000 Hispanics currently in active military duty will once again step up to the plate for our country; and I state step up once again to the plate for our country along with many other men and women serving our country.

It is fitting, therefore, that we use this Hispanic Heritage Month to commemorate military contributions of our courageous Hispanic community, for our culture is rich in its heritage, traditions and customs. We are proud people, willing to serve this great country.

From the American Revolution to today’s voluntary service, over 1 million Hispanic veterans have served our country with honor and courage. Hispanic Americans answered the call of duty every time during the wars throughout the Nation’s history.

As many as 500,000 Hispanics fought for the United States in World War II. Thirty-eight, and I state, 38 have received the Congressional Medal of Honor, the highest award of valor. One individual from my area, Joseph Rodriguez, a fourth generation from San Bernardino, received such a valor and high award and prestige. We were the second largest American minority in Vietnam, with over 19 percent of our numbers killed and wounded.

As we look forward in our latest defense of freedom, freedom from terrorism, we will fight, and I state, we will fight to recapture the American peace. Mothers and fathers across the Nation will experience sleepless nights, worried about the possibility of a draft, worried about the possibility that their hijos will once again be called to duty. I know, because my mother was worried during the time that I served during the Vietnam War. I had to try and serve, every night she had a candle that she lit, she put up, and prayed every night that I would return home. And, yes, I did return home.

We must not be afraid to step forward, to step forward to make that choice, for if we are, we will have allowed them to win. We must have the courage to pay the price for our precious freedom.

Through our military contributions we have seen and we will see notable reflections of the Hispanic commitment to the family, respect for others, and love of this country, all virtues transcending ethnicity, all virtues reflecting the American spirit.

The Hispanic community will step forward again with selflessness and bravery in response to our national call. We must be willing to step forward with them. As the first chair of the Congressional Hispanic Caucus’ Veterans Task Force, I am working to secure a voice for Hispanic veterans in Congress, a voice for recognizing, a voice for understanding.

Let us today acknowledge and give thanks to the Hispanic military community that will preserve the peace, so that future generations of Hispanics will be able to freely contribute to our Nation’s economic, artistic, legal, and political communities, as more than 30 million Hispanic-Americans do every day.

This is in essence a Hispanic heritage. This is what it is to be an American. We are all proud Americans. We love to serve our country.

Mr. REYES. Mr. Speaker, I thank the gentleman from California (Mr. BACA) for his role, his very active role in our caucus.

Next, Mr. Speaker, we have got the newest member of our Caucus. But when people talk about a real dynamo, the gentlewoman from California (Ms. SOLIS) comes to my mind. Although she is the newest member of our Caucus, she has engaged herself in many areas that are important to our community, like education, labor, technology, the digital divide, all of those things that are important that we address in this People’s House.

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So with that, I yield to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I am pleased and honored to be here also to join with my colleagues, colleagues that are not here this evening with us, but the millions of people who are watching us, and understanding that today to let our hijos step time for us. We are commemorating Hispanic Heritage Month; but we also, as Members of Congress, just voted out of this House today to authorize the printing of a pamphlet to honor Hispanic Americans who serve in this Congress and who have served in this Congress. Let us not forget that all of us from across this country have made great, great contributions and strides to this government.

I am proud to be one of the newest Members and one of the few Latinos to serve in the House of Representatives. I am one of six, and I am proud to say that the district that I represent is made up largely of Hispanic Americans who vote, who participate in our government, and who serve us in our government through different segments, whether it be as public servants, whether it be in the military, or whether it be here before our colleagues as Members of Congress. I am proud to be a part of my community, most of which I want to talk about education, because education is really where it counts for many on our side.

Without educational opportunities, I know I would not be here standing as a congressional member before my colleagues here today. Part of those important aspects of education came to me in the form of government programs, Federal programs, the Pell grant program, financial aid programs, that helped to provide incentives for families like mine who could not afford to send their children to college. Without those kinds of support, I know that many, like myself, would not have had the kind of professional careers that we now lead. So I want to underscore how important it is to continue funding of education; and especially because now, as we find ourselves in a situation where many people are now out of work or having to work two or three jobs trying to make ends meet, it becomes even more difficult for them to obtain assistance to continue their careers. Whether it be here in a university or at a community college.

I want to mention that one of my first opportunities to serve in public office was as the first Latino elected to the Rio Hondo Community College Board, which is known by the Federal Government and recognized as a Hispanic-serving institution. What that means is that 25 percent of the student population there, the undergraduates enrolled, have to be of Hispanic descent. Rio Hondo College is far beyond that; it is about 50 to 60 percent. I am proud to say that that is one of the institutions that has just been recognized for sending and graduating more Latinos to go on, after receiving their 2-year degree there, to go on to a 4-year institution. So I am proud to have been a part of the successes that that college now realizes, and I am happy that this government now supports them through Federal funding through the Hispanic-serving institution accounts.

There are over 203 of these Hispanic-serving institutions nationwide, and in California we represent 28 percent of
those 57 Hispanic-serving institutions, to be more exact. In my congressional district we have several, some of which I have mentioned: Rio Hondo Community College, East Los Angeles College, California State University Long Beach, and Los Angeles City College. Also, two districts in my congressional district, Los Angeles Unified School District and El Monte Union School District, have some of the highest concentrations of Latino students in the United States. Today, Latino children are the largest group of minority children in our country. Despite our growing numbers, Latinos remain the most educationally disadvantaged amongst our public school students. The dropout rate is atrocious for Latinos. It is about 20 percent nationally, three times the rate of that of African American or Anglo students. Mr. Speaker, 1.3 million Latinos drop out of high school each year. This is atrocious, and only about 23 percent of Hispanics 25 years old and older have completed a high school diploma, compared to 84 percent of Anglos and 76 percent of African Americans. Also, only 11 percent of Latinos have obtained a bachelor’s degree or more. Other groups have done better.

Yes, the challenges we face as Latinos are daunting; but they are not insurmountable. Believe me, we are making educational gains. Latinos currently represent about 14.5 percent of the total population of the United States. We are on the rise; and we hope that in the year 2025 that we will represent well over 22 percent of that population. Between 1976 and 1996, the number of Latinos enrolled in undergraduate education actually increased by 202 percent. Although our enrollment numbers may be low, we are on the rise. More and more of us are working to obtain higher education. Increasingly, Latino students are more likely to be forced to work part-time, as I said earlier; having to make ends meet just to acquire that ability to go on to college.

Therefore, I will, as my colleagues here before us, support funding such as the 21st Century Higher Education Act, which would allow for more students of Hispanic backgrounds to have access to quality higher education. This would mean an allocation for more money and programs such as the GEAR UP program, which helps junior high students become college-ready; and it would increase funding for the TRIO programs like Upward Bound and Talent Search, which help Latino students for college. I continue to support these programs myself and know that as the old saying goes: “La educación es la clave para un futuro mejor.” That is to say our future lies in education.

I support legislation that will help working men and women of our country also achieve the American dream. The Hispanic labor force is growing quickly. In 1976, 58 Hispanics were identified as operators and laborers. Today that number is 12.7 percent of the total labor force. This is an increase of 10.4 percent since 1996. Hispanic women are one of the fastest growing groups of women in the United States. Their total employment increased by 65 percent over the last 10 years. Hispanics are more likely than any other minority group to be heavily concentrated in the service occupations and almost twice as likely to be employed in the lowest paying jobs.

The majority of Hispanic women in the workforce are employed in the technical, sales, and administrative support and service jobs. This means that an increase in the minimum wage is essential for Latinos overall, but particularly Latinas. Our Nation’s workers deserve a fair day’s pay for a fair day’s work, and our national minimum wage simply does not represent a fair day’s pay. In fact, the national minimum wage is not even enough to lift a family of three above the poverty level, which is $13,290 annually. A full-time year-round worker who supports a family of three would have to earn $6.39 an hour just to reach the poverty level, about five dollars above what we currently pay now at the Federal level, which is $5.15 per hour.

I have no doubt that as Latinos working together we can make an increase in the minimum wage a reality. I have hope that before we end our session this year. Because we can work together as a community. I know there is no end to the kinds of achievement and goals that we can obtain.

Mr. Speaker, I salute my fellow Latinos during Hispanic Heritage Month, and I want to also recite to them this: “Recuerden que en la unidad esta la fuerza,” or remember that the power rests in unity.

Mr. REYES. Mr. Speaker, I thank the gentlewoman for her comments and for her leadership in many different areas of our caucus.

Mr. Speaker, I appreciate the opportunity this evening to let this country know of the great contributions of Hispanics and Latinos across the country.

I want to close. Mr. Speaker, by relaying a story that actually happened to one of my daughters. They were talking about identifying a hero; and in her class one identified a great inventor as their special hero, another one identified a great athlete, another one a great leader, another one a great doctor. When it came to a classmate of hers, a Hispanic, the individual, the little boy said, it is my dad, because every time he goes to work, whether he is feeling good or he is feeling ill. When the car breaks down, he fixes it. He gives us everything that we need.

Latinos are like that. Every day across this country people get up and go to work and do the things that are important for this great country of ours. They possess great patriotism, as we have heard this evening, great dedication, great concern for the things that are important to all of us as Americans.

So, Mr. Speaker, with that I want to express my appreciation for the opportunity to share the Hispanic contributions with this great country in this great people’s House.

Mr. ORTIZ. Mr. Speaker, while the past weeks have broken our hearts an steeled our spines, it is still important to take the time to celebrate our unique heritage as Hispanics. At this time of year, more than ever, Americans are one people. Since the attack, we have all come together. Americans of all sorts died together, we cried together . . . and we will fight together.

Congressional Heritage Month, and the war in which we are currently engaged, serves to remind us of the extraordinary role Hispanics have played in the history and the defense of our Nation. Today, it is appropriate to begin in the present day and grieve for the Americans who died in hijacked planes, at the Pentagon and in New York City—a great many of whom were Hispanics from around the Americas.

The rescue workers, a number of which are also Hispanic, have labored 24 hours a day since the attack to find victims. We have never lived through a tragedy of similar nature, but about the United States, Hispanics have played major roles in building our country and defending it.

From the American Revolution that freed the United States from England—to the Persian Gulf war and today’s operation against terrorism, Hispanics have served the United States. When the colonies on the east coast of what is now the United States rebelled against England, Hispanics played a pivotal role.

As Governor of the Louisiana Territory, General Benardo de Gálvez sent money, gunpowder, rifles, and other supplies to General George Washington to aid in the revolution. He later served gallantly in the War for Independence by capturing both Mobile and Pensacola—at a pivotal point in the war.

Captain Jorge Farragut came to the United States to seek his fortune by fighting the British—first in the Revolution, then in the War of 1812—as part of the U.S. Navy. Hispanics also raised special collections and taxes to aid the fight for independence. After the Revolution was won, Mexican pesos aided in the construction of St. Peter’s Church in New York City to celebrate the end of the war.

As in the Revolution, Hispanics served proudly in each war and conflict in which the United States participated. In the course of six wars, 38 Hispanics have been awarded the Congressional Medal of Honor, our country’s highest award for military bravery and service.

In the Civil War, David Glasgow Farragut, son of Jorge Farragut, won fame as a Union hero by blocking Southern ports, destroying Rebel ships anchored in New Orleans, and by capturing Mobile for the Union. His contributions prompted Congress to create the title of rear admiral to reward him as the first man to ever hold that rank. Farragut was commissioned vice admiral in 1864, then admiral in 1866.

Federico Fernández Cavada, a Lieutenant Colonel for the Union Army, fought bravely at Gettysburg. Rafael Chacon also served with
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the Union Army, and attained the rank of major. Santos Benavides—originally from La-
reto—fought for the Confederacy. His rank of
colonel was the highest of any Mexican-American
Army officer in the Civil War.

Major Manuel Antonio Chavez fought for the
Confederacy, a move to retake desert town Rio
Grande, prevention the rebels from carrying out
their plans to seize the gold mines of New
Mexico and California. Lieutenant Colonel
José Francisco Chaves of the Union Army as-
sisted in recapturing Albuquerque and Santa
Fe.

One of the most interesting soldiers in the
Confederacy was Loretta Janet Velázquez, who
fought disguised as a man. Upon dis-
covery and discharge, she continued her serv-
ices as a Confederate spy.

I wanted to concentrate mostly on those
who served in the U.S. military prior to this
century, because not near enough has been
said about them throughout the course of his-
tory. Part of the purpose of having Hispanic
Heritage Month is to commemorate those His-
panics who have gone before us—people who are
not mentioned in the history books.

In 1973, Lieutenant Colonel Mercedes
Cubria retired from the Army—she was the
first Hispanic woman to achieve that rank. His-
panics served bravely for the cause of free-
dom and democracy in World War I, World
War II, and Vietnam.

More than 400,000 Hispanics served the
United States during World War II and about
25,000 Hispanics served in the Persian Gulf
war.

In the years to come, when the military
service of Hispanics is viewed through the
prism of history, there are certainly a number
of young Hispanics whose service to this Na-
tion in this new war will distinguish themselves
among great U.S. warriors in the 21st century.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise
today in honor of National Hispanic Heritage
Month to celebrate the contributions Latinos
have made and continue to make to our richly
diverse national culture.

From agriculture to commerce, from the arts
to sports, from government to medicine, Latinos
are a significant part of everyday life in the
United States.

Latinos contribute to the vitality of our Na-
tion’s economy through traditional work in the
field of agriculture, to jobs in the manufact-
uring arena, to service in Federal, State, and
local governments. Latinos are leaders in our
labour unions, and in government, and are
among America’s most successful entre-
preneurs and business leaders.

One clear example of the economic con-
tributions of Latinos to America is illustrated by
the Census Bureau’s most recent report, which
found that Latinos own the largest share of
minority-owned businesses in the country—
1.2 million to be exact.

As some of our Nation’s most ardent patri-
ots, Latinos have served proudly and with dis-
inction in every major U.S. military conflict
and in all branches of our armed services.

One of the greatest sources of pride among
the Latino community is the 39 Medals of
Honor awarded to Latinos in recognition of
their valor. They are the largest single ethnic
group, in proportion to the number of who
served, to earn this prestigious award.

Latinos have a long history of leadership in
support of the rights of the oppressed: sup-
porting civil rights leaders, to helping influence

policies that seek to ensure fair and equal
Healthcare. They have been leaders in extending the Voting
Rights Act to areas where Latinos and others have historically been discouraged from voting
as a result of discriminatory practices. During
the latter half in California in the 1960s; Dolores
was still a leader in the United Farm Workers of
America in California. Let’s not forget the
contributions of Ellen Ochoa who became the
first Latina astronaut in 1990; and Antonia
Novello our Nation’s first female Latina Sur-
ger General. We must not forget the countless
other Latinos, who with women of all
races, are the silent heroines working every-
day to keep families centered and strong in
their roles as, wife, caregiver, provider, moth-
er, and grandmothers.

I am proud of the diversity of the 33rd Dis-
trict of California, and I am proud to represent
one of the largest concentrations of Latinos in
the entire country. Encompassing downtown
Los Angeles and a number of municipalities in
southeast Los Angeles County, my district
represents the rich diversity within the
Latino community. My constituents’ roots
stem from all over Latin America and the Car-ibbean, including Mexico, Guatemala, El Sal-
vador, Nicaragua, and Cuba. Coupled with the
other wonderful races and groups I represent,
this wonderful cultural cornucopia con-
tributes to making California the most diverse
State in the union an integral component of
our great country.

During Hispanic Heritage Month, we proudly
recognize Latinos for their contributions to this
great country; not only for the contributions
of today, but also for those accomplished
throughout American history. Now and long
ago, Latinos have taken their place among the
leadership in family, business, politics, edu-
cation, sports, science and the arts. As a re-
Sult, our Latino heritage is a thread interwoven
into the fabric of a greater America.

STRATEGIES FOR AMERICA’S
RECOVERY

The SPEAKER pro tempore (Mr. SCHROCK).
Under the Speaker’s an-
ounced policy of January 3, 2001, the
gentleman from Iowa (Mr. GANSKE) is
recognized for 60 minutes as the des-
igner of the majority leader.

Mr. GANSKE. Mr. Speaker, Tuesday,
September 11, is forever seared into our
minds. We will never forget the images of planes flying into tall buildings and
explosions, people choosing to jump off
buildings rather than burn to death,
buildings collapsing on rescuers, clouds of
vaporized concrete, steel, glass, roll-
ing down the streets like volcanic erup-
tions. The Stars and Stripes, used by
the flaming crater that was the pyre of
125 soldiers and civilians at the Pen-
tagron. Our hearts go out to the victims
and their families.

Mr. Speaker, we watched those im-
ages and they did not at first seem
real. The spectacle almost disguised the
human toll. At first, the magnitude of
the tragedy made it hard for most
Americans to grasp. But every day, the
newspapers now put faces on the vic-
tims and their families. The shock has
warmed off, and we are left with grief, the
deepest grief. We read those obituaries
and we find ourselves tearing up, I do
not know about my colleagues, but I
can only read a few of those obituaries
each day before I must stop.

We have learned the stories of the
brave passengers on United Flight 93
who bid their loved ones farewell,
pledging that they would go down
fighting. Their plane crashed, but those
Americans saved many lives in Wash-
ington, perhaps even our own. We are
humbled by their courage and sacrifice,
ordinary Americans who in 45 minutes
become heroes. We remember the final
words, the final recorded cell phone
calls of the men and women hopefully
talking above the fiery inferno of
the World Trade Center, messages of love
to their families.

In Corinthians the Bible teaches: “So
we do not lose heart, even though our
outer nature is wasting away, our inner
nature is renewing, for we know that if
the earthly tent we live in is destroyed,
we have a building from God, a house
not made with hands, eternal in the
Heavens.”

Mr. Speaker, each of us will carry our
memories of 9-11. I personally
will never forget the sense of unity as
170 bipartisan Members of Congress,
not Republicans or Democrats, but
Americans, stood on the front steps of
this Capitol in the lengthening evening
shadows of that Tuesday to say a prayer
for our country and its victims.

Then we sang “America the Beau-
tiful.” Our message then and today
and tomorrow is that this is one Republic,
United We Stand. Terrorists can chal-
lenge this Nation’s spirit, but they can
not break it. In righteousness we are
hunting down, even as I speak, to the
end of the Earth if necessary, the as-
sassins of our brothers and sisters,
mothers and fathers, and children.

We will do what is necessary to win
this war that has been declared on us.
The victims deserve justice and our
people deserve security. We are noting
trapped above the fiery inferno, and we
do distinguish between terrorists and
those who harbor them and the rest of
the Muslim world.
But Christians, Jews, and Muslims must all understand that the Osama bin Ladens are leading to the destruction of all religion and society. If the Muslim fundamentalists do not realize that, the war will go on and on.

Taliban’s fundamentalist Taliban regime: This is a government so oppressive that it executes little girls for the crime of attending school. Girls aged 8 and older caught attending underground schools are subject to being taken to the Kabul soccer stadium and are made to kneel in the penalty box, while an executioner puts a machine gun to the back of their head and pulls the trigger. Spectators scattered among the stands are then encouraged to cheer.

An Afghan woman was beaten to death recently by an angry mob incited by the Taliban after accidentally exposing her arm.

Osama bin Laden’s treatment of women is so barbaric that he orders their heads shaved and toenails pulled out if they are painted.

Women in Afghanistan have almost no health care because male doctors are forbidden by the Taliban to touch female patients, and there are very few female doctors.

The beating, raping, and kidnapping of women are commonplace under the Taliban. A reporter for CNN recently told of meeting a family of three little girls. They had been made to believe they had met a family of three little Taliban. A reporter for CNN recently told of meeting a family of three little girls. They had been made to believe they had met a family of three little Talibans. A reporter for CNN recently told of meeting a family of three little girls. They had been made to believe they had met a family of three little Talibans.

Female doctors.

Female patients, and there are very few because male doctors out if they are painted.

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Department, the State Department, the Agriculture Department, the Centers for Disease Control, State public health programs and directors, and city-based domestic preparedness programs. This is a job for the new Director of Homeland Security.

Second, we must make a systematic effort to incorporate hospitals into the planning process. As of today, I think it is accurate to say that there are few, if any, U.S. hospitals that are prepared to deal with community-wide disasters such as a catastrophic attack for a whole host of financial, legal, and staffing reasons.

There will be significant costs for expanded staff and training to respond to the abrupt changes in demand for care, for outfitting decontamination facilities and rooms to isolate infectious patients. Think about the cost of respirators and emergency drugs.

The first serious efforts to implement a civilian program to counter bioterrorism emerged in the spring of 1999 when Congress appropriated $175 million in support of activities to combat bioterrorism through the Department of Health, but, Mr. Speaker, we must do much more to integrate Federal, State, and city agencies.

First, we must educate family doctors and public health staff about the clinical findings of agents;

Second, we need to further develop surveillance systems for early detection of cases;

Third, we need individual hospital and regional plans for caring for mass casualties;

Fourth, we need laboratory networks capable of rapid diagnosis, and we need to accelerate the stockpiling and dispersal of large quantities of vaccines and drugs.

And these are just a few of the things we need to do. The Public Health Threats and Emergency Act of 2000 provides for increased funding to combat threats to national health, and the Administration provides that increased funding this year.

I recently visited Broadlawns Hospital in Des Moines. Public hospitals like Broadlawns and public health agencies have not been adequately funded for years. They need to be bolstered in order to cope with a biologic attack. Even if a catastrophic biologic attack does not occur, and we pray that it does not, the investment will still pay dividends in many ways.

Finally, let me return to the question of understanding the causes of Muslim fundamentalists’ hatred of the United States.

President Bush asked in his September 20 address to Congress right here on the floor, why do they hate us? Those of us here on the floor and those at home listening to the President, still stunned by the magnitude of that attack, wondered what degree of poverty or political resentment or religious convictions could lead anyone to revel in the deaths of so many innocent people.

Shortly after the attack, I was asked by the Des Moines Register editorial board why I thought there was so much hatred of us in the Middle East. In April I had visited Israel, Jordan, and Egypt. Our congressional delegation met with the leaders of these countries and the Palestinians, but we also met with people from these countries who were not in government.

I told those fundamentalists that there was much envy of our wealth and dislike of our Western culture, particularly the role of women as equals. I also said it was clear that our support of Israel was significant.

I think that is an incomplete answer, and I do think we need to reflect for a moment on what we hear when, for example, we hear the translation of Osama bin Laden’s speech. In the end, coping with Islamic anti-Americanism has to be a component of our war on terrorism.

As someone who has traveled rather extensively in Third World countries on surgical trips, I would say that not everyone regarded the United States as a greedy giant. Even critics in other countries of America’s foreign policy still often praise United States values of freedom and democracy, but extremism thrives on poverty.

Cairo is now a city of 18 million people. In the center of the old city is a huge cemetery called the City of the Dead. Years ago, the authorities gave up evicting people from living in those crypts. Today, it is the home for over a million people.

Population explosion in these countries is unbelievable. The breakdown of services as simple as garbage collection is something that few Americans can comprehend.

Since the early 1970s, the populations of Egypt and Iraq have nearly tripled. As a result, per capita income in Arab states has grown at an annual rate of 1 percent and 3 percent, respectively. Today, these countries is growing even faster than any other region in the world, and that leads to large pools of restless young men with no jobs and nothing to do.

Globalization has accelerated the pace of economic and social change and that creates insecurity. Most Islamic states do not have democratic governments to mediate those conflicts. Generals, kings, leaders for life, parliaments with no power, all these lead to frustration and then people feel powerlessly and extremely deprived, either economically, politically or psychologically, the ground is fertile for terrorism.

This sense of deprivation is part of the public backlash in those countries against globalization, modernization, and secularism. And the United States, regardless of its relationship with Israel, is the country most benefiting from globalization. It is the most modern nation and it is the most secular Nation on Earth.

Two-thirds of Egyptians and four-fifths of Jordanians consider a “cultural invasion” by the West to be very dangerous, according to a survey from a couple of years ago. So what can we do?

First, let me say, as Tony Blair said, there is no compromise with people who celebrate killing 5,000 people and who would celebrate even more if they killed 50,000. We will hunt down and destroy those assassins of our brothers and sisters and mothers and fathers and our children.

We must also understand the region better. We do need to help those countries tackle their underlying economic woes. We had to fight a Second World War because of the failure of the treaty of Versailles after the First, but the Marshall Plan helped us secure a safe Europe after World War II. President Bush has already started in this direction with Pakistan. The Jordanian Free Trade Agreement is also an important step, especially symbolically.

Education in the region is a real problem. Secondary school education is low. Illiteracy is high and fundamentalist Islamic sects have filled the void. Those fundamentalists sects educate, feed and clothe the poor, and they win converts to their hatred of the West.

In Egypt and Jordan, the State forbids the teaching of Jihad in those schools. As a condition of U.S. foreign aid to Pakistan, I think the Pakistan government should do the same. Many of the members of the Taliban are products of those schools that teach hatred of us.

The United States could do more to promote democracy in the Middle East. This means promoting free and fair elections, judicial and legislative reform and rule of law. An investment in these countries will be well worth the cost. Consider that the Wall Street Journal today estimated that the World Trade Center attack will cost the American economy over $100 billion.

This war that we are in is a fight for freedom and justice. Whether it is our military, our intelligence agencies, our resolve to make airports more secure and our public health system better, I see around this country the will and resolve to win this war.

Our parents fought World War II. Each generation is called on to sacrifice, and I see today the valor of our fellow countrymen and its soldiers, its firefighters, its policemen, its nurses, and ordinary Americans, who, in 45 minutes, become heroes.

This is our generation’s challenge. It is our turn to fight for freedom and justice. We will do our duty.

IMMIGRATION: THE POROUS NATURE OF OUR BORDERS AND THE DEVASTATING EFFECT THAT HAS ON OUR ECONOMY

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.
Mr. TANCREDO. Mr. Speaker, I am here tonight to speak about a couple of topics, in particular, of course, the issue that is always of interest to me and I believe should be to our colleagues and to the American people, and that is, the issue of immigration, the very devastating effect that has had on the United States literally and figuratively.

I want to preface my remarks this evening with some observations that I had while I was waiting to address the House.

One of the previous hours was taken by the members of the Hispanic Caucus, and they spent their hour dutifully recounting the notable achievements of Hispanic Americans in the United States, both in the military and in other areas; and as I say, dutifully, and it is appropriate that those observations were made and those accomplishments were lauded.

As I spoke to them, it struck me just how peculiar it is to have such a thing in this Congress. Certainly I think it is not unique here. There are probably State legislatures around the country that probably have a similar entity as a Hispanic caucus. That is a unique thing here, of course, and interesting from a variety of different standpoints. But it brings to mind the problem we are having in this country with trying to integrate into our society all peoples of various ethnic origins.

There is to some extent a desire on the part of many people to integrate into our society and do so as quickly as possible as they get here, newly arrived individuals, new immigrants to the American scene, and that is as it has been since the inception of the country. Most people coming into the United States are coming here for reasons that help them adjust to the American scene by dissociating themselves with their past and integrating themselves into the American mosaic.

I think to a large extent, although it is understandable, as I say, for individuals to form themselves up into organizations to reflect relatively narrow points of view and attitudes, it is peculiar, I think, to have organizations like that in this body and in other legislative groups around the country, and this all came home to me recently in Denver, when I was asked to speak to a group called the Hispanic Human Resources Association.

These are individuals who work in companies throughout the State of Colorado in the capacity as human resource development people. It was kind of intriguing to me when I first got their offer that there was such an organization, first of all, Hispanic human resource administrators. I mean, I think to myself, well, why Hispanic human resource administrators? Why not Greek human resource, whatever, and of course, I wanted to go and speak to them.

They wanted to talk to me about my position on immigration, a position, of course, which is very, very unpopular among a number of Hispanic organizations, not so unpopular among many Hispanic individuals who live here in the United States, who themselves see the problems that are created as a result of massive immigration, legal and illegal, but many organizations, of course, LARASA and others, who attack my position quite vehemently.

They and this group to a large extent reflected the view, but I wanted to go and I wanted to debate that point in front of them, and I was there with a representative of another Member of this body, the gentlewoman from Colorado (Ms. DEGETTE). And although she could not be there that night, she sent a representative, and he and I were the focal point of the evening discussion.

At the conclusion of our discussions, a gentleman in the back of the room came over to me, he said, and he said to me that he was concerned about the fact that, as he pointed up to the dais where we were sitting, that he and the other Hispanics in the audience were not represented by the people at the dais.

In other words, not by me or by the representative from the office of the gentlewoman from Colorado (Ms. DEGETTE). And he was very annoyed by that. And he indicated that that was really his problem; that that was a major problem that he has generally with American society, with his particular situation in living in Denver, as I assume he did.

And I was extremely interested in that observation because it goes to what I am talking about here tonight in terms of this Hispanic Caucus that exists in this body to me. I am really intrigued by what you say, because what you have suggested is that because I am not Hispanic nor is my colleague, the gentlewoman from Colorado (Ms. DEGETTE), I cannot represent you and neither can she for only that reason; not because we may not see eye to eye on the issue of taxation or Social Security reform or the degree of support for the military or any of the wide variety of issues that confront us all on this floor day after day after day. No, not for any of those reasons did he feel that he is not represented and could not be represented by either my colleague or myself. He felt that he could not be represented because neither of us, neither my colleague, the gentlewoman from Colorado, nor I, is Hispanic.

That was really a fascinating thing in a way, because this is really a problem in our society, Mr. Speaker. I believe, this balkanization of America, this assumption that in order for us to be truly one body, any legislative body, it can only be someone of our ethnic background. So I said to him, do you know what that means, sir? That means if you are telling me I cannot represent your interests, and I may very well not represent your point of view on a wide variety of issues, because I assume you are a very liberal, sort of maybe a Democrat-leaning individual and I am a conservative, but in a way, I think that is more than right that I do not represent your political point of view, I will give you that. But it is not because I am Italian; it is because I simply do not agree with your issues and I assume also suggesting that my colleague, the gentlewoman from Colorado (Ms. DEGETTE), does not represent your point of view, even though I will bet you anything that on every single one of your issues, everything that you can talk about, everything that you can possibly come up with as a public policy issue, I will bet you that she agrees with you. But you do not think that is good enough; that she agrees with you on every single public policy issue. You say she has to be Hispanic to represent you. Of course, what that means is that you cannot represent me. You could never represent me; not because you do not believe what I believe, but because you are Hispanic and I am Italian.

Does that make sense to anybody here? Do we really believe that is the way we ought to determine who gets elected to office, based solely on their ethnic background? And yet that is what this is all about. We draw Hispanic Caucus representatives here now around the country of redrawing district lines for the Congress of the United States. And, interestingly, we continue to think about and courts continue to adjudicate lines drawn to protect specific minority groups so that minority groups, black and Hispanic, can have their representation here. But, of course, that begs the question, does the color of our skin make us incapable of responding to the needs and desires and interests and attitudes of our constituency, if it is not the same color as the majority of the people who live there in that particular district?

This is a very dangerous thing, Mr. Speaker. And I do not blame my colleagues for getting up here tonight and extolling the virtues of Hispanic Americans. They are wonderful people, and I certainly join them in their praise of the accomplishments of many people. But in a way it almost makes you wonder what we have been doing all along.

Why do we have to say these are the accomplishments of Hispanic Americans? Is it not just the fact these people did marvelous things and they are Americans? Is that not what we should really be giving them credit for, in line for not creating and continuing this divide that simply, I think, personally, makes it very difficult for America to succeed in its goal of a united States of America, of a united people of America?

I see banners and signs all over. I am sure my colleagues have seen them, too, Mr. Speaker. I saw them on U.S. 66 coming from the airport, great big...
hand-painted banners people had hung over the overpass and they said “United We Stand.” Let us be united. That was kind of the underlying theme of all of these banners I saw; that we were united as a people against the threat of international terrorism. That is exactly what we have to be. There is no two ways about it. We must be united in order to confront this threat and to be successful in that confrontation.

It does not help us, I think, in our quest to be united to constantly be reminded of our differences, again be they ethnic or religious or anything else. It is problematic from that standpoint; it is detrimental to American interests. And I worry about the degree to which this affects our culture, and I worry about the fact that it has an impact certainly on this body and it has an impact throughout the country. Again, what an odd thing, in a way.

I would say, Mr. Speaker, that it would be fascinating to know what the founders of the Nation would have said if during their deliberations on the Constitution of the United States and the Declaration of Independence someone were to have suggested to them that it would be important to add a provision in the Constitution that assured that every ethnic group that one could possibly identify in the United States should have a special area in the country where they are highly populated, have that special area cut out and have a representative of that ethnic group especially for them. I wonder what they would have said about that. I wonder if they would have suggested that that was “a good idea” for American democracy. I do not think so.

As I say, I mentioned to that gentleman that night that it was wrong, I believe. And by the way he responded and he said, are you telling me you really think we should not have separate groups to represent our points? I said, you are right, if what you are telling me is that your point of view needs to be represented by someone of a particular ethnic background. Then I am telling you I am opposed to that. I am totally opposed to that. I am Italian American, 100 percent Italian American; but I will tell you this, I would no more cast my vote for an Italian American, 100 percent Italian American, than I would vote for an individual from my ethnic background.

I know people in the State of Colorado for whom I have voted, Lilly Nunez, who is a lady I have known for 25 years, and who I nominated for national committee woman from Colorado; Bob Martinez, who I supported for national committee man. I did so not because either one of those people was Republican but because they were Republicans and they were the kind of Republicans that I wanted to see in power, in place. They were conservatives. And that is the only thing that really matters to me. It is not their ethnic background.

But if I were to live by the dictates of the folks who come in here and form these caucuses and develop these groups and bring America into these various balkanized States, then I would say, no, I could not possibly, even though I know Joe and Lilly Nunez very well, and I believe that they are solid Republicans, I could not vote for them, new whiz, they are Hispanic and they could not really represent my interests. That is idiotic. But that is the point of view that these organizations want us to proceed upon, and they go into court throughout the Nation and try to get courts to adjudicate this redistricting issue on their behalf so that they will cut up districts in order to have representation of a specific ethnic group. And I think that is abhorrent.

I was struck by that, as I say, as I was listening to the debate tonight. Once again, please do not misunderstand me or misconstrue what I am stating here tonight. I absolutely agree with and lend my voice to the adulation for all of the accomplishments of the terrorists. This is an abhorrent stance that I would take. But it is important to add a provision in the Constitution that assured that every ethnic group that one could possibly identify in the United States should have a special area in the country where they are highly populated, have that special area cut out and have a representative of that ethnic group especially for them. I wonder what they would have said about that. I wonder if they would have suggested that that was “a good idea” for American democracy. I do not think so.

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anti-Americanism from our neighbor to the south. Refusal to provide the support that we should expect from our neighbors and friends. Refusal to provide the support that one would expect from a country for which the word trust and over and over again during President Fox’s visit here to the United States. He must have used that 10 times during his speech to this body. We need to trust one another, he said, over and over again.

We trust President Fox, if the Hispanic Caucus will not bring this to your attention, then let me. If you want to develop that trust that you ask for, there are things we can do. You can help us first of all by securing our border, our mutual border, our common border. Help us in defending that border against incursions. Help us in stopping the traffic of illegal aliens across that border, whatever nationality, wherever they come from.

Mr. Fox, you recognize the problem. I would say to him, Mr. Speaker. You recognize the problem in your own country, where you have not too long ago ordered the military, the Mexican military, to go down and defend the border between Mexico and Guatemala from incursions of Guatemalan immigrants whom you identified as people that had to be kept out because of the problem they caused in Mexico.

Now, in doing that, President Fox, I would say, I do not challenge you. You make choices that are made by the people for the well-being of your country. So then help us, I would ask him, help us in doing exactly the same thing on your northern border. Of course, he is constrained from doing that. Mr. Speaker, because the politics inside Mexico are such that he could probably never get away with such a statement.

The article in the Post goes on to say, Carlos Fuentes, Mexico’s best known novelist, also weighed in noting his country’s declaration of war against “an enemy without a face,” could bring civilian casualties. Fuentes reminded Mexico of its independence from its powerful neighbor, saying in widely published comments, quote, “we are partners of the United States, not their hangers-on.”

The newspaper Reforma drew a scorecard. This is fascinating, Mr. Speaker; and I really hope our colleagues pay close attention to this. This is a Mexican newspaper Reforma and it drew a scorecard of how supportive 15 countries have been for Bush. Mexico came in second from last, tied with China, slightly above Iraq and Cuba. The rankings were based on 10 signs of solidarity such as holding a national moment of silence, visiting Bush, granting permission for the use of military bases or air space.

We have refused so far to make a public issue of this lack of response on the part of our southern neighbors because we do not want to embarrass them or ourselves. I think the President has not asked President Fox for overt shows of support, signs of support, because he knows he cannot get it from President Fox. He knows that the Mexican people do not support it.

Now, Mr. Speaker, I would very much have appreciated hearing tonight from the Hispanic Caucus on the floor of this House, they are not going to deal with this issue again, since they choose to form themselves up in that kind of an organization, it is fair for me to ask. Why will they not talk to the President of Mexico and your colleagues down in the Mexican Congress and ask them the same sort of support to the United States that Canada, Brazil, Argentina, Uruguay have provided?

Can you imagine, Mr. Speaker, that the countries I have just noted were listed in the paper today. As I was flying in, there was a map of the world and they were listing the countries of the Americas that had helped the United States, Canada, of course, add to that list. And the ones I just mention, those that are being, to the best of my recollection, those were identified as being the countries in the Americas that had come forth and helped us in our time of need. One was, again, conspicuous by its absence, Mr. Speaker. Where is Mexico? Where is Mexico in this dispute?

Here are excerpts from Mexican newspapers. Many Mexican newspapers reacted to the first strikes by the United States and England against Afghanistan. The President, Mr. Bush, and Mr. Rumsfeld and Mr. Wolfowitz and Mr. Rove and Mr. Addington and Mr. Armitage, and others identified as being, Mr. Speaker, because the politics inside Mexico are such that he could probably never get away with such a statement.

The attack was “not about justice or international law. It was a unilateral and arbitrary act of revenge.” An editorial called the act “Bush’s holy war” and said it is the start of a war in which Mexico has no moral, political, or military reason to participate. I want to repeat that, Mr. Speaker. The attack was “not about justice or international law. It was a unilateral and arbitrary act of revenge.”

The murder of 6,000 innocent people in the Trade Towers and the planes that were used as missiles does not create a moral dilemma for Mexico according to this. Well, what in the name of God would if that does not do it? The newspaper Excelsior said, “Mexico won’t join distance itself from its political tradition of rejecting war to resolve even the most difficult international controversies.” The Daily added that Vicente Fox’s government “voiced its support of the actions of the U.S. and Great Britain.” Hopefully, it said, that was an effort to appease the Bush Government. The Bush Government. La Cronica de Hoy printed in its editorial page, quote, “They will start two wars. One will be the U.S. against the Taliban and one based on threats. In the first missiles are launched at targets that fail to feel the power and courage of the most powerful Nation.”

An editorial in that La Jornada was the strongest yet, saying it is not necessary to go back decades to see the moral similarity between the U.S. Government and its current enemy at the moment, covert acts of censorship and killing.

This paper in Mexico compares the United States with its current enemy. We, I guess according to this paper, are similar to the Taliban, similar to the bin Laden organization, al-Qaeda.

Mr. Speaker, I could go on and on here with these quotes from Mexican newspapers. Suffice it to say that our friend in the south is not showing us that degree of trust that was called for by its President when he was here. Nor, Mr. Speaker, should we extend any trust under these conditions.

Street vendors, I am told, in Mexico are selling T-shirts that say essentially in Spanish, “Go Taliban.” I am told that the sales are brisk.

For night after night I have come on this floor, Mr. Speaker, and I have talked about my concerns with massive immigration, legal and illegal. I want to raise those concerns tonight because I believe that this is a significant problem for the United States, that a country to our south that contributes the greatest bulk of the immigration to that number of immigrants to the United States with this kind of attitude, this is not really all that healthy for the United States. We find ourselves in a difficult position if these are the attitudes that these people bring with them. I do not know that they are.

My concern is that they may be. And I am also concerned about simply the numbers. It is the massive numbers coming from any country. In this case it is Mexico. But the massive numbers make it very difficult for integration to occur. It only exacerbates the problem of the divisive nature of these debates. Quite frankly, Mr. Speaker, let us get ahead and talk about the political reality of massive immigration.

One reason we have it, one reason we cannot stop it, one reason why it is so hard to get people to address it is because there are political, if you will, calculations to it. One party enjoys a great benefit as a result of massive immigration. People become citizens in the United States, or even if they do not, many of them still vote illegal.

We have cases of that popping up all over. Just recently one of the groups of terrorists or it is one in the group of terrorists had actually voted in United States elections twice and was not a citizen, needless to say. So it is not hard for voter fraud to occur. We do not know the extent to which it occurs, but I think it is significant.

At any rate, people come here as well attracted to one particular party who promises, more than anything else, government largesse; and that is one reason why we cannot stop immigration, legal or illegal.
a serious problem as a result of porous borders and our unwillingness or in-
ability or a lack of desire to actually create borders with integrity.

I have said this before, and I will say it again. If, God forbid, another event were to occur in the country on the terri-
ture of the September 11 events and if those events were perpetrated by peo-
ple who came across our borders ille-
gally, snuck into the United States, or were here on visas that were extended, over-extended, or were here on visas that were violated because they were not doing what they were supposed to do or were here because we let them in because even though they have been as-
associated with terrorist organizations, right now, Mr. Speaker, that by law we have, that is not enough to keep them out. If they put down on a
piece of paper, yes, I am a member of al Qaeda, that does not mean we could keep them out right now. We asked for the
ability to do that. The administra-
tion was asking to the Committee on the Judiciary to ask for the ability to do just that, and it was turned down, it was watered down in order to get bipar-
tisan support.

So let us deal with this problem. We have open borders, essentially. We have right now almost a quarter of a million people living in the United States who have gone through the system and been found guilty of violating their visa, or
guilty of some law, the violation of an American law, we were ordered to be deported, Mr. Speaker, but they are still here. A quarter of a million people have been ordered deported but are simply roaming the country be-
cause the INS chooses not to go after them. I will say this again, that if any-
thing else happens and it is the same sort of situation, somebody else com-
ing into this country and doing that and we choose to do nothing about se-
curing our borders, not only are we ir-
responsible in this body but we are cul-
vable.

We look to do everything we can. We go to country after country asking for support. We look to cut off their money supply. We look to destroy their infra-
structure. We look to every single way there is to try and stop terrorists from perpetrating heinous acts, their acts of
hatred on this country, but we are afraid to do one thing. We are afraid to actually begin to control our own bor-
ders, to actually begin to solve a problem, a political problem, a political is-

tem, a political issue. I think that is despicable. No one should care about
how these people will eventually vote. No one should care about whose party would be more benefited by the mas-

sive numbers of people coming across our boarder. What we should care about is the safety of the Americans here of
every race, religion, creed, color. We

should be concerned about every single Hispanic American here, citizen, every
single black American, every Hindu, Muslim, whatever I do not care what.

That is our main concern, Mr. Speaker.

It is not some political need to keep these borders open that we should be
concerned about. And if that concern overrides our major responsibility as a
country, as a Federal Government, then I say shame on us, because our re-

sponsibility is here clear. The Federal Government has one responsibility, prime.

ly, that is to protect the lives, the property of the people in this
country. That is it. That is my main
goal. Everything else pales in compari-
on. If we refuse to take that one step
that would help in that direction, and I am not suggesting for a moment that even if we seal our borders, we would be absolutely able to be sure, posi-
tively, undeniably we will never have another attack of this nature, cer-
tainly I cannot say that, but I can say
this, we will lessen the chance. And I

dear anyone, I challenge anyone to stand up and explain to me how we can possibly keep open borders under these

circumstances. I just simply do not un-
derstand it. But we will do it, Mr. Speaker, unless the people of this Na-
tion rise up and loud voice and let their representatives know that they are concerned, more concerned even
than the political problem of closing
down the border, the political ramifica-
tions of such a thing. We have many friends in the His-

panic Caucus, please send a message to our friends, if they are friends, in Mex-
ico. We need their help. It is not just our Nation we are trying to protect. It
is civilization. It is not just our moral-
ity that we are trying to defend, it is the
civilization of the moralized men and
women all over the world. And we need their help. The sign of a friend would
be to say, we put aside all these re-
geon differences now, we know that there is no more dan-
gnerous that affects us all, and we will

help you secure your border, America, and we will do something else: If the
Arab nations that control OPEC, if they attempt to blackmail the United
States again by raising the cost of oil, we will sell you oil from our state-
owned oil company at lower prices, and we will look to see everything we can
do in terms of intelligence gathering to

help you in your efforts to quash al
Qaeda and any of the other organiza-
tions that are designed for the purpose of bringing death and destruction to the United States and the Western
hemisphere and civilization.

Uruguay, Argentina, Brazil. Can their efforts be any more in common with ours than Mexico? But they un-
derstood that there is a moral dimen-

sion to this that extends all the way through and across their borders. How
could we not expect the same from our,
quota, trusted neighbor in the South? It is now time we do. We are asking for their support on, it is their own. It is
civilization itself that is threatened, make no bones about this. This is not

just a war between the United States and Osama bin Laden, or al Qaeda or
any of the other various individual ter-
orist groups. This is a war about
whether civilization as we know it, where free thought and individual free-
dom reign, will be overtaken by the
darkness of barbarism.

So it is in your interest, Mexico, not just ours, to help in this endeavor.

Until that happens, I do not believe we can call you a trusted friend.

REPORT ON RESOLUTION PROVID-
ERING FOR CONSIDERATION OF H.R. 1992, INTERNET EQUITY AND
EDUCATION ACT OF 2001

Mr. LINDER, from the Committee on Rules, submitted the following report to accompany H. Res. 256.

The Committee on Rules, having had under consideration House Resolution 256, by a

record vote, reported the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1992, the Internet Equity and Edu-
cation Act of 2001, under a modified closed rule. The rule provides one hour of general
debate equally divided and controlled by the chairman and ranking minority member of

the Committee on Education and the Work-

force. The rule provides that the amendment recommended by the Committee on Edu-
cation and the Workforce in the bill shall be considered as adopted. The rule waives all points of order against consider-
ation of the bill.

The rule provides for consideration of an amendment in the nature of a substitute printed in this report, if offered by Rep-

resentative Mink or a designee, which shall be considered as read and shall be separately debatable for one hour equally divided and

controlled by the proponent and an oppo-

ten. The rule waives all points of order against the amendment in the nature of a

substitute.

Finally, the rule provides one motion to re-

com in with or without instructions.

SUMMARY OF AMENDMENT MADE IN ORDER

Mink amendment in the nature of a substi-

tute. Allows institutions of higher edu-
cation that meet a high standard of financial responsibility by having default rates lower
than 10% to be exempt from the 50% provi-
sions which restrict the number of courses offered through distance education and the

number of students who may enroll in dis-
tance education courses.
An amendment to be offered by Representative Mink of Hawaii, or a Designee. Debatable for the time specified therefor.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the "Internet Equity and Access Act of 2001".

SEC. 2. EXCEPTION TO 50 PERCENT CORRESPONDENCE COURSE LIMITATIONS.
(a) DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR TITLE IV PURPOSES.—Section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)) is amended by adding at the end the following new subparagraph:

"(7) EXCEPTION TO LIMITATION BASED ON COURSE OF STUDY.—Courses offered via telecommunications (as defined in section 484(h)(1)) shall not be considered to be correspondence courses for purposes of subparagraph (A) or (B) of paragraph (3) for any institution that—

(A) is participating in either or both of the loan programs under part B or D of title IV on the date of enactment of the Internet Equity and Access Act of 2001;

(B) has a cohort default rate (as determined under section 435(m)) for each of the 3 most recent fiscal years for which data are available that is less than 10 percent; and

"(C)(i) has notified the Secretary, in a form and manner prescribed by the Secretary (including such information as the Secretary may require to meet the requirements of clause (ii)), of the election by such institution to qualify as an institution of higher education by means of the provisions of this paragraph;

(ii) the Secretary has not, within 90 days after such notice, and the receipt of any information required under clause (i), notified the institution that the election by such institution would pose a significant risk to Federal funds and the integrity of programs under title IV.

(b) DEFINITION OF ELIGIBLE STUDENT.—Section 484(h)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(h)(1)) is amended by adding at the end the following new subparagraph:

"(C) EXCEPT TO 50 PERCENT LIMITATION.—Notwithstanding the 50 percent limitation in subparagraph (A), a student enrolled in distance education or correspondence education courses at an institution that—

(i) is participating in either or both of the loan programs under part B or D of title IV on the date of enactment of the Internet Equity and Access Act of 2001;

(ii) has a cohort default rate (as determined under section 435(m)) for each of the 3 most recent fiscal years for which data are available that is less than 10 percent; and

"(iii) has notified the Secretary, in a form and manner prescribed by the Secretary (including such information as the Secretary may require to meet the requirements of paragraph (3)), of the election by such institution to qualify as an institution of higher education by means of the provisions of this paragraph;

has a cohort default rate (as determined under section 435(m)) for each of the 3 most recent fiscal years for which data are available that is less than 10 percent; and

"(iv) the Secretary has not, within 90 days after such notice, and the receipt of any information required under subparagraph (A), notified the institution that the election by such institution would pose a significant risk to Federal funds and the integrity of programs under title IV.

SEC. 3. EVALUATION AND REPORT.
(a) EVALUATION FROM INSTITUTIONS.—(1) INSTITUTIONS COVERED BY REQUIREMENT.—The requirements of paragraph (2) apply to any institution of higher education that—

(A) has notified the Secretary of Education of an election to qualify for the exception to limitations under subparagraph (A) of section 102(a)(7) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(7)) or the exception to the 50 percent limitation in section 484(h)(1) shall not apply to the amendments made by this Act.

(b) IMPLEMENTING REGULATIONS.—Section 484(h) of the Higher Education Act of 1965 (20 U.S.C. 1088(h)) shall not apply to the amendments made by section 2 of this Act.

Resolved, That upon the adoption of this resolution it shall be ordered without intervention of any point of order to consider in the House the bill (H.R. 92) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Mink of Hawaii or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and opponent; and (3) any motion to recommit with or without instructions.

LEAVE OF ABSENCE
By unanimous consent, leave of absence was granted to:

Mr. Bereuter (at the request of Mr. Armey) for today on account of official business.

Mrs. Wilson (at the request of Mr. Armey) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED
By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. Reyes) to revise and extend their remarks and include extraordinary material:

Ms. McKinney, for 5 minutes, today.
Mr. Sherman, for 5 minutes, today.
Mr. Pombo, for 5 minutes, today.
Mr. Cummings, for 5 minutes, today.
Mrs. Clayton, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT
Jeff Trandahl, Clerk of the House reports that on October 9, 2001 he presented to the President of the United States:

H6456 CONGRESSIONAL RECORD—HOUSE October 9, 2001
States, for his approval, the following bills.

H. J. Res. 42. Memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.


ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 10, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4162. A communication from the President of the United States, transmitting the Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Atragrasul holgorenarium (Holmgren milk-vetch) and Astragalus anguillarioides (Shivwets milk-vetch) (RIN: 1018-AF74) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4169. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule To List Silene spaldeii (Spalding silene) as Threatened (RIN: 1018-AF79) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4170. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Kootenai River Population of the White Sturgeon (RIN: 1018-AH06) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4172. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone of the United States; Final Definition of Length Overall of a Vessel (Docket No. 015010121–1210–02; I.D. 025631) (RIN: 0468–AN23) received September 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4174. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Antarctic Marine Living Resources; Harvesting and Dealer Permits, and Catch Documentation (Docket No. 015010118–118–01; I.D. 02565011) (RIN: 0468–AP35) received September 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4176. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–032) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4175. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–031) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4181. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–031) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4182. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–032) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4183. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–032) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4184. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–032) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4185. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–031) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4186. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drug Abuse Resistance Education Program; Bayou Lafourche, LA (CGD06–01–031) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
nuclear facilities, and for other purposes; with an amendment (Rept. 107-231 Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 393, relative to the resolution providing for consideration of the bill (H.R. 992) to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications (Rept. 107-232). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JONES of Ohio (for herself, Mr. VISCOLOSKY, Mr. STUPAK, and Mr. TOOMY):

H.R. 3059. A bill to provide for retiree health care by allowing steel companies a partial refund of net operating loss carryforwards; to the Committee on Ways and Means.

By Mr. OXLEY (for himself, Mr. LAFALE, Mr. BAKER, and Mr. KANJORSKI):


By Mr. EDMINT (for himself, Mr. BAIRD, Mr. CRANK, Mr. MATSU, Mr. MANZULLO, Ms. VELAZQUEZ, Mr. TOOMY, Mr. PASCHELL, Mr. LEWIS of Kentucky, and Ms. HART):

H.R. 3062. A bill to amend the Internal Revenue Code of 1986 to allow certain small businesses a defer payment of tax; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 3063. A bill to provide benefits to public safety officers who die or become disabled as a result of certain injuries; to the Committee on the Judiciary.

H.R. 3064. A bill to direct the Administrator of the Federal Aviation Administration to provide for the implementation of certain aviation security measures; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California:

H.R. 3065. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that manufacturers of dietary supplements register with the Food and Drug Administration, to require the submission to such Administration of reports on adverse experiences regarding such supplements, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California:

H.R. 3066. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish labeling and advertising requirements for dietary supplements containing ephedrine alkaloids, to prohibit sales of such supplements to individuals under the age of 18, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MURPHY:

H.R. 3067. A bill to direct the Secretary of Transportation to publish certain portions of the Secret Service Protective Research and Development Information System; to the Committee on Transportation and Infrastructure.

By Mr. NEY:

H.R. 3068. A bill to establish a Presidential commission to strengthen and improve financial and national security; to the Committee on Financial Services.

By Mr. PAUL:

H.R. 3069. A bill to secure American families effectively; to the Committee on the Judiciary.

By Mr. PETRI (for himself and Mr. LANTOS):

H.R. 3070. A bill to amend the Fair Labor Standards Act of 1938 to ensure the protection of employees in travelling sales crews, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan:

H.R. 3071. A bill to amend the Internal Revenue Code of 1986 to index the basis of assets acquired after December 31, 2001, for purposes of determining gain; to the Committee on Ways and Means.

By Mr. TAYLOR of North Carolina (for himself, Mr. ETHEIDGE, Mr. JONES of North Carolina, Mr. PRICE of North Carolina, Mr. Butler of North Carolina, Mr. COBLE, Mr. MCINTYRE, Mr. HAYES, Mrs. MYRICK, and Mr. BALDWIN):

H.R. 3072. A bill to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the “Vernon Tarlton Post Office Building”; to the Committee on Government Reform.

By Mr. NEY (for himself and Mr. ROYCE):

H.Con. Res. 244. Concurrent resolution authorizing the printing of a revised edition of the publication entitled “Our Flag”; to the Committee on the Judiciary.

By Mr. WELDON of Pennsylvania (for himself, Mr. KRENS, Mr. CRAMER, Mr. ROHRABACHER, Mr. CLEMENT, Mr. STEARNS, Mr. GUTZ, Mr. PLATTS, Mr. REYES, Mr. BARTLETT of Maryland, and Mr. SMITH of Michigan):

H.Con. Res. 245. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor coal miners; to the Committee on Government Reform.

By Mr. RANGEL of California (for himself, Mr. ROSS, Mr. SCHAEFFER, Mr. WOLF, Mr. NEAL of Massachusetts, and Mr. PRINCE):

H.R. 2328: Mr. FORBES.

H.R. 2329: Mr. KILDEE.

H.R. 2333: Mr. SLAUGHTER.

H.R. 2350: Mr. COOKSEY.

H.R. 2387: Mr. KING, Mr. COBLE, and Mr. BORSINK.

H.R. 2374: Ms. DUNN.

H.R. 2417: Mr. TERRY.

H.R. 2457: Mr. BALLANGER and Mr. BILARAKIS.

H.R. 2459: Ms. BALDWIN.

H.R. 2457: Mr. ENGEL.

H.R. 2576: Mr. RANGEL, Mr. ROSS, Mr. SCHAEFFER, Mr. WOLF, Mr. NEAL of Massachusetts, and Mr. PRINCE.

H.R. 2638: Mr. BAKER and Mr. KUCINICH.

H.R. 2716: Mr. FILER.

H.R. 2722: Mr. FRANK, Mr. PETTENBERG of Minnesota, Mr. PALLONE, and Mr. LARSEN of Washington.

H.R. 2725: Mr. PLATTS.

H.R. 2792: Mr. FILER.

H.R. 2794: Mr. KNOLLENBERG, Ms. WOOLSEY, Mrs. TAUSCHER, and Mr. WAXMAN.

H.R. 2837: Ms. ESCHOO.

H.R. 2847: Mr. DICKS.

H.R. 2888: Mr. FRANK and Mr. KILPATRICK.

H.R. 2889: Mr. RANGEL and Mr. LANTOS.

H.R. 2899: Mr. SIMMONS.

H.R. 2910: Mr. RANGEL, Mr. CARSON of Indiana, and Mr. SKELTON.

H.R. 2940: Mr. PASCHELL.

H.R. 2946: Mr. MCNULTY, Mr. WATSON, Mr. GILLMOR, Mr. BINTNEN, and Mr. CONYERS.

H.R. 2951: Mr. OWENS.

H.R. 2960: Mr. MEKIS of New York.

H.R. 2965: Mr. TAHKET, Mr. SHOWS, Mr. CROWLEY, Ms. HOOLEY of Oregon, Mr. HYDE, and Ms. BERKELEY.

H.R. 2975: Mr. FRANK.

H.R. 2989: Mr. BACA and Mr. COSTELLO.

H.R. 2998: Mr. SHEARMAN and Mr. BERRY.

H.R. 3003: Mr. ROSS, Mr. SHAYS, and Mr. SHEARMAN.

H.R. 3006: Mr. WOLF.

H.R. 3007: Mr. FILER, Mr. BOUCHER, Mr. MCCOUGHERN, and Mr. ABERCROMBIE.

H.R. 3014: Mr. MASCARA, Mr. INSELER, and Mr. BONDOR.

H.R. 3015: Ms. HOOLEY of Oregon.

H.R. 3026: Mr. BOHLEST, Ms. ROYAL-AlLARD, and Mr. CROWLEY.

H.R. 3029: Mr. NADLER and Ms. DUNN.

H.R. 3050: Mr. KILDEE, Mr. ABERCROMBIE, Mr. BRADY of Pennsylvania, Mr. ACKERMAN, and Mr. OBERSTAR.
AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3061
OFFERED BY: Mr. ANDREWS
AMENDMENT No. 1: At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. 1. None of the funds made available in this Act may be used to implement (1) the final regulations of the Secretary of Education relating to the revision of the definition of the term "employment outcome" as such term applies to the vocational rehabilitation services program under title I of the Rehabilitation Act of 1973 (66 Fed. Reg. 7250–7258) or (2) any related or successor regulations.

H.R. 3061
OFFERED BY: Ms. DEGETTE
AMENDMENT No. 2: In lieu of the matter proposed to be inserted by the Amendment, insert the following:

SEC. 1. No funds made available through the Department of Education or the Department of Health and Human Services shall be used for the distribution or provision of postcoital emergency contraception, or the distribution or provision of a prescription for postcoital emergency contraception, to an unemancipated minor, on the premises or in the facilities of any elementary school or secondary school unless the state or local entity with governing authority over the health center determines, as a matter of policy, that the distribution or provision of emergency contraception (or a prescription for such contraception) through the center will prevent pregnancies and reduce the need for abortion, and the health center encourages parental participation in the minor's decision to seek a prescription for emergency contraception.

H.R. 3061
OFFERED BY: Mr. QUINN
AMENDMENT No. 3: In title II, in the matter relating to "Administration for Children and Families; Low Income Home Energy Assistance", insert after the last section (preceding the short title) the following:

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 for fiscal year 2003, $2,000,000,000.

H.R. 3061
OFFERED BY: Mr. SCHIFF
AMENDMENT No. 4: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 216. REPORT ON HEAD START AND EARLY HEAD START PROGRAMS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Congress specifying—

1. the number of eligible children not yet served by the Head Start and Early Head Start programs as of October 1, 2001,
2. the number of children who were on waiting lists for Head Start and Early Head Start programs during the 6-month period ending on October 1, 2001, and
3. the number of unfilled spaces in Head Start and Early Head Start programs as of October 1, 2001.

H.R. 3061
OFFERED BY: Mr. TRAFICANT
AMENDMENT No. 6: Page 111, after line 111, insert the following new section:

SEC. 217. NO FUNDS APPROPRIATED IN THIS ACT MAY BE MADE AVAILABLE TO ANY PERSON OR ENTITY THAT VIOLATES THE BUY AMERICAN ACT (41 U.S.C. 10a–10c).
Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we come to You as intercessors for our beloved Nation at this crucial time of confrontation with the evil forces of terrorism in the world. May this war be decisive, undergirded by Your mighty power and lead toward the extinction of terrorism from the world. We intercede for our President George W. Bush, Colin Powell, Don Rumsfeld, General Richard Myers, General Tommy Franks, Condeleezzza Rice, John Ashcroft, and all who seek Your guidance and supernatural power for their leadership in this just war. We pray for Tom Ridge as he assumes his new responsibilities as he assumes his new responsibilities for the protection of our land toward the extrication of terrorism against further terrorist attacks. And Lord, we ask for a special measure of Your wisdom and strength for Tom Ridge as he assumes his new responsibilities to coordinate all who must work cooperatively for the protection of our land against further terrorist attacks. And Lord, we ask for a special measure of Your wisdom and strength for Tom Ridge as he assumes his new responsibilities to coordinate all who must work cooperatively for the protection of our land against further terrorist attacks.

Dear Father, flood our hearts with Your Spirit, filling us with trust in You. May patriotism for our Nation, and pertinacity to win this battle be the antidote to fear. In the Name of our Lord and Saviour: Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE, PRESIDENT PRO TEMPORE,
Washington, DC, October 9, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the same previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m. with Senators permitted to speak therein for up to 5 minutes each. But under the previous order, the Senator from West Virginia, Mr. BYRD, is recognized to speak for up to 30 minutes.

The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

UNDERTAKING A DANGEROUS MISSION

Mr. BYRD. Mr. President, this morning I have come to the Senate floor to talk about our late friend and Senate majority leader, Mike Mansfield. But before I do, I shall take a moment to recognize the efforts of the men and women of our Armed Forces who have undertaken a dangerous mission in the past few days. They are fighting to protect our Nation’s interests and its security. They are working to ensure the freedom of others across the globe, never waivering in their duty. Throughout America’s history, our sons and daughters have always been ready to answer that call to duty. In particular, West Virginians have a proud and enviable record of service to our country in perilous times of war and conflict. This time is no different; mountaineers once again are playing an important role in the defense of our country.

Our soldiers, sailors, and airmen are now engaged in what could be a long battle. In locales stretched around the world, they will put themselves in harm’s way. They will fight to protect our freedoms and the freedoms of people around the world. We in the Senate and House of Representatives will make sure they have the resources they need in order to be successful, but until their return home they and their families will be in our thoughts and prayers. May God watch over them and bring them home safely in the end.

SENATE MAJORITY LEADER MIKE MANSFIELD

Mr. BYRD. Mr. President:

When I remember all
The friends, so link’d together,
I’ve seen around me fall
Like leaves in wintry weather,
I feel like one
Who treads alone
Some banquet-hall deserted,
Whose lights are fled,
And all but he departed!
Thus, in the stilly night,
‘Ere slumber’s chain has bound me,
Sad Memory brings the light
Of other days around me.
Mr. President, in June 1970, it was my honor and privilege as the then Secretary of the Senate Democratic party conference to go to this floor and make the announcement that Senator Mike Mansfield had become the longest serving majority leader in history.

Today, it is with sadness that I come to the Senate floor to speak of the passing on Friday last of Mike Mansfield, and of his service to this Chamber and to our country.

Mike Mansfield personified both America and the American dream. He was born in New York City, the son of Irish immigrant parents, in 1903, the year in which the Wright Brothers made their historic flight. He was raised in his beloved Montana. When he was only 14 years of age, without completing the 8th grade, he served first in the U.S. Navy during World War I, and eventually in the Army and the Marine Corps, at that time, all of the branches of the U.S. armed forces. After the war, he became a miner, then a mining engineer.

At 30 years of age, he was finally able, with the constant help of his devoted but loving mother, to obtain the first of several college degrees that would enable him to become a college professor of history and political science for almost a decade.

In 1942, he was first elected to the U.S. Congress and served five terms in the House of Representatives. In 1952, Mike was elected to the Senate—that was the year in which I was elected to the House of Representatives—and began his quarter-century of service in this Chamber, a career that included being elected Senate majority whip in 1957.

In January 1961, Senator Mansfield was elected Senate majority leader, and he served in that capacity until 1977—one of the most turbulent periods in American history. It was a time of assassinations and riots, marches and demonstrations, war and anti-war protests.

Nevertheless, under his leadership—a leadership that emphasized cooperation, honor, fairness, integrity, and negotiation—and a leadership style marked by personal conviction and a loyalty to lasting principles—the Senate was a place of remarkable legislative accomplishments, including the Great Society legislation of the mid-1960’s. That was one of the most productive periods of Congress in American history, and Senate Majority Leader Mansfield certainly had an important role in it.

I worked shoulder to shoulder with Mike Mansfield for 10 years on this floor, where I served as secretary of the Democratic Conference for 4 years and as Democratic whip for 6 years.

After leaving the Senate, he continued his public career by serving as the American Ambassador to Japan under Presidents Carter, Reagan, and Bush. Mansfield’s 12 years as Ambassador to Japan are the longest in history.

Mike Mansfield of Montana was a man of outstanding achievements, a remarkable Senator, and an outstanding leader.

Mr. President, it was on last Friday, that the pallid messenger with the inverted torch beckoned Mike Mansfield to depart this life. We can believe that he arrived at his destination with more glorious sunrise with unimaginable splendor of a celestial horizon, and that he yet remembers us as we remember him, for we have the consolation that has come down to us from the lips of that ancient man of Uz, whose name was Job: “Oh that my words were written in a book and engraved with an iron pen, and lead in the rock forever, for I know that my redeemer liveth and that in the latter day he shall stand upon the earth.”

Mike Mansfield has now passed from this earthly stage and gone on to his eternal reward. The links which connect the glorious past with the present have been forever sundered.

Passing away: “Tis told by the leaf which chill autumn breeze, tears ruthlessly its hold from wind-shaken trees, ‘Tis told by the dewdrop which sparkles at morn. And when the noon cometh ‘Tis gone, gone gone.

I always held Mike Mansfield in the highest esteem. He was a gentleman with great courage and unwavering patriotism, a wise and courageous statesman, affable by temperament, and regarded as one of the outstanding men in the Senate. He was both morally and intellectually honest and that is saying a great deal in these times. He was simple in his habits and devoid of all hypocrisy and deceit. There was not a deceitful cell in his body. He never resorted to the tricks of a demagogue to gain favor and, although he was a partisan Democrat, he divested himself of partisanship and came to serving the best interests of his country.

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true to meet our Creator face to face in a land where the roses never wither and the rainbow never fades. Mike Mansfield has gone on to meet his pilot face to face. He was 98. I am but 84—within 42 days I will reach my 84th birthday. And it can’t be long until I, too—so will you, and so will you—meet our pilot face to face.

Sunset and evening star, And one clear call for me And may there be no moaning of the bar When I put out to sea. But such a tide as moving seems asleep, Too full for some and foam, When that which came from out the boundless deep Turns again home. Twilight and evening bell And after that, the dark, And may there be no sadness of farewell When I embark. For though from out our borne of time and place, The flood may bear me far I hope to see my Pilot face to face When I have crost the bar.

To that borne, from which no traveller ever returns, Mike Mansfield has now gone to be reunited with his wife Maureen who once trod these marble halls, and whose voices once rang in this Chamber. I can hear them yet: Hubert Humphrey, Paul Douglas, Allen Ellender, Richard B. Russell—who sat at this desk—George Alben, Everett Dirksen, Norris Cotton, “Scoop” Jackson—their voices in this earthly life have now been forever stilled.

Mike Mansfield has crossed the Great Divide. Of that illustrious man who sat in this Chamber when he and I were young Senators, only Strom Thurmond and I remain here today. They are drifting away, these friends of old. Like leaves on the current cast; With never a break in their rapid flow We count them, as one by one, they go Into the Dreamland of the Past.

Erma and I extend our condolences to Mike’s daughter, Ann, and to others of his family. May his soul rest in peace. Mike and I, I yield the floor. The PRESIDING OFFICER (Mrs. Lincoln). The Senator from Montana.

THE “MIKE” I KNEW

Mr. BURNS. Madam President, I cannot find the words I want for Mike Mansfield—their meaning—and put them together like our good friend from West Virginia. He knew Michael almost as long as I did. But Mike has moved on. His work here on Earth is done. His legacy will live as it will be placed among the archives as majority leader of the Senate, as a Member of the House of Representatives, and as an Ambassador to Japan. As a nation, we have been graced and blessed by great leaders who rose to uncommon levels in times of national crises. We, the Members of this Senate, are the benefactors of his stewardship. A thankful nation is the benefactor of his wisdom.

I now occupy the seat once held by Mike. Thirteen years ago, I came to this body, and for 13 years Mike and I had breakfast every Wednesday morning when the Senate was in session. He seldom missed. Those conversations were wonderful, and they were also very insightful. They were full of wisdom, information, and insight. Senator Bynum described him as a nonpartisan. That is 95 percent correct. But one cannot work in this system and not have some partisan leanings.

No person in Washington, DC, was kinder or more helpful to a newly elected Member of the Senate than Mike Mansfield—even being on the other side of the aisle. I shall never be able to thank him enough or forget what he did for me.

Senator, Ambassador, Mike Mansfield, whichever you prefer—he was a good and faithful servant of the Nation and of the people of Montana whom he represented. His long lifespan was some 98 years. That gave him a perspective on life and history that very few of us will ever understand or attain. His wise eyes had seen and experienced so much of this country’s history. In his lifetime, a nation—think about this—went from horseback to the Moon. Think of it.

He was an honest man. He lied a little about his age to get into World War I. He came home and worked in the mines of Butte and Anaconda. One has to read the history of Montana to know that was not easy work, and very dangerous.

His beloved wife Maureen, who predeceased him in death just a year ago, pushed him for education to better himself and to lift himself from the mines. He experienced the rigors of the worst depression in the history of the United States—what lessons that taught many of us—and the experience of World War II. If that weren’t enough, the era of Korea, Vietnam, and the cold war, when two powers looked each other in the eye until one blinked.

During tumultuous times, the United States has been blessed with common men and women who rose to uncommon levels of leadership when they were tested and asked to do—men and women with a hidden character of steel, vision, compassion, and integrity. Mike Mansfield was one who, when called, responded to that level demanded by the day.

Looking back at those conversations, they were mostly events and happenings of the Senate. He loved to tell stories of the giants of their day. That gave me great insight of this body, and his advice was seldom, if ever, wrong.

The Mike I knew will be with me as long as I shall breathe. I thank God every day that our Nation’s demands were answered by men and women such as Mike Mansfield.

The best advice that was ever given to me by Senator Mansfield was short and very pointed. By the way, I used to work in the press corps in Montana when Michael was a Member of this body. The producer of the news show would say: Go out and interview Senator Mansfield. We need about a 15-minute interview. That meant you had better have about 40 questions, because the answers were very short.

Yes, noble—little possible doubt. He didn’t embellish much. But the best advice he ever gave me was short and very pointed. He said one time—and I will never forget it—“At the end of the day, it will be courage and vision that will sustain this Republic for generations to come.” Courage and vision to sustain this Republic for the generations to come.

This Nation has not only been blessed by great topography, but with a great climate and great natural resources from the mountains in the East, across the Ohio, the Missouri, and Mississippi valleys to the mountains of the West, to the high prairies and the Deep South. It has always produced men and women who, when tested, showed the steel of character and vision.

Thank God he was a Member of this body. And might all of us live for the day when we can even stand in measure with him.

Madam President, I yield the floor. 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. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MEASURES PLACED ON THE CALENDAR—S. 1499 and S. 1510

Mr. REID. Madam President, I understand the following bills are at the desk, having been read the first time: S. 1499 and S. 1510.

I ask unanimous consent that it be in order, en bloc, for these two bills to receive a second reading, and I then object to any further consideration.

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

The clerk will read the titles of the bills.

The legislative clerk read as follows:

A bill (S. 1499) to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

A bill (S. 1510) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

The PRESIDING OFFICER. Under the rule, the bills will be placed on the calendar.
AVIATION SECURITY ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 1447, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 1447) to improve aviation security, and for other purposes.

Mr. REID. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged to both leaders on this matter.

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

The clerk will call the roll.

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

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

Mr. REID. Madam President, what time is it?

The PRESIDING OFFICER. It is 10:18.

Mr. REID. We have 12 minutes left before the hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Chairman HOLLINGS is in the Chamber.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. I thank the distinguished Chair.

Madam President, we have the closure vote on the motion to proceed to the airport security bill at 10:30.

I say to the Senator from Montana, I wish everyone could have been at the Commerce Committee briefing we had with the El Al airline security chief and Israeli government security officials. You would immediately understand that when the plane went down over the Black Sea this past weekend, even though the plane came from Israel, the explosion had to come from somewhere else because it is absolutely impossible to get a bomb aboard a plane at airports in Israel.

The United States military is now working with Ukrainian and Russian officials to verify evidence that a Ukrainian missile may have gone astray during military exercises on the Black Sea this past weekend. I only mention this incident to emphasize the thoroughness of airport security in Israel. They call their security plan the "onion ring" perimeter defense. Their plan effectively addresses not only security during the boarding of the plane, but security surrounding the airport and on the tarmac. But we continue to talk more narrowly about security in the cockpit and the need for federal screeners and U.S. marshals on board. As inexperienced as we are on these matters, this is where our minds are focused.

However, we need to expand our work on airline security to the airport and airline personnel working on the tarmac. At some point during pre-flight preparation, you have not only the screeners, cargo handlers, caterers, and general airport perimeter officials, but you have the individual who vacuums underneath the seats, who all have access to the airplane prior to take-off.

I believe of the airline personnel need to go through an FBI check, in our opinion. That is what this bill provides.

Take the following scenario for instance. A terrorist in advance of a terrorist has online and the airline staff says to the person you have seat 9A. All a terrorist has to do is pick up that mobile phone and call a friend who has been working 2 years on the tarmac out there and say it is a 12 o’clock flight to Charleston, seat 9A. That is it. They tape a pistol or a weapon of some kind under seat 9A. But even there at the counter, all you have to do is get out there a little bit early, get your ticket, and then sit down and be calm. Then just give a motion up at the window because your friend has already been told that this is the flight you are going to take.

The bill itself has been released to the Senate after a full day’s hearing we had at Commerce, Science, and Transportation Committee with nearly all of the Senators in attendance. In a bipartisan fashion, Senator MCCAIN, and I, Senator KAY BAILEY HUTCHISON, who has been working on this over several years, as chairwoman of our Subcommittee on Aviation, Senator ROCQUEFELLER of West Virginia, all got together with some two dozen cosponsors to develop this legislation.

We do have a managers’ amendment that really takes care of some of the flexibility needs that we found out from the FAA with respect to restrictions on parking 300 feet from the airport building—that kind of thing. As the Senator from North Dakota says, I think we are using the word "airport" from the airplane building. In North Dakota, you will see Senator DORGAN’s cow pasture. We must be careful to maintain reasonable and flexible oversight of airline security in order to ensure the continued efficiency of the industry. Those kinds of judgments can be made from time to time by the administering agency.

These efforts will be paid for. Right now, we are studying the exact cost. Senator McCAIN and I have tried to hold off on passing the passenger security fee itself. Whatever we have agreed upon at the moment, of course, is $2.50 per ticketed passenger which would add up to $1.5 billion. But they are saying, no, if you are going to take care of the 18,000 screeners and some 10,000 other personnel around the tarmac and out on the sidewalk, you are going to really get into about $1.7 billion or maybe $1.9 billion total cost. So we might have to raise the passenger fee up to $3. I don’t know. We are currently trying to obtain the best CBO figures.

The airline executives favor this bill; the airline pilots favor the bill. You go right on down the list, all the personnel involved: the mayors have sent us resolutions. I think we made a mistake in calling it airline security. We should have used the word “stimulus,” the “airline stimulus” bill, because if we had used that bill and not have had any trouble at all in passing this measure. Everybody is around here trying to stimulate, stimulate, stimulate—these nancy words we get up here in Washington. I favor no better measure to stimulate airline travel and get the airlines back to normal. We give the airlines $15 billion and then guarantee they go broke by keeping the airports closed or certainly extending the idea that there is no security, that there are no marshals on the plane, as the Senator from California told me early this morning. We are going to have marshals. We are going to have security with this airline security. We only have to look.

I yield to the distinguished Senator from Montana. He has worked closely with us on this issue, and perhaps he would have an observation.

Mr. BURNS. I think my good friend from South Carolina. I didn’t think he had to be invigorated or stimulated to make a great speech. I was going to stay out of this, but the Senator is correct; nothing will stimulate travel more than a strong sense of security. It has to be visible. People have to see the measures that are being taken to make it viable and to give them a sense of security whenever they fly. We know we are in a different kind of a confrontation now. Some have called it a war. It really is. But it is different from anything this Nation has ever faced.

Whenever we start talking about our own security, providing security for our people in this country and abroad, we only have to look—I was interested, as was the chairman of the Commerce Committee, that when we talk to the representatives of El Al, the national airline of Israel, we talked to the people who are in charge of security. If the Senator remembers, there are 7,000 employees of El Al, both domestic and international; 1,500 of that 7,000 are in security. And there is a bright line between their security people and everybody else—the pilots, the people who operate their airports, the people who operate their reservation systems, the people who operate their ground operations and their in-flight operations. There is a bright line of authority between those people who are the security people. They know how to exercise that authority. They are accountable and responsible for that. But most importantly, they are accountable to their airline and to their country.

I have drafted this legislation without a hearing—we never had a markup—but it is as close, and I think with a couple of amendments we can perfect it, as we can come to some understanding on that bright line of accountability and responsibility for security.

I congratulate the Senator for his leadership. He understands where we
have to go and how to get there in order to provide the safety and security the American people demand. I thank the Senator.

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

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

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to consider S. 1447, a bill to improve aviation security:

Blanche Lincoln, Harry Reid, Ron Wyden, Ernest Hollings, Herb Kohl, Jeff Bingaman, Jack Reed, Hillary Clinton, Patrick Leahy, Joseph Lieberman, Jean Carnahan, Debbie Stabenow, Byron Dorgan, John Kerry, Thomas Carper, Russ Feingold.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under the rule is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1447, a bill to improve aviation security, be on the other side so we can get on the bill and begin offering amendments and coming to closure of this bill quickly. We have a lot of work. All of it is being held up now as a result of our inability to get that work done.

In the interim, it would be my hope for those Senators who had come to the floor with the expectation they could speak as if in morning business on Senator Mike Mansfield and other matters, we accord Senators that opportunity. I ask for the next hour that the Senate stand as if in morning business to accommodate Senators who wish to speak in tributes to Senator Mansfield and other matters.

Mr. BAUCUS. Certainly.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 0, as follows:

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Mr. KERRY. Madam President, I ask the majority leader if he would clarify what the record is. We had 97 Senators vote, publicly saying they are prepared to have a motion that allows us to at least proceed to the bill, but we are not actually able to get on the bill itself. Nobody should be mistaken that suddenly the Senate is actually making big progress on aviation security.

I ask the majority leader if he would just clarify what the procedural hurdle is now, and also, what is the substantive resistance here and how he sees the Senate proceeding.

Mr. DASCHLE. If the Senator will yield, I will simply say it is the right of any Senator to ask for his or her time allocated to postcloture debate. As everyone in this body knows, you have 30 hours of postcloture debate after cloture has been achieved. We have now voted on cloture, and Senators are entitled to a 30-hour debate.

It is my hope we can accelerate and somehow bring to closure this postcloture period of debate so we can somehow get on the bill. I do not think it is in anybody’s interests right now to be exacerbating the situation with any kind of accusations about who is at fault. We are going to try to work through that. I just hope we can work through it in a way that will accommodate debate on the bill and ultimately a successful conclusion of that debate so we can enact this legislation this week. It is critical that we get this work done. No Senator has to be reminded of that.

Again without acrimony, without pointing fingers, let’s see if we can work through it in a constructive way, and that is my intention. I will be speaking to the Republican leader momentarily, as well as, again, to the ranking member of the Commerce Committee, as we try to find a way to resolve whatever outstanding problems there still are.

I thank the Senator for yielding.

Mr. KERRY. I thank the majority leader.

I want to emphasize, as I know Senator McCAIN and Senator HOLLINGS feel, nobody at this point wants the good work of the Senate to be disrupted in any way by any kind of finger pointing or accusations. That is not the purpose of my question.

But we have now been discussing airport security for several weeks—several weeks. There is a very significant margin of the Senate who are poised to vote in a certain way. It is my hope my colleagues will allow the will of the Senate to be worked. The American people expect nothing less of this Congress than a prompt response in a responsible way. Frankly, I think we can do better at the job of resolving this faster than we seem to be at this moment. I hope that will happen in short order, in the course of the next 24 or 48 hours.

I thank the Chair.

Mr. KERRY. The PRESIDING OFFICER (Mr. BAYH). The Senator from Montana.

Mr. BAUCUS. I ask to speak as in morning business.

Mr. KERRY. The PRESIDING OFFICER. The Senator is recognized.

Mr. REID. Will the Senator withhold for a unanimous consent request?

Mr. BAUCUS. Certainly.

ORDER FOR RECESS

Mr. REID. I ask unanimous consent that the Senate recess from 12:30 p.m. to 2:35 p.m. today for the party luncheon conferences and that the recess time be charged postcloture as well as a period for morning business.

Mr. KERRY. Madam President, I rise today to pay tribute to a great Montanan, a great American, and a great
leader who passed away early Friday morning.
In our Nation’s history, we have been blessed with leaders who have stepped forward to lead us in moments of crisis, war, or social upheaval. Mike Mansfield of Montana was such a man, such a leader.

Mansfield was a modest and self-effacing leader who passed away early Friday morning. His career in Congress—from 1942 to 1976—was instrumental in the 1960s and 1970s in steering the U.S. Senate and America through some of the most tumultuous times in our Nation’s history.

He was here in this Chamber, leading the Senate through the sadness following the assassination of President Kennedy.

He helped pass landmark Great Society programs, including the Civil Rights Act of 1964, which prohibited discrimination in public accommodations.

And the Voting Rights Act of 1965, which allowed blacks in the South to more fully take part in Federal and State elections.

He questioned our country’s growing distance of looking out across our borders, the importance now than ever.

The assassination of a President and his brother. Able political leadership and seamy politics and chicanery. The dawn of the nuclear age and men on the moon.

“His legacy includes, among many others, the Mansfield Center for Pacific Affairs in Washington, D.C., and the University of Montana in Missoula. These institutions live on. They teach us and our children the importance of looking at across our borders, the importance of understanding different cultures. And that is more important now than ever.”

Mike’s ability to bring people together and find common ground enabled him to succeed Lyndon Johnson as Senate majority leader in 1961, a post he held until 1977.

When John F. Kennedy asked him to serve as majority leader, Mike at first declined. Mike and Kennedy were freshmen together in the Senate, and Mike became a close confidant. Mike related his brother. Able political leadership and seamy politics and chicanery. The assassination of a President and a prelude to two more wars. A dim perception of world peace and national peace. There is a time to stay and a time to go. Thirty-four years is not a long time, but it’s time enough.”

That’s quite a record, quite a resume, quite a life.

But that all pales in comparison to his love for his wife Maureen, and his love for Montana and the people he so faithfully represented.

Over the course of his career, Mike Mansfield went by many titles: Professor Mansfield, Congressman Mansfield, Senator Mansfield, Majority Leader Mansfield, and Ambassador Mansfield.

Senator Mansfield was an internationally recognized leader. But in Montana, he was simply known as “Mike.” And he was our Mike.

Mike was the embodiment of Montana: Quiet, humble, strong, salt of the earth, committed to his wife, family, State and country. He was my mentor and he was my friend.

Although he served six U.S. Presidents in his career as majority leader and ambassador to Japan, Mike once said humbly, “I reached the height of my political aspirations when I was elected Senator from Montana.”

That’s just the kind of man he was, a quiet but firm leader, one who didn’t like the spotlight but endured it in service to his State and country.

Michael Joseph Mansfield was born in New York City on March 16, 1903. He moved with his family to Great Falls, MT, in 1906.

When he was only 14 years old, Mike joined the Navy and served as a seaman in World War I. He then served as a private in the U.S. Army in 1919 and 1920, and as a private first class in the Marines from 1920 to 1922.

After his military service, Mike moved back home to Montana, where he worked as a mine mucker and engineer in the copper mines of Butte for 8 years.

It was during this time that he met his soon-to-be wife, Maureen. After meeting Maureen, Mike’s life was forever changed, he would say. They married in 1937. By her guidance, her faith in him, Mike said, Maureen pushed him to go back to school and was responsible for his success in life.

So Mike went back to school. He attended the Montana School of Mines in Butte in 1927 and 1928, then graduated from Montana State University—as it was called then—in 1932. Mike earned a masters degree in history in 1934, and taught history and political science for 8 years.

Mike’s 34-year career of representing Montanans in Washington began in 1942, when Maureen urged him to run for a seat in the U.S. House of Representatives. He served Montanans well in the House for over a decade. Then we sent him to the Senate in 1952.

Mike was so humble. I told him once that I was looking forward to reading his memoirs one day. He simply said: “Nope.”

After Mike Mansfield’s distinguished service here in the Senate, President Reagan appointed him in 1977 to be our Ambassador to Japan. Mike was re-appointed to that post by President Reagan. And Mike continued his diplomatic service until he retired in 1988, making him the longest-serving Ambassador to Japan in our Nation’s history.

On October 9, 2001, Mike Mansfield passed away at the age of 98. Mike was a man of few words, a man of few regrets. He was a man who led by example, a man who served not only for Senators but for the American people. He left it a civilized instrument. That gave our young people—18 and under—to serve as America’s Ambassador to Japan, one of the most sensitive postings in the world.

This Senator from Montana served longer than anyone else in American history as Senate majority leader and as U.S. Ambassador to Japan. And he left the Senate a better place, not only for Senators but for the American people. He left it a civilized institution that allowed all Senators an equal voice in the legislative process. He encouraged younger Senators to speak, breaking the tradition of a Senate dominated by an exclusive club of older men. Senator Mansfield democratized the Senate.

When he retired at age 73, Senator Mansfield noted that his period of service in Congress—from 1942 to 1976—had he witnessed: “One-sixth of the Nation’s history since independence. The administrations of seven Presidents.
He said many of those conversations were confidential. No kiss and tell for Mike. He was such a classy, deep, dignified, thoughtful, and wonderful person.

When I first considered running for Congress in 1974, I went to Mike and asked whether or not he thought I should run. “Yep,” he said. That’s how he used to respond to questions: Yep, nope, and maybe. Very straightforward, he told it as it was.

He also pointed out to Congress took a lot of hard work, a lot of shoe leather, and a little bit of luck. That was enough for me.

That wasn’t the last time I sought out Mike’s counsel. Right up until his death last Friday, I went to Mike for his advice on a variety of issues. I saw him just a few weeks ago, not long after the September 11 terrorist attacks. Even though he was laid up in a hospital bed, he immediately said, “Hi, MAX.” and invited me to take off my coat and have a seat. At age 98, he was still sharp as a tack and just as gracious as ever.

We talked for some time before our conversation turned to Afghanistan. This was a man who knew so much. He talked about the history of Afghanistan—how the Russians and every would-be conqueror attempting to occupy that country ran into trouble. His history lesson on Afghanistan was rich with such figures as Genghis Kahn and Alexander the Great.

When a Japanese reporter once asked Mike about his secret of longevity and heat health, Mike smiled and said, “A good wife and good Montana people.” Mike was always quick to point out that all the success he had in life he owed to his beloved wife Maureen. Maureen Hayes took him out of the mines of Butte and into politics.

Her quiet encouragement gave Mike the strength to lead our nation during some very difficult times: civil rights, the Vietnam War, Watergate. Maureen cashed in her life insurance policy to help Mike with his education. And in Washington, she worked in his office without compensation so she could spend more time with him.

What they did, they did together. Mr. President, Mike and Maureen were a team, a great team. When Maureen passed away last year, we all mourned the loss. Today, we mourn the loss of Mike and Maureen. Maureen was always quick to point out that all the success he had in life he owed to her.

He said he had three great loves in his life. The first was his wife, Maureen—his partner for more than 65 years. She was the one who forced him into the Senate, and make something of himself.

The second was his beloved State of Montana.

The third was this institution, the U.S. Senate.

The Senate majority leader has been called “the first among equals.” No one deserved that title more than Mike Mansfield. He was wise. He was decent. He was endlessly patient. He was a man who deeply believed in the ability of free people to govern themselves wisely. It is no coincidence that the Mansfield years remain the most civil and the most productive in our Senate’s history.

He was a steady hand during turbulent times. In the sad and anxious days that followed President Kennedy’s death, Senator Mansfield’s words and poise helped calm this Nation.

In the years that followed he led the Senate to pass the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965. During his tenure, he led the Senate through a war in Vietnam and the resignation of a President.

The last time Mike Mansfield spoke to a group of Senators was 3½ years ago when he returned to the Capitol to inaugurate the leaders’ lecture series begun by my colleague and friend Senator LOTT. On that night, Senator Mansfield delivered a speech that he had written many years earlier. He wrote the speech to answer critics who said he was not forceful enough as majority leader. He said he had intended to give the speech on a quiet afternoon when it was unlikely that there would be any buzzing around him. But he changed his mind and came to the Capitol and delivered them for the first time. I want to read a section of those remarks.

I have always felt that the President of the United States—whoever he may be—is worthy of the respect of the Senate. I have always felt that he bears a greater burden of responsibility than any individual Senator for the welfare of the nation, for he, alone, is the representative for the nation. And he, alone, at home, stands with the Congress as a whole, as constituted representatives of the American people. In the exercise of his grave responsibilities, I believe we have a profound responsibility to give him whatever understanding and support we can, in good conscience and in conformity with our independent duties.

I believe we owe it to the nation of which all our states are a part—particularly in matters of foreign relations—to give him not only responsible opposition, but responsible cooperation.

And finally, within this body, I believe that the senators who voted to be here, in fact, no less than in theory, that they have a primary responsibility to the people whom they
represent to face the legislative issues of the nation.

And to the extent that the Senate may be inadequate in this connection, the remedy lies not in the seeking of shortcuts, not in the cracking of nonexistent whips, not in wheeling and dealing, but in an honest facing of the situation and a resolution by the Senate itself of the temptation, by respect for one another, by mutual restraint and, as necessary, adjustments in the procedures of this body.

The constitutional authority and responsibility does not lie with the leadership. It lies with all of us individually, collectively and equally. And in the last analysis, deviations from the principle of the Senate in the end hurt the detriment of the institution. And, in the end, that principle cannot be made to prevail by the rules. It can prevail only when there is a high degree of accommodation, mutual restraint and a measure of courage—in spite of our weaknesses—in all of us.

It can prevail only if we recognize that, in the end, it is not the Senators as individuals who are of fundamental performance. In the end, it is the institution of the Senate. It is the Senate itself as one of the foundations of the Constitution. It is the Senate as one of the rocks of the Republic.

So said Senator Mansfield and so it is advice to all of us. We are in the Senate today considering matters of the grave importance. I think there is no better advice than the sage guidance Mike Mansfield left for all of us. His words are at least as important today as when he delivered them 3½ years ago and when he wrote them years ago.

We were lucky to have Mike Mansfield for as long as we did. Now we have his remarkable example. That itself is a considerable gift. We should treasure it. We should live by it.

Our thoughts and prayers go to his daughter Anne.

Contrary to Mike Mansfield’s wishes, Mike Mansfield will never be forgotten. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise today to speak about Mike Mansfield, not from the standpoint of the eloquent eulogy given by the Senator from Montana, who knew Mike Mansfield so well, or the majority leader, who knew him and served with him. I didn’t serve with Mike Mansfield, but I did have a wonderful relationship with him in a very different way.

The first time I ever saw the stature of Mike Mansfield was through his picture that is in the Mansfield Room. For anyone who has been in the Mansfield Room, which is one of the major meeting rooms in the Capitol, the picture of Mike Mansfield says so much about him because it is a very long, narrow picture of Mike Mansfield standing there alone, nothing behind him, just that solitary figure that is so very powerful.

That is exactly the kind of man I came to know. I go to the Senate prayer breakfast every Wednesday morning, where I met the former Mike Mansfield Senate member. We have Jewish members. We have Catholic members. We have Protestant members. We have even had a member come and talk about agnosticism.

It is something we all keep very personal and private. It has been one of the highlights of my service in the Senate to meet every Wednesday morning and talk about religion and the importance of religion in our lives and in the life of our Nation.

The special place Mike Mansfield held within the Senate prayer breakfast. He was coming to the Senate prayer breakfast all the way up until he died. He never missed a week except in the unusual circumstance when Maureen had taken a turn for the worse or immediately following Maureen’s death, and then only when he was sick. And I would call him if he missed one or two times and I was concerned about him. I would find there was a reason, but he was going to be OK. Getting to know him was wonderful.

It was kind of interesting because no one has assigned seats and it is a small room. Probably 30 of us come in any 1 week. But there are no assigned seats.

You just take it is empty except for Mike Mansfield’s seat. He did have a regular seat. No one would sit in Mike Mansfield’s seat unless it was clear that he wasn’t coming. He was always there on time. So if we started having a meeting, someone might sit in his seat, but never before because we revered having him there. He was such a wonderful presence, and his countenance was always so positive.

I had the opportunity to talk to him because I generally sat next to him. I started getting to know him when I joked with him. Here was Mike Mansfield when he was 95, 96, 97, and he had a breakfast that was eggs, bacon, biscuits, and if they had gravy, it would have been on there, too. Do you know what? I have to sit by a guy who still eats like a guy because so many people are now into rabbit food, as we call it. Not this guy. It gave me great hope that someone who was 97 years old was eating like that. And so we started a friendship that has lasted throughout my 8 years in the Senate.

I talked to Mike Mansfield about Japan. As many people know, he was our wonderful Ambassador to Japan immediately—not immediately following his Senate leadership position, but he was appointed by a Democrat, as well as a Republican President, because he was so effective in Japan and he understood that part of the world so well. I would talk to him about the economic situation in Japan. As things would look bad, I would ask him about it. He was wondrously great in insights. I remember a time when Mike Mansfield was telling me that he worked for Goldman Sachs. He worked for Goldman Sachs all the way up until he died.

He said: “Well, tell me what you do.” He said: “I advise them on the Far East and Japan.” That is very important for the economy, of course, and for them.

I said: “When did you start working for them?” He said: “Actually, they started calling me, and I thought there must be a mistake, so I didn’t return their calls.”

This was years ago.

So he said: “They kept calling,” and I said, “I’m 88 years old; are you really serious about wanting me to go to work for you?” He said only after they had a lot of pressure from the Wall Street. “We know how old you are; we think you have very valuable advice.”

So he agreed to go to work for Goldman Sachs and worked for them up until he died at the age of 98. He was so pleased that he could still be helpful. We all knew that his mind never left him. He was so precise and up on issues that it would astound anyone. He read the London Economist and the newspapers in Japan. He was very up to date.

I talked to Mike Mansfield once about Maureen, and I told him that I knew of the great love story; it is legendary around here, how committed he was to Maureen. She was bedridden for a long time. He would go to see her regularly. She would keep him company until he just could not take care of her, and then he would visit her daily when she was being taken care of in another place.

I asked him about her, and he never forgot how it was Maureen who made him what he was. That is what he said. Just as Senator BACUS related earlier, it was Maureen who saw this miner and saw that he could be something more than a miner. So she encouraged him to get his high school education and then his college education. She saw in him someone who could make a great contribution, and he never forgot that, no matter how high he went. He went to the very highest level as the distinguished majority leader and then as Ambassador to Japan. He never forgot that it was Maureen who made him what he was, and his love for her was so touching and so poignant. I enjoyed having that conversation with him.

So my experience with Mike Mansfield was not during his active service, as it was with so many of my colleagues here. My experience with him was in a different way, but it was so rewarding. He would bring me clips from foreign newspapers that he thought I would be interested in, and I thought he was a great man in a different time of his life.

It shows how much you can contribute if you stay active and keep on top of world affairs, and that is what Mike Mansfield did. It was hard to believe that he was 96, 97, 98 years old if you were around him because he was so absolutely vivacious and clear. He wasn’t a talkative person, as has been mentioned. He was the strong, silent type, the epitome of what you would think of as the Marlboro Man, who didn’t feel as if he had to talk a lot. But certainly when he did speak, he had a lot to say, and it was clear and
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focussed; there was no excess. But you knew it was the wisdom of all those years coming through.

I pay tribute to Mike Mansfield as a man who was a symbol of decency and humility in the Senate and throughout his public career. Honesty and integrity will always be words that will be associated with this great man. We have lost a friend and one of the great Members of the Senate. I know that Republicans and Democrats will feel this loss for a long time to come. I know his words and the speeches that were read by the majority leader will be here for us to remember a great leader and give us guidance as we go through the trying times we are facing in our country today.

Thank you, Mr. President, I yield the floor.

Mr. HOLLINGS. Mr. President, it is an honor for me to pay tribute to my former Senate leader, Mike Mansfield. The people of Montana and the United States have lost a great man, a valiant soldier, a dedicated statesman, and a gentleman of a breed we don’t see enough of these days.

Mike Mansfield was a revered figure whose bipartisan leadership led the Senate to accomplish great deeds for civil rights, voting rights, and foreign relations during Vietnam, the cold war, and the Watergate scandal. His leadership emphasized equality, cooperation, and fairness which were marked by his persistent leadership. He was considered a quiet man who did not care for self-promotion, often answering questions with a “Yep,” “Nope,” “Maybe,” or “Can’t say.” Although he was not known as an orator, his simple style of leadership was so much in the field of political correctness. Mike was largely responsible for our election to the House of Representatives. Almost every summer she drove herself and our daughter, Anne, to Missoula—5 days and 3,000 miles. Why? To campaign for us and in

1952

She got us elected to the U.S. Senate.

1977

We decided—after talking it over, to retire. We did not owe anything to anybody—except the people of Montana—nor did anyone owe anything to us.

President Carter asked me if we would be interested in becoming the U.S. Ambassador to Japan. Maureen thought we should accept and we did when President Reagan called and asked us to stay, we did for almost 12 years.

1988

Around Xmas Maureen almost literally forced me to go to the Naval Hospital at Yokosuka, which sent me directly to Walter Reed Army Hospital where I had heart bypass and prostate operations. Again it was Maureen.

1989

We came home.

1998

Illness began to take its toll on Maureen. On September 13, 2000, less than 2 weeks ago, we observed—silently—our 68th Wedding Anniversary. Maureen and I owe so much to so many that I cannot name them all but my family owes special thanks to Dr. William Ollilial, and his associates, who down through the last decade did so much to alleviate Maureen’s pain and suffering at Walter Reed Army Medical Hospital—one of the truly great medical centers in our country. We also owe special thanks to Gloria Za- pata, Ana Zorilla and Mathilde Kelly Boyes and Ramona the “round the clockers” who took such loving care of Maureen for the last two years on a 24 hour day, seven day week basis.
MAUREEN MANSFIELD

She sat in the shadow—I stood in the limelight. She gave all of herself to me. I found all the strength of that fact until too late—because of my obstinacy, self-centeredness and the like. She was always in my favor—I sacrificed nothing.

She literally remade me in her own mold, her own outlook, her own honest beliefs. What she was, I became. Without her—I would have been little or nothing. With her—she gave everything of herself. No sacrifice was too little to ignore nor too big to overcome.

She was responsible for my life, my education, my teaching career, our elections to the House and Senate and our selection to the Embassy to Japan. She gave of herself that I could thrive, I could learn, I could love, I could be secure, I could be understanding.

She gave of her time to my time so that together we could achieve our goals. I will not say goodbye to Maureen, my love, but only "so long" because I hope the Good Lord will make it possible that we will meet at another place in another time and we will then be flagon again.

Mr. NELSON of Florida. Mr. President, I go from the debate, along with my good chairman and leader, Senator HOLLINGS, that tends to get one's blood pressure up over the fact we are having to spend 90 hours debating the airline security bill. To now go to the subject of great sadness over the passing of one of the greatest leaders that the Senate has ever produced: Senator Mike Mansfield.

Growing up in my political adult lifetime, of course, he has always been someone to whom I have looked up. He was someone I looked up to while I was in college because he was already an established leader. He was an assistant to the majority leader, Lyndon Johnson. He reigned because he was loved and respected as majority leader for an unprecedented 16 years. One of the greatest compliments I have read in the commentary since his death was made on the other side of the aisle, Senator Scott, who paid him an extraordinary compliment that he was one of the finest men he had ever met.

The fact that Senator Mansfield was selected by administrations of both parties to represent this Nation in the nation of Japan as our Ambassador for an unprecedented long time also speaks volumes.

But the reason I felt compelled to come to the floor today was to share with the Senate my observations of Senator Mansfield in the last few months, for I had never really known Senator Mansfield except when I saw him faithfully every Wednesday as he attended prayer breakfast. It is a private meeting completely off the record where Senators can come and share what is on their hearts. Who was the first one there every Wednesday? None other than Senator Mansfield at age 96, as much a participant in that activity every week as anybody else in the room, often with many of us deferring to him for his political, professional, and spiritual guidance.

That spoke volumes to this freshman Senator. It said something else to me about a man who has had so many accolades. But I saw a man that was truly walking humbly with his God.

That is what I wanted to come to the floor of this Senate to share. I yield the floor.

The PRESIDENTIAL OFFICER. The Senator from Missouri is recognized.

STRUGGLING TOGETHER WITH TERRORISM

Mrs. CARNAHAN. Mr. President, grief has changed the face of America. We are a tear-stained nation, but in spite of that, we are united as never before. Americans are wearing symbols on their lapels. They are displaying flags from their cars and windows, and they are donating millions of dollars to victims' families. America has responded, as we always do, with patriotism and purpose.

Today, we are uniting further in support of our troops flying dangerous missions in Afghanistan. This is the first step in a prolonged campaign against terrorism. It is a necessary step, and with wisdom at the right targets—the Taliban government, which has given safe harbor to terrorists and to organizations such as theirs for far too long.

Americans are also united in sympathy with the Afghans. While our bombers were flying over Taliban strongholds, our C-17s were dropping food to the refugees. Congress has also responded to the September 11 attacks with unity and determination. We came together to support the people of Washington and New York by providing $40 billion to begin the relief effort. We came together to support the President and our military by authorizing the use of force in this new struggle with terrorism. We came together to aid our airline industry enacting a $15 billion stabilization package, and with the vote today in favor of cloture, we are poised to increase airline security.

We are now focused on our military action abroad and security issues at home, but we also need to deal with the severe economic problems the September 11 attacks have caused. Our airlines are now flying and their short-term economic crisis has been resolved. Now we must come together behind the men and women who are the heart and soul of the airline industry—the workers. The layoffs announced in the airline industry since September 11 are staggering. We need only look at this chart to see Boeing, 30,000; American Airlines, 20,000; United Airlines, 20,000. The list goes on and on. Twenty to thirty percent of Boeing's orders for new aircraft have been cancelled, and they plan to lay off as many as 30,000 workers. Then there are the airport workers, the concessionaires, and the workers who work in the plane's meals.

The total number of announced layoffs in the industry is 140,000, and that figure may continue to rise. These are not just numbers on a page. These are men and women. These are moms and dads who up until just a few weeks ago thought they had good paying jobs, believed they would be able to pay their bills, and were saving to send their children to college. They believed their future was secure.

These layoffs are going to affect communities all across the country. St. Louis; Kansas City; Springfield, MO, have about 14,000 airline workers, and they will be hard hit by these layoffs. The Boeing layoffs will also cause hardships for Everett, WA, and Wichita, KS. Any city that is home to a large hub airport—Pittsburgh, Cleveland, Salt Lake City, Denver, Dallas, Chicago—will feel the effects of these layoffs.

Once the airline safety bill is under consideration, I will offer an amendment. It will provide meaningful assistance for airline industry workers who have lost their jobs as a result of the September 11 attacks.

My amendment will do three things: First, it will provide income support because many of these families live from paycheck to paycheck. Second, it will provide job training so employees can prepare to work in other industries, or new jobs within the airline industry.

Third, it will provide health care benefits so workers can stay in their health plan and keep their doctors while they are looking for work.

The benefits in my proposal would be available to employees of airlines, airports, aircraft manufacturers, and suppliers to airlines.

Obviously, airline industry employees are not the only ones who are losing their jobs. When we do an economic stimulus package, I believe we should address the problem more broadly. But the impact on the airline industry has been abrupt, immediate, and severe. Congress acted quickly and decisively to provide $15 billion of assistance for the airlines, and we should act with the same level of urgency for the airline industry workers.

It is interesting, when we did the airline bailout, I did not hear my colleagues saying we should wait until we came up with a package to help other industries that were impacted by the attack. But now, when it comes to the workers, all of a sudden some argue we need to slow down.

We did the right thing for the airlines when we acted quickly. We should do the same thing for the workers as well.

Another criticism of this proposal has been assistance is already available for displaced workers, and there is no need to provide additional help.

I have modeled my package of benefits upon the Trade Adjustment Assistance Act, which provides benefits to workers displaced due to products imported into the United States.
The Trade Adjustment Assistance Act provides additional assistance beyond standard unemployment insurance. It also provides resources to retrain laid-off workers so they can get back to work.

In passing the Trade Adjustment Assistance Act, Congress determined to support workers who lose their job due to the vagaries of international trade. We can not again determine that workers who are laid off as a direct result of a terrorist attack on the United States also deserve such support.

The primary difference between my amendment and the Trade Adjustment Assistance Act is the inclusion of health care coverage for the displaced worker. We have had lots of discussion during this Congress about how to address the problems of the uninsured. Today is the chance for Members to take a courageous step that will prevent 140,000 workers and their families from joining the rolls of the uninsured. Some believe the best way to help workers is to keep the airlines going. That is about half right. We did the right thing helping the airlines, and that has protected thousands of jobs. The assistance bill did not do anything for those workers who were put out of a job or have no immediate prospects of being rehired and will now have to seek work in an economy that has slowed.

Last week, the President highlighted three things that should dictate the way we undertake efforts to stimulate the economy and help displaced workers. He said we should take actions that will, first, encourage economic growth. Second, we should be bipartisan and instead of creating new programs, we should make use of the programs that already exist and make them work better. I strongly agree.

My amendment is consistent with these principles. First, it will encourage greater income assistance and job training benefits to airline employees who have recently been laid off.

Second, the amendment has bipartisan support. Senators FITZGERALD, RUSSELL, KARKINIS, and SMITH have signed on as cosponsors.

Finally, it makes use of an existing program, the Trade Adjustment Assistance Program, that was put in place to help displaced workers in times of need.

While the President’s plan is a step in the right direction, I believe we need stronger action at this time. As we did with the bailout and the disaster relief package, we need to act boldly. We need to make sure those airline industry workers who were laid off suddenly, with no time to make preparation, receive immediate assistance, obtain retraining, and are able to retain their health care. The President’s package does not guarantee these benefits for everyone covered by my amendment.

I am extremely pleased this amendment is being supported by the airline industry. The airlines know their employees have been dealt a severe blow and deserve help. Our Governors have also known many communities around the country are going to be hard hit. As Carl Sandburg once reminded us, “We are Americans. Nothing like us ever was.”

Now is the time for us to stand together, and that means standing together behind our industries and our workers. Every day we delay, our economy suffers. Every day we delay, families struggle to pay bills. Every day we delay, children go without health insurance. Let us do what is right for those who need it most.

I am pleased my proposal has received bipartisan support, and I hope it will be adopted by the Senate. I ask unanimous consent that a letter from the Air Transport Association and a letter from a tripartisan group of 13 Governors be printed in the RECORD.

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


Hon. Trent Lott,
Republican Leader, U.S. Senate, Washington, DC.

Dear Mr. Leader: The member airlines of the Air Transport Association deeply appreciate your leadership in establishing the economic stabilization package enacted September 22. Without this assistance the very viability of the industry would have been in question.

Even with the adoption of the airline stabilization package many of our members have found it impossible not to furlough large numbers of workers. Just as the economic disaster that has befallen the airline industry is the result of our being used as an instrumentality of the terrorists, those dedicated employees face very serious adverse economic consequences. These employees, along with those still working, are the backbone of our industry. We are working very hard to put this difficult period behind us and, hopefully, bring them back as soon as the economic situation allows us to.

In the meantime, we strongly support the prompt adoption of legislation to provide these workers with displacement assistance including extended unemployment benefits, training and retraining, and the continued medical coverage. It is only fair and reasonable that we ensure that adequate provisions are made for the basic protections for the workers who face extreme economic hardship in the weeks and months ahead.

The airlines and their workers are inextricably linked in the battle against terrorism. We must ensure that all participants are adequately protected. I urge the prompt enactment of worker relief legislation.

Sincerely,

CAROL B. HALLETT, President and CEO.

OCTOBER 1, 2001.

Hon. Tom Daschle,
Senate Majority Leader, U.S. Senate, Washington, DC.

Hon. Trent Lott,
Senate Majority Leader, U.S. Senate, Washington, DC.

Dear Senators: We applaud the Congress’ timely response to appropriate funds for recovery and rebuilding in the aftermath of the devastating attacks of September 11th. Likewise, we strongly supported Congressional legislation to assist the airline industry, which has suffered incredible financial losses.

However, we believe that the Congress should also provide assistance to displaced workers who have been laid off as a result of the ongoing security crisis. Airlines and related employers are laying off tens of thousands of workers, and industry experts are estimating that more than 130,000 people could lose their jobs. These displaced workers are going to need financial assistance—because we do not know how long they will be out of work, it is important for the federal government to act now to ensure that the necessary assistance is available to those who might need it.

S. 1454, the Displaced Workers Assistance Act, would provide financial assistance, training, and health care coverage to those workers displaced due to the attacks of September 11, 2001. The benefits would be distributed within the framework created by the Trade Adjustment Act.

We are writing in support of S. 1454. States, of course, will finance the initial 26 weeks of unemployment assistance. However, federal funding of an additional 26 weeks of unemployment insurance and the extension of health coverage will protect those unemployed workers that might not otherwise have a safety net. The ability to help train those individuals who cannot be expected to return to the airline industry, and those who would need new training to prepare for a different job within the industry, is definitely needed. We also support providing 8 months of Medicaid to those who do not qualify for COBRA coverage, and 26 weeks of unemployment compensation to those who would not normally be eligible for their state programs.

It is difficult at this time to determine how many of our displaced workers will be out of work. Obviously, they are going to need financial assistance. States will do their job to assist these vulnerable citizens, but we need the federal government to help provide the funds to do so. Please work with us to enact S. 1454.

Thank you.

Sincerely,

13 State Governors.

Mrs. CARNAHAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. CLINTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from New York, I ask unanimous consent that the quorum call be rescinded. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the PRESIDING OFFICER (Mr. CLELAND).

Mr. FEINGOLD. Mr. President, 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. WELLSTONE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.
The PRESIDING OFFICER. Without objection, it is so ordered.

AVIATION SECURITY ACT

Mr. WELSTONE. Mr. President, I am not going to take long. I know there are other colleagues who are going to want to speak, but I do want to talk about where we are right now in this Senate Chamber. I want to try to do that not in an abstract way but in relation to what is happening throughout the country and, particularly, I want to talk about my State of Minnesota.

Yesterday we had a field hearing in Minnesota. It was a formal hearing of the Subcommittee on Employment, Safety and Training of which I am lucky enough to chair. It was just absolutely packed with people. I am not sure that is good news. I think it was packed with people because we have had a severe economic downturn and it affects a broad section of the population in Minnesota and around the country.

I said yesterday that I cannot remember—and I think I said this to the distinguished President—another time in our history that we felt as if our country was facing three challenges or crises and all at the same time.

One of them has to do with the world that we live in—military action, use of force in Afghanistan. I find myself at home that I very much want this action to be successful. I think it is terribly important that it is with the most careful targeting. I think it is essential that we do everything we know how to do to minimize the loss of innocent civilian life.

I pray for the men and women of our armed services, and, frankly, I pray no innocent Afghan, or anyone else, is killed in this process.

I have a chance to talk with the Ambassador to Pakistan today and was asking her how things were going in Afghanistan, and doing everything we can to minimize the loss of innocent civilian life.

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I have a chance to talk with the Ambassador to Pakistan today and was asking her how things were going in Afghanistan, and doing everything we can to minimize the loss of innocent civilian life.

Then there is the whole question of physical security in our own country. Today Chairman KENNEDY and the HELP Committee had very powerful hearings. The distinguished Chair testified about his work and some of his legislation as to what we need to do to better defend our own homeland. Then there is economic security. What I rise to discuss briefly is my indignation about opposition to the opposition and delay. Quite often, one person political truth is another person's political horror. We are all different, and political truth can be illusive. We have different ideas. People of good conscience can disagree. That always is the case, including now as well.

I have to say I don't really know how any Senator, Democrat or Republican, can go home, after we have provided millions of dollars to the industry—which we should have done; I don't think they are playing Chicken Little crying that the sky is falling in—now and be unwilling to provide the employees with help.

Mr. Senator from Minnesota has an amendment, in which a number of us have joined—it makes all the sense in the world—extending unemployment insurance to a full year, picking up the cost of COBRA or helping people get Medicaid assistance—when you lose your job, the other thing that is so terrifying in our country is, you lose your health care coverage for yourself and your loved ones—making sure that that is there, making sure the funding is there for training. I am just amazed at the opposition to the amendment. I am amazed that we have been having to go through cloture votes, and now people want to burn up yet more time.

For my own point of view, I don't think we should move. Senator HOLLING says one of the best ways to get this industry back on its feet is to have people think they are safe. God knows the whole notion of federalizing the security forces is what the vast majority of people are for. That is apparent. There are other colleagues who talk about Amtrak and say there has to be a commitment to that as part of our transportation system. They are right.

What I want to relate today is what Senator DAYTON and other colleagues from Minnesota, Democrats and Republicans, heard at our field hearing, which was all the employees, 4,500 people out of work, who were asking: What about us? You helped the industry. Fine. But what about working families? What about us?

I said about a week ago now that I believe the people values are coming out in the country. September 11 and beyond, people really are very committed to helping one another. I can't quite figure out why that has not extended to the Senate.

There will be plenty of discussion about this in the Chamber, but as far as I am concerned, this is the place we draw the line. Our aviation security bill has to pass. If there is opposition to federalizing part of the security forces, so be it; we will vote on it. If there is opposition to providing the help to employees I just outlined, the Carnahan amendment, then we will vote on it. If there is opposition to other amendments, then we will vote on them.

I just can't, for the life of me, understand the opposition. I can't understand why we wouldn't want to help people flat on their back. Frankly, I don't want to go to Minnesota and face these employees and tell them that Congress was unwilling to provide the help.

I thank the majority leader and the whip, Senator REID, for their commitment. I am committed to this fight. We are unified as a country. There is no question about it. We have to be our own best selves. To me, part of being your best self, is to advocate for people you love and believe in who need help. That is what we are talking about right now.

Mr. REID. Mr. President, will the Senate yield for a question?

Mr. WELSTONE. I am pleased to yield.

Mr. REID. It is my understanding that the Senator has offered a resolution—in fact, did so last week—commenting the Capitol Police for the valiant work they did on September 11 and what they have done since then; is that true?

Mr. WELSTONE. That is true. I did offer an amendment, and I was hoping that every single Senator would support it. I thought everybody would support it on Friday maybe the whip could help me out. I actually submitted it. I didn't want to make a big hoo-ha about it. I wanted to thank the Capitol Police and thought maybe we would pass it by unanimous consent. Then we couldn't get it out, and let me say now we have expressed our appreciation.

My understanding is, it has been blocked; is that correct?

Mr. REID. That is my understanding. We wanted that cleared last week, but somebody is holding this up. My friend knows how holds work. We have a general idea from where they come but not specifically from whom. I say to the Senator from Minnesota, he has always been such a supporter of the Capitol Police. He has always been thoughtful and kind to them. I have seen that as he walked through the Capitol. I personally am so grateful for the work they have done. Prior to September 11, I always felt really strongly about the work they did. Since September 11, my emotions have run much higher.

I commend the Senator from Minnesota for this resolution. I want him to know we are going to continue to talk about this resolution until it is cleared. Otherwise, we will try to figure out a way to get a vote on it so anyone who has the audacity to stand and not say to the Capitol Police they have done a good job will have to come forward and be counted.

Mr. WELSTONE. Mr. President, I will not speak much longer. Let me say to the whip—who, by the way, also was a member of the Capitol Police, the only one in the Senate—I thank him. I don't even want to make a big deal of this. In fact, I am almost embarrassed about it. This now is going to become a point of contention? I am a pretty good rabble-rouser. I didn't think this would be something on which we would have to go this far.

My hope is that it will pass. I say to the Senator, it would be what I would like to get his help, that if this doesn't clear today, then I will prepare an amendment. I would love to have the whip's support.
and do it with him. We will just come out here and have a debate. I suppose, if Senators are opposed to the resolution of support. Above and beyond that, we are talking about a lot of Capitol Police. They are working 6 days a week. 12 hours a day. Frankly, the whip discussed this with me. Above and beyond just the resolution saying “thank you for your support,” the other point is the additional resources. With all due respect, there will have to be additional resources to go to them for them to be able do this job. I thought when I came back that this resolution would have been passed. I wouldn’t have thought there would have been any controversy. I thought we then could notify the police.

Now what we will do is talk about it for a day or so. We will keep asking who is holding it up. We will keep asking why. It is hardly a way to say thank you to the police. And if necessary, we will have an amendment on it.

Mr. REID. I say to the Senator, I am hopeful and confident that it is just a misunderstanding. Otherwise, we will have to move forward as the Senator from Minnesota has indicated.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in a period of morning business until the hour of 11 o’clock today with Senators allowed to speak therein for a period of up to 10 minutes each.

Mr. REID. And that the time continue to be charged against the underlying matter before the Senate; that is, on the motion that is postcloture. The PRESIDING OFFICER. Without objection, it is so ordered.

AVIATION SECURITY AND THE STIMULUS PACKAGE

Mr. WELLSTONE. Mr. President, I was actually thinking about reading some of the descriptions and testimony of some of the people who spoke yesterday. Let me just say one more time that on this one, we don’t budge until we get the help for the employees. That is all I can do is use the help and. B, this would put purchasing power back into the economy. Unemployment benefits need to be extended and improved. There is the health care coverage for people and child care expenses, and there is the workforce development and work training that is so important. There are ways in which we can invest in rebuilding crumbling schools and affordable housing and creating jobs at the same time. There is a whole lot we need to do, and we need to do it now. That is part of the crisis that is staring us in the face. Yet we are in morning business for another 2 hours this afternoon.

I just wanted to make it clear that—and I think I am speaking for other Democrats—we are not giving any ground on getting help to the aviation employees and others, and we are going to do it this week on this bill. We are not going to give any ground on safety, and we are going to pass this bill this week. We are also going to move on and get serious about an economic stimulus package as well.

The solution, I might say, is not, however, for the administration to stop briefing the Congress about classified material. The solution, I would urge the President, would be for us to find out which Member of Congress has leaked classified information and then make certain that this Member of Congress, under any circumstance, at any time, going to a classified briefing and then disclosing the information from that classified briefing to a member of the press.

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

RECESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 3:40 p.m. today with the time charged against the postcloture proceedings.

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

Thereupon, the Senate, at 2:54 p.m., recessed until 4:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. Johnson).

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from South Dakota, notes the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CLASSIFIED INFORMATION

Mr. DORGAN. Mr. President, about a half hour ago, President Bush was in the Rose Garden for an emergency. During the question-and-answer period, the President expressed some great concern—in my judgment, justifiable concern—about the leaking of classified information that was given to some Members of Congress, apparently, by at least a couple Members of Congress, on a couple of occasions, have leaked that information to the press.

In my judgment, the President has every right to be very upset about this. This country has asked its young men and women in military service to risk their lives in this time of national emergency. As they undertake military operations in parts of the world that are thousands and thousands of miles from here, it ill-serves our country’s interests to have any Member of Congress, under any circumstance, at any time, going to a classified briefing and then disclosing the information from that classified briefing to a member of the press.

The solution, I might say, is not, however, for the administration to stop briefing the Congress about classified material. The solution, I would urge the President, would be for us to find out which Member of Congress has leaked classified information and then make certain that this Member of Congress—House or Senate—is not given classified information in the future.

I know this is a difficult area and a difficult set of circumstances, but this country faces some very difficult days ahead.

The September 11 terrorist attacks that were committed against this country changed almost everything. The need for security is quite evident to almost everyone in this country.

The terrorist attacks require this country to respond. The President had no choice. We cannot ignore those attacks. We had to respond to those attacks. And the President has the full support of the American people in his response, and certainly the full support of the Congress.

But I just want to say that the President was dead right this afternoon in
expressing anger about the disclosure—
the unlawful disclosure and unauthorized disclosure—of classified information. Members of the House or the Senate who would disclose classified information to the press that they received in classified briefings do no service to this country.

I would hope the administration and the President, rather than deciding they will not share that information with Congress, would decide that they would sanction those who have misused that classified information.

In order for Congress to do its work, and in order for the committees in Congress to do their work, information must be made available, even classified information. But the President is correct that information must be treated as classified, treated as top secret, and cannot be given to the press. An unauthorized disclosure, in my judgment, undercuts this country’s interests.

I hope the President’s administration today does not keep the discussion by other Members of Congress about this, will convince the administration they ought to continue the briefings. They are helpful and important as a part of this process. But some of us in Congress try to understand the President’s concern about the unauthorized leaks that have occurred.

THE FARM BILL
Mr. DORGAN. Mr. President, last week the House of Representatives passed a new farm bill. That piece of legislation is an important step forward because most of us believe the current farm bill does not work. The so-called Freedom to Farm bill, in fact, has been a disaster for family farmers now for many years. It had no ability to help farmers during tough times to provide for disasters and losses in commodity prices. Because of this, each year had to come up with emergency funding at the end of the year.

We did that. We did not do enough, but we did some each year to try to repair the hole in the so-called Freedom to Farm bill. That bill now expires at the end of the year and needs to be replaced.

The House of Representatives, God bless them, said: No. We should not wait until next year. We should write a new farm bill now. And it ought to be in place for the next crop-year when people go into the fields next spring. We in the Senate now have the obligation to do the same, and I believe we will do the same.

With respect to the bill that the House of Representatives enacted last week, let me say this: I think it is better than the Freedom to Farm bill. They have made progress. Good for them. I commend them.

There are some things we need to do better than the bill passed in the House bill. For example, in my part of the country we raise a great deal of wheat and barley. The loan rates, for example, for wheat and barley are not significant enough, when compared to other crops. They are far too low in the House bill. So we need to make some adjustments to that piece of legislation.

Farm benefits ought to be better targeted on agriculture, in my judgment. As well, we have had the development in this country of these giant agrifactories. Well, that is not what we are trying to preserve. If this isn’t about preserving family farms, families that are trying to live out their lives in the countryside, living on the family farm, if that is not what this is about, then, in my judgment, we do not need a farm bill.

Abraham Lincoln started the Department of Agriculture with nine employees in the 1860s. As you know, a century and a half later, it is a behemoth organization. If a farm bill is only to support the giant agrifactories of the world, then count me out. But if it is to support family farms, I say: Good; it is important not just to this country’s future that we maintain a network of family farm food producers.

There is a national security interest as well for the Senate to do a farm bill. The House has done the bill, so we also ought to understand the President’s concern about the unauthorized leaks that have occurred.

What is the national security interest? The other evening on national television, they described a feedlot with nearly 290,000 cattle in it over the year. This is a giant agricultural enterprise that brings large numbers of cattle together and feeds them in a huge series of feedlots. They talked about the potential of bioterrorism entering the food supply, and how convenient it would be for those giant agrifactories to be a target for efforts in bioterrorism.

It seems to me that a broad network of family producers across this country tends to thwart that.

Security of America’s food supply is best achieved by a network of family farms producing America’s food. That is why a farm bill is so important.

We have the obligation and the opportunity in the Senate to do the right thing. Between now and when we leave at the end of this session of Congress, we should pass a farm bill, go to conference, reach agreement with the House, and then send a farm bill to the President that he will sign. I understand the President says he doesn’t support the bill passed by the House of Representatives. The fact is, however, if it is not his priority, it is ours. We ought to write a good farm bill and send it to him.

I believe at the end of the day he will support it because the House passed it with a veto-proof majority. I would expect a good farm bill will pass the Senate with a similar majority.

I believe we ought to waste no time. I have talked to the majority leader and others about it. He agrees. Let’s try to do what we can do to pass a farm bill in the Senate, then go to conference and see if we can’t get a farm bill signed into law before the end of this year. That way, family farmers who go into the fields next spring will understand what the new farm bill will be and will be able to plan accordingly.

It will certainly be better than the Freedom to Farm bill, a bill that has undercut the interests of farmers trying to make a living on a family farm.

Very few people in this country have seen their income cut as dramatically as the average family farm income has been cut over the years. This loss of income, then, is somewhat ironic. We are dropping food into Afghanistan because people are on the abyss of starvation; we hear reports of old women climbing trees in Sudan to forage for leaves to eat; and one-half a billion people go to bed every night with an ache in their belly because it hurts to be hungry. All told, thousands of children die every day from hunger and hunger-related causes. Yet the farmers of South Dakota and North Dakota and Montana and Nebraska are told, when they load their truck with wheat or barley and take it to the country elevator, that which their produce has no value. They are told the food somehow has no value, that the price is collapsed because it is not worth very much. It seems to me that much of the world is placing great worth on that which we produce in great abundance on America’s farms.

If we can’t find a way to connect that which we produce to those who need it, then we are not thinking hard. The surge of stability and peace in the world is to help people who are hungry. We must place a value on the food our family farmers produce. Again, there is a disconnection there somewhere. We need to find it and reconnect it.

Let me again say, I hope in the coming couple of weeks we will, in the Senate, make it a priority to write a farm bill, bring it to the floor, and go to conference with the House. We have the obligation to our family farmers. That ought to be our responsibility now. It is not only good for family farmers; it is good for American security interests, for food security interests to do that. I hope we will do it soon.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLEVERLY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AVIATION SECURITY ACT—MOTION TO PROCEED
Mr. HOLLINGS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The motion to proceed to the consideration of S. 1447.

Mr. HOLLINGS. Mr. President, let me correct a statement I made some time last week when we were checking
into the practice of other countries with respect to airport security. We were told that of the countries in Europe, all were Government employed. That should be corrected. That is not the case. In fact, France, Belgium, the Netherlands, and England, these major countries, have contracts, but they have the health benefits and the guaranteed vacation and other benefits guaranteed by the Government. It is a sort of hybrid situation.

Of 102 countries around the world with significant air travel systems, only 23 use contract screeners. I think that is not the point I want to make this afternoon.

No one would suggest that we take the security for the President of the United States; namely, the Secret Service, and privatize it, contract it out. Nor would anyone recommend privatizing the security that the distinguished Chair, myself, and other Senators receive, the Capitol Police, who have been working around the clock, doing an outstanding job. You can go on down the list, whether it is Customs, whether it is the Border Patrol, and the Immigration and Naturalization Service that has some 33,000 personnel—no one in the House or Senate has suggested that we contract that out.

No one has suggested we contract out the Federal Bureau of Investigation with the thousands of professionals conducting the investigation right now. No one suggests that they take some 669,000 civilian workers in national defense and contract them out. In fact, there was a suggestion by the OMB earlier this year to do just that. The OMB folks called over to the Pentagon and said: We are looking at downsizing and we want to get some contracting out of 5 to 10 percent of your civilian workers. And the Department of Defense said: That will never happen. We are in the security business.

Yet the big hangup is federalization, the Government taking over the responsibility of security for air travel in America.

Now, we have tried after Pan Am 103 back in 1988, with more training, more hours, more supervision, extra this and extra that, to no avail; we had TWA 800 in 1996 and again the Gore commission with more training, more supervision, and we did not stop you. And now we have 6,000 killed and 13,000 casualties. To me, it will take unmitigated gall, with the recent experiences in mind, to come forth with a contracting out proposal.

Only a while ago did I learn why we are having to put up with this nonsense. All you have to do is read Roll Call, “Airport Firms Form Alliance.” The airport firms formed an alliance with a Swedish company and call themselves the Aviation Security Association. And who do they have as directors? The contractors that want to keep continuing their misdeeds. For instance, one of the association members, Argenbright had the contract for the Dulles and Newark airports.

Now, let’s read about Argenbright. I find in an article on September 13 in the Miami Herald:

The security company that provides the check-in services at the Miami airport was found guilty last year to allowing untrained employees, some with criminal backgrounds, to operate security checkpoints at Philadelphia National Airport.

In settling the charges, Argenbright agreed to pay $1.2 million in fines and investigative costs.

... Argenbright was also found to have committed dozens of violations of Federal labor laws against its employees at Los Angeles International Airport, an administrative law judge ruled in February 2000.

Here we are trying to do the work of the people of America, and we don’t have any Senators listening. They are listening to the lobbyists, the K Street lobbyists, the lobbyists bringing the different Senators, and I can’t explain to them the problem of security at the airports. Mind you me, those who are falsifying records, if you please, are now saying what we have to do is have contract out. Look at what is happening.

Of course, that appeals to the crowd that comes into public service by promising to get rid of the Government. “The Government is not the solution; the Government is the problem.” That is what they are talking about. They are thinking: Why? Because the lobbyists took you to the edge of the cliff, and now we are going to add 28,000 more Government jobs. That is the problem—along with the blooming lobbyists. They are trying to carry out their political commitments. They are not looking out for the safety of the traveling public in America. The worst thing we have ever done is give the money to the airlines. They didn’t take care of the employees. I had Herb Kelleher, of Southwest Airlines, tell me he did not furlough a single employee, not a single person of service. But they were all going broke. Why? Because the lobbyists took over—the same crowd that came running around hollering they were all going to go broke. Here I am fighting to do the people’s work, and Senators are gathered together in their offices with all of these airline lobbyists. This is the fifth week since September 11, and we can’t pass airline security.

All of America wants this responsibility fixed within the Government. No one has suggested to get rid of the Government. Instead, we would suggest that the FBI and the Secret Service, the Border Patrol, and Customs, or any of the other security agencies—no one would suggest that the 669,000 civilians in defense be contracted out. According to the lobbyists the Government is too big, the Government can’t do anything. They ought to be ashamed of themselves. Look at what is happening. Look at these attacks on Osama bin Laden and the Taliban. I don’t know—there are some 31 different military targets, with 2 countries involved, B–2s coming all the way from Missouri, ships stationed in the Indian Ocean, planes coming off Diego Garcia—all Government, Government recruited, Government fed, Government housed, Government trained, Government deployed, with precision work that we all pray—but we can’t get a Government airport security screener. Oh, no, no, that would be against my ideology. No, we want contracting out, privatization.

Mr. DORGAN. Will the Senator yield for a question?

Mr. HOLLINGS. I am delighted to yield to the distinguished Senator.

Mr. DORGAN. I was listening with interest to the Senator on this issue of national objectives and Federal employees doing airport screening. I know there are some who think there is nothing in Government that can be done correctly. But I say them, that they should go to ground zero in New York City, the site of these terrorist acts, and talk to the firefighters and law enforcement people. They will then understand that those Government employees, those firefighters who lost their lives, were clearers of those twin Trade Towers even as they were coming down. As that fire broke out in both buildings and people began to evacuate those buildings, those firefighters were going up with full backup. People are going to read reports—of seeing firefighters on the 20th floor and the 30th floor, nearly out of breath, climbing the stairs of those buildings. Those are public servants providing a public service that is immeasurable in its value to this country.

So when I hear people talk about Government workers in a disparaging
They are the best in the world. They flight as a weapon of mass destruction. That ends hijack— that door as we had on that Los Ange- have disturbed individuals storming they secure that door, then you do not would immediately require this for the if you and I were head of an airline, we more secure door. They have a retrofit doors immediately in the next 2 pit—and Boeing said they could ret- Israel that once you secure that cock- enhance cockpit security by installing to set this hearing up. I said: You can the following Thursday immediately these hearings, and I called the distin- the attacks. We immediately held long? How long, I ask the Senator, have we allow there to be Federal screeners at by this ideology that says we won'tWe are in an emergency situation. We decision: We don't want to do it. They would immediately require this for the security of our pilots. We want pilots to fly, not fight. Once they secure that door, then you do not have disturbed individuals storming that door as we had on that Los Ange- to Chicago flight. That ends hijack- ing for all intents and purposes, be- cause never again can they use an air flight as a weapon of mass destruction. I do not want to pass up the el- quence of the observation of the Sen- ator with respect to these firefighters. They are the best in the world. They are not paid enough. They are working extra hours, and they were willing, as the Senator says, to give their life to try to save those lives while the build- ing was coming down. They thought there could be a chance they would save a life or two, and they were going up those steps. That is fixed in my mind. We should be ashamed of ourselves for delaying this bill. We get all boiled up about procedure. We have to move now. Once we moved 97 to 0 to cloture, the net result is the bill itself is passed. Why are we not debating the bill this afternoon and passing it tonight? There are two or three amendments. Let us vote on those amendments. They could be just ideas. We are not hard and fast, except on one thing, and that is to get airport security. Yes, there is flexibility in the bill. We live in the real world. Take small, rural airports such as at Bham are not going to Burb, SC. They are not used to having the federalization of the system, but we have to have the Federal standards for inspections to make certain they have airport secu- rity. We do not want a plane coming out of Somewhere, say, Kansas City into Char- lotte and then the passengers get off, never having been checked properly, to come into Washington, never having had the proper security check. So that is a lesson I learned from El Al, the Israeli security agents, and the chief pilot at El Al. He told me, for ex- ample, once that cockpit door was closed, they could be assiduating his wife in the cabin, but he does not open the door. That is one of the things they heard this Russian plane that had come out of Israel exploded and went down into the Black Sea last weekend, they knew imme- diately it was not from a bomb, because for 30 years they have known the possibility that a Ukrainian missile gone astray may have caused the crash. They might start a fight and hurt, say, 5 people, but not 5,000. But the pilot immediately, already has law enforcement waiting to take over. The rule used to be—and I guess still is unless that FAA is getting going—if I am the pilot and you come forward and say, here is a hijacker and I want to go to Havana, Cuba, you say, oh, yes, I always wanted to go to Cuba; let’s all go to Havana, wonderful, yes— just go wherever the hijacker wants and get it down and then let law en- forcement take over. No, the rule has changed and ought to have been changed 3 weeks ago, and they are still dillying around won- dering about contractors and the em- ployees. 

Mr. DORGAN. Will the Senator yield further for a question? 

Mr. HOLLINGS. Yes. Mr. DORGAN. I do not mean to inter- rupt the Senator, but I was inspired lis- tening to his discussion and I want to to a couple of additional comments, concluding with a question. It is not unusual for politicians to compliment themselves, but the Sen- ator from South Carolina is not some- one who would ever do that. So let me say in compliment to Senator HOLLINGS and also to Senator MCCAIN. The Sen- ator has brought a bill to this Chamber that makes good sense. He worked on this legislation in a manner of devel- oping a consensus, worked in a bipar- tisan way, brought a bill in a very timely manner, and then, as the Sen- ator from South Carolina has said, it has been hung up now for some weeks. It is inexplicable that in a time of na- tional emergency—and it is that, not just with respect to national security issues, but also with respect to this economy—it is inexplicable that there is, among some, business as usual in the Senate. This is not business as usual. In my judgment, it ought to be a circumstance where, if someone dis- agrees with what Senator HOLLINGS and Senator MCCAIN have brought to the floor, then by all means offer an amendment, make their best case and try to strip it out. Mr. HOLLINGS. Right. Mr. DORGAN. Have a record vote and strip it out. As I understand the circumstances, those with whom the Senator disagrees at this point, they are content just pre- venting the Senator from considering this bill because they do not want to have a vote. They will lose the vote, and lose the vote by a fairly large mar- gin. Will the Senator from South Carolina agree with that assessment? Mr. HOLLINGS. I do agree with that assessment, and part of that assessment should go right to the lobbyists. This is actually a headline: Airport firms form alliance for safety or security. They formed an alliance to feather their own nests. They are not interested in secu- rity, and that is what the hold-up is over with that political stand-off of ‘get rid of the Government.’ ‘They are thinking about their reelection camps- ing next year. They are not think- ing about the security of airline travel in America, I can say that. Mr. DORGAN. Will the Senator yield one final time for a question? I deeply appreciate his indulgence. The reason this is important, aside from basic safety, which I think is paramount, is the airline industry and commercial aviation are critically im- portant to this country’s economy. Prior to September 11 our economy was very soft, and the airline industry as a leg of that economy was hemorrhaging in red ink going into Sep- tember 11. Then the Government shut down the entire commercial aviation
sector, just shut it down completely. Now that it has begun to start up once again, people are leery, are worrying about whether or not they want to get back on an airplane. People are canceling trips. They are cancelling conferences.

The thing is, Government has the obligation to say to those people who have images in their head of an airplane crashing into a trade tower over and over again, we have a responsibility to say to people we are taking effective immediate action to deal with security on commercial airliners in this country, and that is why there is this urgency.

Yes, it is about this industry, but even more so it is about this economy. It is important that we do this, that we do it right, and that we do it immediately.

Let me again say I think the leadership of the Senator and the leadership of Senator McCain is something all of us should support and I hope we can get to this bill and get it moving, have the votes, and pass this legislation. I support what the Senator is doing.

Mr. HOLLINGS. I thank the distinguished Senator. It is proper to mention the Senator from Maine, Senator Kay Bailey Hutchison of Texas, Senator Conrad Burns of Montana, Senator Olympia Snowe of Maine, and it has been bipartisan; this was not a partisan approach.

We have spent the past 15 years to set professional standards for airline security, more hours of training, more supervision. But even with all of the contract standards, with all the training, with all the supervision, they are falsifying the records and putting people with criminal records in as the screeners, and they say: Let us keep doing it. Give us some more standards. Give us some more training. Come on.

Mr. REID. Will the Senator yield for a question?

Mr. HOLLINGS. Yes, sir.

Mr. REID. I recognize the Senator is not talking about contracting out, but the Senator mentioned contracting out, and I am an opponent of contracting out. I have seen what it has done to Federal installations in the State of Nevada where these outside contractors come in and say, we will give you a real good deal, and they give a contract this year, and the next year it goes up and up, where we would have been better off sticking with Government in the first place.

So I thank the Senator from South Carolina very much for bringing to the attention of the American public the fact we have tried to federalize the safety of these airports and not also alert the American public that contracting out is not a panacea for good government.

Mr. HOLLINGS. That is right. We want those in charge of security to have their minds set on just that, not the bottom line, not the profit. We are not going to do the oversight. We will look and see whether there is any fat, or anything else of that kind. The truth of the matter is, we have to have accountability. The only way to do it now is to fix it. Don’t have some security measures over here, some over there, and then not check in there.

If you go to the onion ring security structure, the TSA, the Agency of the CIA and El Al, the Israeli airline, you can see exactly you can’t have any gaps. They start with the outer perimeter of intelligence. Incidentally, Senator, when I mention intelligence, harhen the New York Times article by Bobby Inman, Admiral Inman, former head of the CIA, which recounts how our intelligence went down, down, down, was inadequate, and brought about—indirectly, obviously—these September 11 attacks. It never could have occurred if we had the intelligence agents like before.

I became involved in intelligence matters under the Hoover Commission in 1954. We had McCarthy running around saying we had security. So President Eisenhower appointed the commission on the reorganization of the executive branch under former President Herbert Hoover. I served as one of the six members of that task force going into the CIA, Army, Navy, air intelligence, security, Secret Service, special clearance, atomic energy. At that time we had the entire sphere of security and intelligence. Under Alan Dulles we had a real outfit, but it has gone down, down, down with respect to high, high technology. With the technology is so amazing to you and me that we can see this and recognize that. We collect as much intelligence information as they have in the Library of Congress, perhaps, every day. But nobody looks at it, they just say: Oh, look at all the information we are getting.

In addition to that, when they are talking about analysts, we want something to look at, but we don’t want too much. One of the Commissioners, General Schwarzkopf on TV. All weekend he was on the TV. I will never forget the briefing he gave us when he returned from Desert Storm. He told a Defense Appropriations Subcommittee that CIA analysts rounded the edges, they cut the corners, they protected their backsides. When I got it—I am going to use the word he used—it was “mush.” He said it was of no value, it was mush. I had to go to my pilots in order to get around the corner and find out how I could move forward.

Now that is what we have been limping along with. It is our fault. There is no question about it. But read what Bobby Inman said. The intelligence is starting at the outer perimeter of a security system. The intelligence is keyed on not just the screener, but when they get to the departure gate, to the pilots, to the marshals on that plane and everything else. And it is not a one-way feed. It is back and forth, all the time. It is not just going to come through with a knife or a gun. The entire airport is a screening place now.

All we did, the Senator and I, we get our ticket to go down to Miami. The agent says here is your ticket; you have seat 9A. So I call my friend who has been out there for 2 years working on the tarmac. He knows when I call, whether it is a 7:00 or 12 o’clock flight. 9A, to Miami. He is out there and he goes to seat 9A and tapes a pistol or tapes a box cutter or whatever else they are using. Or you don’t have to wait, just go to the counter and say you are flying on your seat. Then you just drift around in the crowd. You have already alerted your friend on the tarmac and you are by the window and give the signal, 9A, and he puts a weapon under the seat.

You have to check and have absolute security, not just for screeners but with the person who vacuums the plane. You have the marshals. They come in and they check those things. There isn’t take your seat and wait for a hijacking, just sitting there eating and drinking. They are alert and know exactly what they are looking for. They look for suspicious actions and reactions on the plane by any of the passengers. They look and see what they are looking for. We have to get serious about security because it comes right down to the aircraft.

As I pointed out, once you secure that door, that for all intents and purposes ends the hijacking of commercial flights. But since they have been flying planes, I don’t know how we control private flight.

There are many more opportunities for terrorism beyond airlines. But once we secure airlines, we can try to get some of the other things done on the railroads, on the seaports, that the Senator from Florida and his senior colleague, Senator Graham, have been putting on the calendar, for terrorism beyond airlines. But once we secure airlines, we can try to get some of the other things done on the railroads, on the seaports, that the Senator from Florida and his senior colleague, Senator Graham, have been putting on the calendar, for terrorism beyond airlines.

There can be all kinds of acts of terrorism. This thing is not the 100-yard dash. It is the endurance contest. We have to endure, sober up and get serious. We need to cut out all of our red tape and re-election concerns about what we promised to do in getting rid of the Government and that kind of thing. We are elected by the people to make the Government work, and work efficiently and economically.

By the way, this is paid for, Senator. That is the genius of this. All you have to do is put $2.50 or $3 and we are arguing that backwards and forwards, but we will get the amount, and that will take care of all of that. Make sure every bag has gone through the screener. If I go through now and take a bag—they just put out the rule I cannot take but one—but a bag goes through the screener. Why let baggage go through? Why let baggage go through? Why let baggage go through? The New York Times article by Bobby Inman said. The intelligence is starting at the outer perimeter of a security system. The intelligence is keyed on not just the screener, but when they get to the departure gate, to the pilots, to the marshals on that plane and everything else. And it is not a one-way feed. It is back and forth, all the time. It is not just going to come through with a knife or a gun. The entire airport is a screening place now.
Mr. NELSON of Florida. Will the Senator yield?

Mr. NELSON of Florida. The Senator has been a great inspiration to me and all the members of the Commerce Committee which he chairs. What a great inspiration he has been to me. The inspiration it is to see on matters of national importance that the Senator, as chairman, and the ranking member, Senator McCAIN, work so closely together. I want the Senator to know that observation comes from many Members.

What troubles me is that certain Members of this Chamber, for either ideological reasons or for partisan reasons or for parochial reasons, would not recognize what the chairman of the Commerce Committee and the leadership is trying, how important to the national defense of this country it is to produce legislation on airline security so that the American people believe we are following through on a promise we made to them so they will be encouraged in the airlines and start flying. This will help all of the collateral industries such as car rental companies, such as hotels, such as restaurants, tourism destinations, and so forth.

As we say in the South, it is just beyond me—

Mr. HOLLINGS. It is beyond this Senator.

Mr. NELSON of Florida. That we would have people hold up this legislation, cause us to have 30 hours of debate not on the bill but just on a motion to proceed to get to the bill. The big hangup is over federalizing the airline passenger screeners.

Mr. HOLLINGS. Right.

Mr. NELSON of Florida. Everybody in America wants the most proficient, the most trained, the most expert, and well-paid people doing the adequate and professional and thorough job of screening people when they go through those checkpoints. If that means federalizing, then we ought to be getting about the business of the American public and passing this legislation and moving it.

I want to add a comment and also an other compliment to the Senator, our chairman. Over the weekend I visited two ports in Florida. I visited, on Friday, the Port of Pensacola. In the warehouse there, I found a huge load of sacked flour that was going to Tadzhikistan. Fortunately, those 100-pound sacks of flour were red, white, and blue so people would know where it was coming from—the USA.

That is what we need to do if we are going to try to win the hearts and minds of people as we have had such tremendous success doing in South Korea, a Communist dictatorship. The food we have sent in there is in these red, white, and blue sacks so people know where it is coming from—the USA. So I was very gratified to see that.

But when I went to the Port of Pensacola on Friday and the Port of Jacksonville yesterday, Monday, it was to talk about some other 1000 sack flour that the bill the Senator had passed out of committee on September 14 and the amendment that he intends to add, increasing the amount available, both in grants and in loan guarantees, for the 300 ports that we have in this country in order to upgrade security there, because, if we are looking at vulnerability, where a terrorist might attack, clearly a port—whether it be a cruise ship or whether it be a commercial ship with a precious cargo or whether it be a port collocated with a military facility or, in the case of the Port of Pensacola, where they would be responsible for loading and unloading military equipment—not for the Pensacola Naval Air Station but for Hurlburt Air Force Base, which is the home of the Air Force Special Operations Command—be it any of those particular roles that a port plays, we have to upgrade security there.

I thank our chairman for his leadership. We want to be considered. We are not ramming anything. We do not want to, for example, ram this bill through the House. They are going to have their say, and they do have their say. But heavens above, let’s move it over to them so they can have their say.

We want to be considered—and you have been too generous to me. The point is with respect to seaports, 9 out of 10 containers are not even looked at. If Senator NELSON and Senator HOLLINGS wanted to get into the drug business down in Colombia, we would fill up 10 containers full of cocaine and send it in. I can tell you right now, you have 9 of them that would go through and we would have made a fortune. We don’t mind one getting caught; that is the name of the game.

What they have been trying to do is bring how fast they could move cargo through. Up there in New Jersey they not only go to the port, then they go to a staging area 25 miles farther. In between the time they go from the port, actual dock to the 25-mile site, some of them, they never see those trucks again. They don’t know where they went or whatever happened to them. They just do not show up for the inspections.

The DEA says, no, it is the Customs’ fault. Customs say, no, it is the port’s fault. They port says, no, it is the Coast Guard’s fault. The Coast Guard says you are running the port and you are in charge. But no one is in charge. That is where we have had it with these contractors.

We are not going to give this the runaround. We are going to fix this responsibility once and for all. With the seaports, under the law, the captain of the port is the person in charge. You cannot just put in one bill and wave a wand and all of a sudden you have security. You have to give them time and money and let them change the culture and get in step. Labor is absolutely concerned about background checks of those working the docks, just as they were in El Al. They had trouble, the El Al security people and the El Al chief pilot said, yes, we had problems too with labor, and we finally got past that and everybody is subject to these background checks and periodic spot checks for security.

When you mention FAA—and that is one of the reasons we put it under a Deputy Secretary of Transportation and not under the FAA—last week I had the distinction of meeting, if you please, with the former chairman, on the House side, of the Transportation Appropriations Committee of FAA. He told me some of the horror stories. For spot checks he had the individual given the pictures and told: We are going to make spot checks down in Florida next week, so you go to these particular airlines and show them the pictures because these are the fellows coming through making the spot checks.

That is how incestuous the FAA has become. That is why the airlines continue to say they want to be able to provide the money.

No, no, they are going to be Federal employees with Federal pay. It is going to be subject to appropriations. Why? Because we know already, under the Airport and Airways Improvement Act, we owe them $15 billion because you and the Congress have been using that $15 billion to balance the budget, to cut the deficits down and try to get surpluses. We have not given them airport security. We have not given them airport improvements.

So when we look at this, the distinguished colleague and friend, the Senator from the State of Washington, Mrs. MURRAY—she has that committee. She is going to have the oversight. With Senator BYRD, the full committee chairman, along with Senator Stevens, the ranking member, we are going to have it subject to appropriations.

The gamemanship is stepped. We have gotten dead serious about this situation. We are going to fix the responsibility and have accountability, accountability, accountability.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent I be recognized to speak as in morning business, and the time I consume be counted against the 30 hours of postponement debate.

The PRESIDING OFFICER. Without objection, it is so ordered.
(The remarks of Mr. Nelson of Florida are printed in today’s Record under “Morning Business"

Mr. NELSON of Florida. 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. REID. 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 WORDS OF GORDON B. HINCKLEY

Mr. REID. Mr. President, every 6 months the Church of Jesus Christ of Latter-Day Saints, referred to as the Mormon Church, has a semiannual conference. Every 6 months, for 3 days, the leaders of the church get together and those people who are members of the church come to Salt Lake City to the relatively new auditorium which holds approximately 22,000 people. It is broadcast and telecast around the world to 11 million members of the church.

The reason I come to the floor today is to read to the Senate a few select paragraphs from a statement that was given by the president of the church, a 92-year-old man by the name of Gordon Hinckley.

I will ask unanimous consent at the appropriate time to have the full statement printed in the Record.

His statement started with the words:

I have just been handed a note that says a U.S. missile attack is underway.

Keep in mind that this is being telecast to 11 million members of the church and millions of others who are watching.

He went on to say:

You are all acutely aware of the events of September 11, last month. We, the people of the United States, know something of such war-like experiences.

For the first time since we became a nation, the United States has been seriously attacked on its mainland soil. But this was not an attack on the United States alone. It was an attack on all men and nations of good will everywhere. It was well-planned, boldly executed, and the results were disastrous.

Skipping a couple of paragraphs, he went on to say:

The last century has been described as the most war-torn in human history. Now we are off on another dangerous undertaking, the unfolding of which and the end thereof we do not know.

For the first time since we became a nation, the United States has been seriously attacked on its mainland soil. But this was not an attack on the United States alone. It was an attack on all men and nations of good will everywhere. It was well-planned, boldly executed, and the results were disastrous. It is estimated that more than 5,000 innocent people died. Among these were many from other nations. It was cruel and cunning, an act of consummate evil.

Recently, in conversation with a few national religious leaders, I was invited to the White House to meet with the President. In talking to us he was frank and straightforward.

He said that same evening the President and the Congress and the nation in unmistakable language concerning the resolve of America and its friends to hunt down the terrorists who were responsible for this terribleness and any who harbored such.

Now we are at war. Great forces are being mobilized and will continue to be. Political alliances are being forged. We do not know how long this conflict will last. We do not know what it will cost in lives and treasure.

We do not know the manner in which it will be carried out. It could impact the work of the Church in various ways.

The Words of Gordon B. Hinckley (By President Gordon B. Hinckley of the Church of Jesus Christ of Latter-Day Saints)

My beloved brethren and sisters, I accept this opportunity in humility. I pray that I may be guided by the Spirit of the Lord in that which I say.

I have just been handed a note that says a U.S. missile attack is underway.

I need not remind you that we live in perilous times. I desire to speak concerning these times and our circumstances as members of this Church.

You are all acutely aware of the events of September 11, last month. Out of that vicious and ugly attack we are plunged into a state of war. It is the first war of the 21st century.

We are a global organization. We have members in more than 150 nations. Administrating this vast worldwide program could conceivably become more difficult.

Those of us who are American citizens stand solidly with the United States of America. It is the terrorist organizations that we do not become a party in any way to the persecution of the innocent. Rather, let us be friendly and helpful, protective and supportive. It is the terrorist organizations that must be ferreted out and brought down.

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We of this Church know something of such groups. The Book of Mormon speaks of the Gadianton Robbers, a vicious, oath-bound, and secret organization bent on evil and destruction.

In their day they did all in their power, by whatever means, to bring down the Church, to woo the people with sophistry, and to take control of the society.

We seek the God of peace and reassurance, and I look to Him in times such as this as a comfort and a source of strength.

For the first time since we became a nation, the United States has been seriously attacked on its mainland soil. But this was not an attack on the United States alone. It was an attack on all men and nations of good will everywhere. It was well-planned, boldly executed, and the results were disastrous. It is estimated that more than 5,000 innocent people died. Among these were many from other nations. It was cruel and cunning, an act of consummate evil.

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We do not know the manner in which it will be carried out. It could impact the work of the Church in various ways.
We carry on many extensive and costly programs. But I can assure you that we will not exceed our income. We will not place the Church in debt. We will tailor what we do to the resources that are available.

How grateful I am for the law of tithing. It is the Lord’s law of finance. It is set forth in a few words in the 119th section of the Doctrine and Covenants. It comes of His wisdom. To every man and woman, to every boy and girl, to every child in this Church who pays an honest tithing, be it large or small, I express gratitude for the faith that is in your hearts. I remind you, and those who do not pay tithing but who should, that the Lord has promised marvelous blessings (see Malachi 3:10–12) if you promised that “he that is tithed shall not be burned at his coming” (D&C 64:23).

I express appreciation to those who pay a fast offering. This costs the giver nothing other than going without two meals a month. It becomes the backbone of our Welfare Program, designed to assist those in distress.

Now, all of us know that war, contention, hatred, suffering of the worst kind are not new. The conflict is but another expression of the conflict that began with the war in heaven. I quote from the book of Revelation:

“And there was war in heaven: Michael and his angels fought against the dragon; and the dragon fought and his angels, and prevailed not, neither was place found anymore in heaven.

“And the great dragon was cast out, that old serpent, call the Devil, and Satan, which deceive the whole world: he was cast out into the earth, and his angels were cast out with him.

“And I heard a loud voice saying in heaven, Now is come salvation, and strength, and the kingdom of our God, and the power of his Christ” (Rev. 12:7–10).

That must have been a terrible conflict. The forces of evil were pitted against the forces of good. The great deceiver, the son of the morning, was defeated and banished, and took with him a third of the hosts of heaven.

“The Book of Moses and the Book of Abraham shed further light concerning this great contest. Satan would have taken from man his agency and taken unto himself all credit and honor. In the end, this was the plan of the Father which the Son said He would fulfill, under which He came to earth and gave His life to atone for the sins of mankind.”

From the day of Cain to the present, the adversary has been the great mastermind of the terrible conflicts that have brought so much suffering.

Treachery and terrorism began with him. And they will continue until the Son of God returns to rule and reign with peace and righteousness among the sons and daughters of God.

Through centuries of time, men and women, so very, very many, have lived and loved and lost that lies ahead. To us, and we bear solemn testimony of this, death will not be the end. There is life beyond this as surely as there is life here. Through the great plan which became the very issue of the war in heaven, men shall go on living.

Job asked, “If a man die, shall he live again?” (Job 14:14).

He replied:

“For I know that my redeemer liveth, and that he shall stand at the latter day upon the earth: “And though after my skin worms destroy this body, yet in my flesh shall I see God.” (Job 19:25–27).

Now, brothers and sisters, we must do our duty whatever that duty might be. Peace may be denied for a season. Some of our liberties may be curtailed. We may be inconvenienced. We may even be put to suffer in one way or another. But God our Eternal Father will watch over this nation and all of the civilized world who look to Him. He has declared: “Blessed is the nation whose God is the Lord” (Psalms 33:12). Our safety lies in repentance. Our strength comes of obedience to the commandments of God, and I urge us to be prayerful. Let us pray for righteousness. Let us pray for the forces of good. Let us reach out to help men and women of good will whatever their race or persuasion and wherever they live. Let us stand firm against evil, both at home and abroad. Let us live worthy of the blessings of heaven, returning our lives where necessary, and look to Him, the Father of us all. He has said: “Be still, and know that I am God” (Psalms 46:10).

Are these perilous times? They are. But there is no need to fear. We can have peace in our hearts and peace in our homes. We can in another sense for good in this world, every one of us.

May the God of heaven, the Almighty, bless us, help us, as we walk our various ways in the uncertainties that lie ahead. May we look to Him with unfailing faith. May we worthily place our reliance on His Beloved Son who is our great Redeemer, who would have us be in life or in death, whether it be in life or in death, as we look to Him in His Holy Name, even the name of Jesus Christ, Amen.

The PRESIDING OFFICER. The Senator from Montana.

AVIATION SECURITY ACT

Mr. BURNS. Mr. President, we have been talking about aviation security. When the Commerce Committee is still in the Chamber, I want to get a few things straight. The amendment that is hanging out there for this piece of legislation has nothing to do with airport security—nothing. In all other parts of the debate, we are so close to agreement it is unbelievable. And those areas can be ironed out.

I am one of the chairmen, knows, who has an amendment that would put the authority of airport security under the Justice Department. There is a very good reason for that. The model is already in front of us.

The Attorney General can either have the Marshals Service or the FBI, whichever, put them in charge of airport security, and then give them the leeway if they wanted to contract using their standards and their clearance, making sure, I would imagine, that the people, the cargo handlers or baggage handlers or with the cargo could stand the scrutiny of a security clearance.

The chairman of the Commerce Committee, and rightly so, invited members of AFA’s security visit with us. We sat there and listened to them. I was impressed with what they did. I think the Senator would have to admit that. But they only have 31 airplanes. They have 7,000 employees, and 1,000 of them are security people. They do nothing but security.

There is a bright line between those people who fly them, those people who
load them, those people who refuse them, those people in check areas, or check-in areas, and baggage areas—they know what they are supposed to do—but there is a bright line on their security. One person is in charge of security.

Those areas the Senator mentioned a while ago—passenger lists and intelligence, the airport, the perimeter outside, the check-in area, the departure gate, cargo, the aircraft—you get down to the little bottom part of it that says: We know that is where it parks. We know those areas. And they can be supervised by people who understand restricted areas, restricted cargo, the movement of contraband, and understand passenger lists and intelligence. And that is Justice. That is where it is at. So we can agree on that, I am sure, before it is all over.

But that is what we have to do. This debate is right on target, I say to the Senator. And I do not know what the House wants. I have no idea. They have not told anybody. I do not know what they want or what they do not want.

But I think it is incumbent on us and the chairman of the Commerce Committee, through his leadership, that we get a move on in this Senate this week and also probably an antiterrorism bill, too. We can agree on those things.

But make no mistake about it; what is continuing this debate, which I doubt continues past tomorrow, is an amendment that is hanging out there that has nothing to do with airport security.

What we have to be very careful about—and I think there are a couple others, but those areas can be worked out. We can negotiate those out. I am satisfied with them because nobody understands justice any better than our chairman. He chairs the appropriations subcommittee that gives them their money. He understands that. And I am willing to work with my chairman to make sure that we make this as suitable as possible.

But what I think I want to do, I want to make a bright line of authority, accountability, and responsibility because we are in war. Why am I adamant about this? It is very simple. Approximately 6,000 people died September 11. That is an astounding figure to me, astounding. And the system we were using had a soft point. It did not work.

So what I am saying is this: Give authority where there is accountability and responsibility and also a presence that is trusted by the American people so they feel confident, safe, and secure when they fly.

Mr. HOLLINGS. Will the distinguished Senator yield?

Mr. BURNS. Mr. President, I thank the Senator from Montana. And I do not know what the House wants. I have no idea. They have not told anybody. I do not know what they want or what they do not want.

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terms for debate that would not allow any opportunity for amendments other than the one the majority leader mentioned.

Senators must have the opportunity to read and debate this 200-plus-page bill and offer amendments. It does not have to be done in an hour, but it cannot be done before most Senators have even had a chance to read and understand the far-reaching changes this bill makes on our laws.

Mr. President, I reserve the right to object. I do not wish to object, but in order to give due attention to the serious constitutional issues before us, and in the interest of moving forward on this important legislation, I ask unanimous consent that the leader's request be modified to allow this Senator to offer four relevant amendments to each to be debated for an hour equally divided.

Mr. DASCHLE. Will the Senator from Wisconsin be prepared to insert the text of the amendments in the Record this evening?

Mr. FEINGOLD. I will not be able to do it this evening, but I will be able to do it tomorrow.

Mr. DASCHLE. Madam President, that is exactly the problem we have had with the Senator from Wisconsin and others over the course of the last several days. There is a desire on the part of Senators to amend the bill but no amendments are available. I cannot agree with the arguments made, obviously, and I think it is asking a good deal of all the Senate that we reserve opportunities for him to offer amendments without having the opportunity to see the amendments themselves. Of course, I have to object to that.

I am very disappointed. This bill has been on the calendar now for some time. It has been available for all Senators to review. We have had the opportunity to discuss it in caucus now on several occasions.

It has been available for discussion, certainly for further consideration, as Senators have had the opportunity to talk to the distinguished Chair, with me, and with others. So I am understandably concerned about the request of the Senator from Wisconsin. Obviously, I am not able to agree to it.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

The Senate from Vermont.

Mr. LEAHY. Madam President, among all the Senators, I would like to commend Senator Hatch and the staff members who have a long-standing dinner engagement, and he had to dress in the car prior to taking 2 hours off on a Saturday night for dinner because he had worked all Friday night, all Saturday, and he finished dinner and went back to work.

Mr. LEAHY. I have asked him about those 2 hours he took off during that 48 hours.

Mr. REID. I ask the Senator this question: During this process, has the Senator's staff been available to my staff and any other Senator who had a question about what was being done with that legislation?

Mr. LEAHY. We have had calls from the Senator's staff and the Senate staff members who have any other Senator who had a question about what was being done with that legislation.

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

Mr. REID. I am very disappointed. This bill has been on the calendar now for some time. It has been available for all Senators to review. We have had the opportunity to discuss it in caucus now on several occasions.

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get this done tomorrow or the next day, still probably a week.

So I urge my colleagues on both sides, let us work together. An example has been set, and I am proud of what the Senate has done. I am proud of what the House has done and is willing to do. I hope the rest of us will take advantage of the opportunity to follow that leadership.

I wanted to get that on the record. I will not object, Madam President.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. We can certainly continue these discussions, but I want to say it is certainly not the case that I have not shared the concerns I have, I would say, concerning the amendments we have talked about, the actual areas, and shared them with the leadership. We certainly could have the text of all of these amendments by 10 tomorrow morning. In other words, the language would be available before the bill ended in conference. That strikes me as sufficient notice usually in the Senate.

I do not think it is a fair complaint to say we cannot agree to these reasonable requests simply because of the extra language written out at this point.

Madam President, at this point, unless other Members wish to address this issue, I will object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, if the Senator from Mississippi seeks recognition, obviously I yield to the distinguished Senator.

Mr. LOTT. Madam President, I was hoping to have a brief opportunity to speak about the magnificent leadership of Senator Mansfield, but I will be glad to withhold on that.

Mr. LEAHY. I will say to the minority leader, Mike Mansfield is a man who was my mentor and I will be speaking about him tomorrow after the memorial service. But I say to the distinguished leader, he was my leader when I came to the Senate, and I think he probably had as much involvement in teaching me how to be a Senator as anybody. I will speak further on that at another time.

I hope Senators would work with the distinguished majority leader and the distinguished Republican leader to help us schedule this legislation. I have tried to be accommodating, getting up at 3 o'clock in the morning in Vermont to try to get back.

Do I love this bill? Of course I don't love this bill, Madam President. But neither does the distinguished Republican leader. Neither does the distinguished Democrat. There is nobody in here who does. It is impossible to craft a bill of this nature that everybody is going to like.

Does it protect us for all time from terrorism? Of course it does not. As I said earlier, I suspect we had information prior to September 11 in our files at the Justice Department that might have led to the apprehension and the stopping of the terrorists. That was information that was acquired properly under the current laws. Will this protect us by itself? No. Will it give us some tools we don't have? Yes. This can be done in such a way that we ask ourselves, are we willing to throw away some of this while? Put constitutional limitations.

I think the distinguished Senator from Mississippi knows I am very truthful when I say I will have some very serious and, I would hope, bipartisan oversight hearings of abuse of the law as we go along. This is not a liberal or conservative piece of legislation. We have liberals and conservatives and moderates who have areas of concerns. We all do because we protect and respect our privacy. I come from a State where privacy is paramount to everybody. It is one thing that unites every one of us, no matter our political background.

But we cannot tell what is going to be the final bill until we consider it. We have to pass something out of the Senate. The House has to pass something. They have been working extraordinarily hard, Madam President, both Chairman SENSENBRENNER and Chairman ROYASON. Why not see what we can come up with? The committee of conference will be the final package. If I don't like the final package, I will be the first to vote against it. But I suspect we will come up with something. We will probably have some very late nights that will be worthwhile.

I thank my friend from Mississippi and my friend from South Dakota for trying to bring this bill up. I will stand ready, and just come at 3 o'clock anymore this week to be here. I am here. Although I might say, if anybody could know how absolutely beautiful it is in Vermont at this time of year, with the best foliage we have had in 25 years, maybe we should move the Senate up there. It depends on the good graces of my friend from Mississippi.

I yield the floor.

Mr. LOTT. I thank Senator Leahy for his work. We have clearly come up with a bill now that one being moved in the House, but the House is also moving forward. I know Senator SMITH of New Hampshire has an amendment he wanted to offer, too. Every Senator has the right to object. We should not be critical of a Senator exercising that right.

But I think there is urgency on this legislation. I hope, I say to Senator Leahy, we will continue to work to see if we can clear this bill and get it considered tomorrow. If we don't, there is a possibility that the aviation security bill will tangle up the rest of the week and we might not be able to get to this bill until next week.

I think the American people have appreciated the way we have worked together, shoulder to shoulder, regardless of party. We are all feeling a great need to pull together with patriotism while protecting fundamental rights. I hope we can continue to do that. We will be glad to work with Senator LEAHY and DASCHLE to see that happens.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. I thank the Chair. (The remarks of Mr. BROWNBACK pertaining to the introduction of S. 1521 are located in today's Record under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BROWNBACK. I yield the floor, and 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. REID. Madam President, I ask unanimous consent that the order for business on S. 1521 be dispensed with.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

THE UNITING AND STRENGTH-ENING AMERICA ACT OF 2001

Mr. LEAHY. Madam President, last Thursday, October 4, I was pleased to introduce with the Majority Leader, Senator DASCHLE, and the Chairmen of the Banking and Intelligence Committees, as well as the Majority Leader, Senator LOTT, and Senator HATCH and Senator SHEBY, the United and Strengthening America, or USA Act.

This is not the bill that I, or any of the sponsors, would have written if compromise was unnecessary. Nor is the bill the administration initially proposed and the Attorney General delivered to us on September 19, at a meeting in the Capitol.

We were able to refine and supplement the administration's original proposal in a number of ways. The administration accepted a number of the practical steps I had originally proposed on September 19 to improve our security on the Northern Border, assist our Federal, State and local law enforcement officers and provide compensation to the victims of terrorist acts and to the public safety officers who gave their lives to protect ours.

This USA Act also provides important checks on the proposed expansion of government powers that were not contained in the Attorney General's initial proposal.

In negotiations with the administration, I have done my best to strike a
reasonable balance between the need to address the threat of terrorism, which we all keenly feel at the present time, and the need to protect our constitutional freedoms. Despite my misgivings, I have acquiesced in some of the steps proposed in this bill, it is important to preserve national unity in this time of crisis and to move the legislative process forward.

The result of our labors still leaves room for improvement. Even after the Senate passes just one of these bills, the debate will not be finished. We will have to consider the important judgments made by the House Judiciary Committee in the version of the legislation making its way through the House. Moreover, I predict that some of these provisions will face difficult tests in the courts and that we in Congress will have to revisit these issues at some time in the future when, as we all devoutly hope, the present crisis has passed. I also intend as Chairman of the Committee to see that the careful oversight of how the Department of Justice, the FBI and other executive branch agencies are using the newly-expanded powers that this bill will give them.

The motivations on this bill have not been easy. Within days of the September 11 attacks, I instructed my staff to begin work on legislation to address security needs on the Northern Border; the needs of victims and State and local law enforcement; and criminal law improvements. A week after the attack, on September 19, the Attorney General and I exchanged the outlines of the legislative proposals and pledged to work together towards our shared goal of putting tools in the hands of law enforcement that would help prevent another terrorist attack.

Let me be clear: No one can guarantee that Americans will be free from the threat of future terrorist attacks, and that the threat of terrorism will not be a reality in our daily lives for as long as we live. Indeed, when the Senate considered the anti-terrorism act in 1995 after the Oklahoma City bombing, I voted with Republicans in order to deal with the legislation more promptly on the floor. Given the expedited process that we used to pass this bill, I will take more time than usual to detail its provisions.

I am pleased, therefore, that the Antiterrorism and Effective Death Penalty Act of 1996 — which I supported — is not in the same category as this legislation. We have not received answers to the questions that I posed to the Administration’s request for prompt consideration of this legislation, the leaders decided to hold the USA Act at the desk rather than refer the bill to the committee for markup, as is regulation. I want to thank Attorney General Ashcroft for his assistance in illuminating these critical issues for the Senate.

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The heart of every American aches for those who died or have been injured because of the tragic terrorist attacks in New York, Virginia, and Pennsylvania on September 11. Even now, we cannot assess the full measure of this attack in terms of human lives, but we know that the number of casualties is extraordinarily high.

Congress acted swiftly to help the victims of September 11. Within 10 days after the events, we passed legislation to establish a Victims Compensation Program, which will provide fair compensation to those most affected by this national tragedy. I am proud of our work on that legislation, which will expedite payments to thousands of Americans whose lives were so suddenly shattered.

But now more than ever, we should remember the tens of thousands of Americans whose needs are not being met — the victims of acts that have not made the national headlines. Just one day before the events that have so transformed our nation, I came before this body to express my concern that we were not doing more for crime victims. I noted that the victims’ legislation had slowed, and that many opportunities for progress had been squandered. I suggested that this year, we had a golden opportunity to make significant progress in this area by passing S.783, the Leahy-Kennedy Crime Victims Assistance Act of 2001.

I am pleased, therefore, that the antiterrorism package now before the
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Senate contains substantial portions of S.783 aimed at refining the Victims of Crime Act of 1984, VOCA, and improving the manner in which the Crime Victims Fund is managed and preserved. Most significantly, section 621 of the USA Act eliminates the cap on VOCA spending, which has prevented more than $700 million in fund deposits from reaching victims and supporting essential services.

Congress has capped spending from the fund for the last two fiscal years, while allowing money to be distributed to the States for victim compensation and assistance.

Other provisions included from S. 783 will also make an immediate difference in the lives of families, including vic-tims of terrorism. Shortly after the Oklahoma City bombing, I proposed and the Congress adopted the Victims of Terrorism Act of 1995. This legislation authorized the Office for Victims of Crime (OVC) to set aside an emergency reserve of up to $50 million as part of the Crime Victims Fund. The emergency reserve was intended to serve as a “rainy day” fund to supplement compensation and assistance grants to States to provide emergency relief in the wake of an act of terrorism or mass violence that might otherwise overwhelm the resources of a State’s crime victim compensation program and crime victim assistance services. The terrorist attacks of September 11, 2001, however, created vast needs that have all but depleted the reserve. Section 621 of the USA Act authorizes OVC to replenish the reserve with up to $50 million, and streamlines the mechanism for replenishment in future years.

Another critical provision of the USA Act will enable OVC to provide more immediate and effective assistance to victims of terrorism and mass violence occurring within the United States. I proposed this measure last year as an amendment to the Justice for Victims of Terrorism Act, but was compelled to drop it to achieve bipartisan consensus. I am pleased that we are finally getting it done this year.

These and other VOCA reforms in the USA Act are long overdue. Yet, I regret that we are not doing more. In my view, we should pass the Crime Victims Assistance Act in its entirety. In addition to the provisions that are included in today’s antiterrorism package, this legislation contains two important reforms of Federal law to establish enhanced rights and protections for victims of Federal crime. It also proposes several programs to help States provide better assistance for victims of State crimes.

I also regret that we have not done more for other victims of recent terror-rist attacks. While all Americans are keenly aware of the acts of Septem-ber 11, we should not forget the vic-tims of the 1998 Embassy bombings in East Africa. Eleven Americans and many Kenyan and Tanzanian nationals employed by the United States lost their lives in those bomb attacks. It is my understanding that compensation to the families of these victims has in many instances fallen short. It is my hope that OVC will use a portion of the newly replenished reserve fund to reme-dy any inequity in the way that these individuals have been treated.

Hate Crimes: We cannot speak of the victims of the September 11 without also noting that Arab-Americans and Muslims in this country have become the targets of hate crimes, harassment, and intimidation. That is why the President proposed legislation for speaking out against and con-demning such acts, and visiting a mosque to demonstrate by action that all religions are embraced in this country. I also commend the FBI Director for his call this month for a drop in the number of hate crime incidents against Arab-American and Muslims that the FBI is aggressively investigating and making clear that this conduct is taken seri-ously and will be punished.

The USA Act also includes section 102, a sense of the Congress that crimes and discrimination against Arab and Muslim Americans are condemned. Many of us would like to do more, and finally enact effective hate crimes legislation, but the administration has asked that the debate on that legislation be post-poned. One of my greatest regrets regard-ing the negotiations in this bill was the objections that prevented the Local Law Enforcement Enhancement Act, S. 625, from being included in the USA Act.

The administration’s official proposal was entirely focused on Federal law en-forcement. Yet, we must remember that State and local law enforcement officers have critical roles to play in preventing and investigating terrorist acts. I am pleased that the USA Act we consider today recognizes this fact.

As a former State prosecutor, I know that State and local law enforcement officers are often the first responders to a crime. On September 11, the Na-tion saw that the first on the scene were the heroic firefighters, police officers, and emergency personnel in New York City. These New York public safety officers, many of whom gave the ultimate sacrifice, remind us of how im-portant it is to support our State and local law enforcement partners. The USA Act provides three critical measures of Federal support for our State and local law enforcement officers in the war against terrorism.

First, we streamline and expedite the Public Safety Officers’ Benefits appli-cation process for family members of fire fighters, police officers and rescue workers who perish or suffer a dis-abling injury in connection with preven-tion, investigation, rescue or recov-ery efforts related to a future terrorist attack.

The Public Safety Officers’ Benefits Program provides benefits for each of the families of law enforcement offi-cers, firefighters, and emergency re-sponse crew members who are killed or injured in the line of duty. Yet, even if regulations, however, require the fami-lies of public safety officers who have fallen in the line of duty to go through a cumbersome and time-consuming ap-plication process. In the face of our na-tional fight against terrorism, it is im-portant that we provide a quick pro-cess to support the families of brave Americans who selflessly give their lives so that others might live before, during and after a terrorist attack.

Third, provision builds on the new law championed by Senator CLINTON, Sen-ator SCHUMER and Congressman NAD-LER to speed the benefit payment pro-cess for families of public safety officers killed in the line of duty in New York City, Virginia, and Western Pennsyl-vania, on September 11.

Second, we have raised the total amount of Public Safety Officers’ Ben-efit Program payments from approxi-mately $150,000 to $250,000. This provi-sion retroactively goes into effect to provide much-needed relief for the families of the brave men and women who sacrificed their own lives for their fel-low Americans during the year. Al-though this increase in benefits can never replace a family’s tragic loss, it is the right thing to do for the families of our fallen heroes. I want to thank Senator BIDEN and Senator HATCH for their bipartisan leadership on this pro-vision.

Third, we expand the Department of Justice Regional Information Sharing Systems Program to promote informa-tion sharing among Federal, State and local law enforcement agencies to investi-gate and prosecute terrorist con-spiracies and activities and authorize a doubling of funding for this year and next year. The RISS Secure Intranet is a nationwide law enforcement network that allows secure communica-tions among the more than 5,700 Fed-eral, State, and local law enforcement agencies. Effective communication is key to effective law enforcement ef-forts and will be essential in our na-tional fight against terrorism.

The RISS program enables its mem-ber agencies to send secure, encrypted communications—whether within just one agency or from one agency to an-other. Federal agencies, such as the FBI, do not have this capability, but recognize the need for it. Indeed, on September 11, 2001, immediately after the terrorist attacks, FBI Head-quarters called RISS officials to re-quest “Smartgate” cards and readers to secure their communications sys-tems. The FBI agency in Philadelphia called soon after to request more Smartgate cards and readers as well.
The Regional Information Sharing Systems Program is a proven success that we need to expand to improve secure information sharing among Federal, State and local law enforcement agencies to coordinate their counter-terrorism efforts.

Our State and local law enforcement partners welcome the challenge to join in our national mission to combat terrorism. We cannot ask State and local law enforcement officers to assume these new responsibilities without also providing new Federal support. The USA Act provides the necessary Federal support for our State and local law enforcement officers to serve as full partners in our fight against terrorism.

I am deeply troubled by continuing reports that information is not being shared with state local law enforcement. In particular, the testimony of Baltimore Police Chief Ed Norris before the House Government Reform Committee last week highlighted the current problem.

The unfolding facts about how the terrorists who committed the September 11 attack were able to enter this country without difficulty are chilling. Post-attack attacks pointed to our northern border as vulnerable to the entry of future terrorists. This is not surprising when a simple review of the numbers shows that the northern border has been routinely short-changed in personnel. While the number of Border Patrol agents along the southern border has increased over the last few years to over 8,000, the number at the northern border has remained the same as a decade ago at 300. This remains true despite the fact that Admad Ressam, the Algerian who planned to blow up the Los Angeles International Airport in 1999, and who has been linked to those involved in the September 11 attacks, chose to enter the United States at our northern border. It will remain an inviting entry point until we dramatically improve our security.

The USA Act includes my proposals to provide the substantial and long overdue assistance for our law enforcement and border control efforts along the Northern Border. My home State of Vermont has seen huge increases in Customs and INS activity since the signing of NAFTA. The number of people crossing our borders has risen steeply over the years, but our staff and our resources have not.

I proposed—and this legislation authorizes in section 402—triplying the number of Border Patrol, INS inspectors, and Customs Service employees in each of the States along the 4,000-mile Northern Border. I was gratified when 22 Senators—Democrats and Republicans—wrote to the President supporting such an increase, and I am pleased that the administration agreed that this critical law enforcement improvement should be included in the bill. Senators CANTWELL and SCHUMER in the Committee and Senators MUR-
offense resulted in death. We have also added, in section 812, conspiracy provisions to a few criminal statutes where appropriate, with penalties equal to the penalties for the object offense, up to life imprisonment.

Finally, we have more carefully defined the new crime of harboring terrorists in section 804, so that it applies only to those harboring people who have committed, or are about to commit, the most serious of Federal terrorist offenses, such as the use of weapons of mass destruction. Moreover, it is not enough that the defendant had “reasonable grounds to suspect” that the person he was harboring had committed, or was about to commit, such a crime; the Government must prove that the defendant knew or had “reasonable grounds to believe” that this was so.

McDade Fix: The massive investigation underway into who was responsible for and assisted in carrying out the September 11 attacks stretches across State and national boundaries. While the scope of the tragedy is unsurpassed, the disregard for State and national borders of this criminal conspiracy is not unusual. Federal investigators and prosecutors must follow leads and conduct investigations outside their assigned jurisdictions. At the end of the 105th Congress, a legal impediment to such multi-jurisdictional investigations was slipped into an omnibus appropriations bill, over the objection at the time of every member of the Senate Judiciary Committee.

I have spoken many times over the past two years of the problems caused by the so-called McDade law, 28 U.S.C. §300B. According to the Justice Department, the McDade law has delayed important criminal investigations, prevented the use of effective and traditionally-accepted investigative techniques, and has significantly endangered Federal prosecutors. At a time when we need Federal law enforcement authorities to move quickly to catch those responsible for the September 11 attacks, and to prevent further attacks on our country, we can no longer tolerate the drag on Federal investigations and prosecutions caused by this ill-considered legislation.

On September 19, I introduced S. 1437, the Amendments in Government Attorneys Act of 2001, along with Senators HATCH and WyDEN. This bill proposes to modify the McDade law by establishing a set of rules that clarify the professional standards applicable to government attorneys. I am delighted that the administration recognized the importance of S. 1437 for improving Federal law enforcement and combating terrorism, and agreed to its inclusion as section 501 of the USA Act.

The first part of section 501 embodies the traditional understanding that when lawyers handle cases before a Federal court, they should be subject to the Federal court’s standards of professional responsibility, and not to the possibly inconsistent standards of other jurisdictions. By incorporating this ordinary choice-of-law principle, the bill preserves the Federal courts’ traditional authority to oversee the conduct of Federal criminal trial attorneys, including Federal prosecutors. It thus avoids the uncertainties presented by the McDade law, which potentially subjects Federal prosecutors to State laws, rules of criminal procedure, and judicial decisions which differ from existing Federal law.

Another part of section 501 specifically addresses the situation in Oregon, where a State court ruling has seriously impeded the ability of Federal agents to engage in undercover operations and other covert activities. See In re Gatti, 330 Or. 517 (2000). Such activities are legitimate and essential crime-fighting tools. The Professional Standards for Government Attorneys Act ensures that these tools will be available for the Federal courts of Oregon.

Finally, section 501 addresses the most pressing contemporary question of government attorney ethics—namely, the question of which rule should govern government attorneys’ communicative conduct. Clearly, there is an urgent need for strong criminal legislation to deter attacks against mass transportation systems. Section 801 will fill this gap.

Cybercrime: The Computer Fraud and Abuse Act, 18 U.S.C. section 1030, is the primary Federal criminal statute prohibiting computer frauds and hacking. I worked with Senator HATCH in the last Congress to make improvements to this law in the Internet Security Act, which passed the Senate as part of another bill. Our work is included in section 815 of the USA Act.

This section would amend the statute to clarify the appropriate scope of Federal jurisdiction. First, the bill adds a new crime of loss. Clearly, the McDade law has delayed the use of effective and traditional hurdle in the statute is met, the Government will be able to use the most serious of Federal terrorism-related crimes, such as the use of weapons of mass destruction. More than the McDade law, which prohibited the possession, delivery, or use of a listed biological agent or toxin. Clearly, there is an urgent need for strong criminal legislation to deter attacks against mass transportation systems. Section 801 will fill this gap.

Terrorism: The September 11 attacks stretch across the borders of every member of the Senate Judiciary Committee. I have spoken many times over the past two years of the problems caused by the so-called McDade law, 28 U.S.C. §300B. According to the Justice Department, the McDade law has delayed important criminal investigations, prevented the use of effective and traditionally-accepted investigative techniques, and has significantly endangered Federal prosecutors. At a time when we need Federal law enforcement authorities to move quickly to catch those responsible for the September 11 attacks, and to prevent further attacks on our country, we can no longer tolerate the drag on Federal investigations and prosecutions caused by this ill-considered legislation.

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Of greater consequence, section 802 defines another additional offense, punishable by up to 10 years in prison, of possessing a biological agent, toxin, or delivery system “of a type or in a quantity that, under the circumstances, is not reasonably justified by a peaceful purpose. As originally proposed by the administration, this provision specifically stated that knowledge of whether the type or quantity of the agent or toxin was reasonably justified was not an element of the offense. Thus, although the burden of proof is always on the government, every person who possesses a biological agent, toxin, or delivery system was at some level of risk. I am pleased that the administration agreed to drop this portion of the provision.

Nevertheless, I remain troubled by the subjectivity of the substantive standard for violation of this new criminal prohibition, and question whether it provides sufficient notice under the Constitution. I also share the concerns of the American Society for Microbiology and the Association of American Universities that this provision will have a chilling effect upon legitimate scientific inquiry that offers any prospect against terrorism. While we have tried to prevent against this by creating an explicit exclusion for "bona fide research," this provision may yet prove unworkable, unconstitutional, or both. I urge the Justice and the research community to work together on substitute language that would provide prosecutors with a more workable tool.

Secret Service Jurisdiction: Two sections of the USA Act were added at the request of the United States Secret Service, with the support of the administration. I was pleased to accommodate the Secret Service by including these provisions in the bill to expand Electronic Crimes Task Forces and to clarify the authority of the Secret Service to investigate computer crimes.

The Secret Service is committed to the development of new tools to combat the growing areas of financial crime, cybercrime, and cyberterrorism. Recognizing a need for law enforcement, private industry and academia to pool their resources, skills and vision to combat criminal elements in cyberspace, the Secret Service New York Electronic Crimes Task Force, NYECTF. This highly successful model is comprised of over 250 individual members, including 50 different Federal, State and local law enforcement agencies, 100 private companies, and 9 universities. Since its inception in 1995, the NYECTF has successfully investigated a range of financial and electronic crimes, including credit card fraud, identity theft, bank fraud, computer systems intrusions, and e-mail threats against the protection of the Secret Service. Section 105 of the USA Act authorizes the Secret Service to develop similar task forces in cities and regions across the country where critical infrastructure may be vulnerable to attacks from terrorists or other cyber-criminals.

Section 507 of the USA Act gives the Secret Service concurrent jurisdiction to investigate offenses under 18 U.S.C. section 1030, relating to fraud and related activity in connection with computers. Prior to the 1996 amendments to the Computer Fraud and Abuse Act, the Secret Service was authorized to investigate any and all violations of section 1030, pursuant to an agreement between the Secretary of Treasury and the Attorney General. The 1996 amendments, however, concentrated Secret Service jurisdiction on certain specified subsections of section 1030. The current amendment would return full jurisdiction to the Secret Service and would allow the Justice and Treasury Departments to decide on the appropriate task-structure to investigate computer crimes.

Counter-terrorism Fund: The USA Act also authorizes, for the first time, a counter-terrorism fund in the Treasury of the United States to reimburse Justice Department for any costs incurred in connection with the fight against terrorism.

Specifically, this counter-terrorism fund will: one, reestablish an office or facility that has been damaged as the result of any domestic or international terrorism incident; two, provide support to domestic or international terrorism, including paying rewards in connection with these activities; three, conduct terrorism threat assessments of Federal agencies; and four, for costs incurred in which detaining individuals in foreign countries who are accused of acts of terrorism in violation of United States law.

I first authored this counter-terrorism fund in the 8, 1319, the 21st Century Department of Justice Appropriations Authorization Act, which Senator HATCH and I introduced in August.

The USA Act provides enhanced surveillance procedures for the investigation of terrorism and other crimes. The challenge before us has been to strike a reasonable balance to protect both security and the liberties of our people. In some respects, the changes made are appropriate and important ones to enhance surveillance investigative procedures in light of new technology and experience with current law. Yet, in other respects, I have deep concerns that we may be increasing surveillance powers and the sharing of criminal justice information without adequate account-ability in the form of judicial review.

The bill contains a number of sensible proposals that should be not be controversial.

Wiretap Predicates: For example, sections 201 and 202 of the USA Act would add to the list of crimes that may be used as predicates for wiretaps certain offenses which are specifically tailored to the terrorist threat. In addition to crimes that relate directly to terrorism, the list would include crimes of computer fraud and abuse and wiretaps to support its to advance illegal objectives.

FISA Roving Wiretaps: The bill, in section 206, would authorize the use of roving wiretaps in the course of a foreign intelligence investigation and brings FISA into line with criminal procedures that allow surveillance to follow a person, rather than requiring a separate court order identifying each telephone company or other communications common carrier whose assistance is needed. This is a matter on which the Attorney General and I reached early agreement. This is the kind of change that has a compelling justification, because it recognizes the extraordinary targets with which targets of investigation frequently change changing phones. In fact, the original roving wiretap authority for use in criminal investigations was enacted as part of the Electronic Communications Privacy Act, ECPA, in 1986. I was proud to be the primary Senate sponsor of that earlier law.

Paralleling the statutory rules applicable to criminal investigations, the formulation I originally proposed made clear that this roving wiretap authority must be requested in the application before the FISA court was authorized to order such roving surveillance authority. Indeed, the administration agrees that the FISA court may not grant such authority sua sponte. Nevertheless, we have reached early agreement that the administration’s formulation of the new roving wiretap authority, which requires the FISA court to make a finding that the actions of the person whose communications are to be intercepted could have the effect of thwarting the identification of a specified facility or place. While no amendment is made to the statutory directions for what must be included in the application for a FISA electronic surveillance order, these applications should include the necessary information to support the FISA court’s finding that roving wiretap authority is warranted.

Search Warrants: The USA Act, in section 219, authorizes nationwide service of search warrants in terrorism investigations. This will allow the judge who is most familiar with the developments in a fast-breaking and complex terrorism investigation to make determinations of probable cause, no matter where the property to be searched is located. It also avoids having to bring up-to-speed another judge in another jurisdiction where the property is located.
serves privacy and fourth amendment interests in ensuring that the most knowledgeable judge makes the determination of probable cause. The bill, in section 209, also authorizes voice mail messages to be seized on the authority of any probable cause search warrant, rather than through the more burdensome and time-consuming process of a wiretap.

Electronic Records: The bill updates the laws pertaining to electronic records in three primary ways. First, in section 210, the bill authorizes the nationwide service of subpoenas for subscriber information and expands the list of items subject to subpoenas to include the means and source of payment for the service.

Second, in section 211, the bill equalizes the standard for law enforcement access to cable subscriber records on the same basis as other electronic records. The Cable Communications Policy Act of 1984 to the various aspects of the cable television industry, did not take into account the changes in technology that have occurred over the last 15 years. Cable television companies now often provide Internet access and telephone service in addition to cable programming. This amendment clarifies that a cable company must comply with the laws governing the interception and disclosure of wire and electronic communications just like any other telephone company or Internet service provider. The amendments would retain current standards that govern the release of customer records for television programming.

Finally, the bill, in section 212, permits, but does not require, an electronic communications service to disclose the contents of and subscriber information about communications in emergencies involving the immediate danger of death or serious physical injury. Under present law, if an ISP's customer receives an e-mail death threat from another customer of the same ISP, and the victim provides a copy of the communication to the ISP, the ISP is limited in what actions it can take. On one hand, the ISP may disclose the contents of the forwarded communication to law enforcement, or to any other third party as it sees fit. See 18 U.S. C. section 2702(b)(3). On the other hand, current law does not express the ISP to voluntarily or require the ISP to voluntarily provide law enforcement with the identity, home address, and other subscriber information of the user making the threat. See 18 U.S. C. section 2703(c)(1)(B),(C), permitting disclosure to government entities only in response to a legal process. In the case where the risk of death or injury is imminent, the law should not require providers to sit idly by. This voluntary disclosure, however, in no way creates an affirmative obligation to review customer communications in search of such imminent dangers.

Also, under existing law, a provider even one providing services to the public may disclose the contents of a customer's communications—to law enforcement or anyone else—in order to protect its rights or property. See 18 U.S. C. section 2702(b)(5). However, the current statute does not expressly permit a provider to disclose non-content records, such as a subscriber's login records, to law enforcement for purposes of self-protection. See 18 U.S. C. Section 2703(c)(1)(B). Yet the right to disclose the content of communications necessarily implies the less intrusive ability to disclose non-content records. Cf. United States v. Auler, 539 F.2d 642, 646 n.9, 7th Cir. 1976, phone company's authority to monitor and disclose conversations to protect against fraud necessarily implies right to commit lesser invasion of using, and disclosing fruits of, pen register device, citing United States v. Freeman, 524 F.2d 337, 341, 7th Cir. 1975. Moreover, as a practical matter providers must have the right to disclose the facts sur- rounding attacks on their systems. When a telephone carrier is defrauded by a subscriber, or when an ISP's authorized user launches a network intrusion against his own ISP, the provider must have the legal ability to report such a crime to law enforcement. The bill clarifies that service providers have the statutory authority to make such disclosures.

Pen Registers: There is consensus that the existing legal procedures for pen register and trap-and-trace authority are antiquated and need to be updated. I have been proposing ways to update the pen register and trap and trace statutes for several years, but not necessarily in the same ways as the administration initially proposed. In fact, in 1998, I introduced with then-Senator Ashcroft, the E-PRIVACY Act, S. 2067, which proposed changes in the pen register laws. In 1999, I introduced the EIGHTS Act, S. 934, with proposals to update the pen register laws.

Again, in the last Congress, I introduced the Internet Security Act, S. 2430, on April 13, 2000, that proposed: one, changing the pen register and trap and trace device law to give nationwide effect to pen register and trap and trace orders obtained by Government attorneys and obviate the need to obtain identical orders in multiple Federal jurisdictions; two, clarifying that such devices can be used for computer transmissions to obtain electronic addresses, not just on telephone lines; and three, as a guard against abuse, providing for meaningful judicial review of government attorney applica- tions for pen registers and trap and trace devices.

As the outline of my earlier legislation suggests, I have long supported modernizing the pen register and trap and trace device laws by modifying the statutory language to cover the use of these orders on computer trans- missions; to remove the jurisdictional limits on service of these orders; and to update the judicial review procedure, which, unlike any other area in crimi- nal procedure, bars the exercise of judi- cial discretion in reviewing the jus- tification for the order. The USA Act, in section 216, updates the pen register and trap and trace laws only in two out of three respects I believe are impor- tant, and without allowing meaningful judicial review. Yet, we were able to improve the administration's initial proposal, which suffered from the same problems. The provision that was hurriedly taken up and passed by the Senate, by voice vote, on September, 13, 2001, as an amendment to the Com- merce Justice State Appropriations Act.

Nationwide Service: The existing legal procedures for pen register and trap-and-trace authority require service of individual orders for installation of pen register or trap and trace device on the service provider’s record. As a result, the targeted communications. Deregulation of the telecommunications in- dustry has had the consequence that one communication may be carried by multiple providers, hence, a telephone call may be carried by a competitive local exchange carrier, which passes it at a switch to a local Bell Operating Company, which passes it to a long distance carrier, which passes it to an international exchange carrier elsewhere in the U.S., which in turn, may then hand it to a cellular carrier. If these carriers do not pass source information with each call, identifying that source may require compelling information from a host of providers located throughout the country.

Under present law, a court may only authorize the installation of a pen reg- ister or trap device “within the juris- diction of the court.” As a result, when one provider indicates that the source of a communication is a carrier in an- other district, a second order may be necessary. The Department of Justice has advised, for example, a hacker who used this computer as an intermediate staging point in an effort to conceal his location and identity. Investigators ob- tained a trap and trace order instructing the phone company, Nynex, to trap these calls, but Nynex could only report that the communications were coming to it from a long-distance car- rier, MCI. Investigators then applied for a court order to obtain the connec- tion information from MCI, but since the carrier was providing services using the connection, MCI could not identify its source. Only if the inves- tigators could have served MCI with a trap and trace order while the hacker was actively on-line could they have successfully traced back and located him.

In another example provided by the Department of Justice, investigators

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encountered similar difficulties in attempting to track Kevin Mitnick, a criminal who continued to hack into computers attached to the Internet despite the fact that he was on supervised release for a prior computer crime conviction. The FBI accomplished this by creating intermediate providers, which they then used to trace Mitnick's communications with the Internet. This process, however, involved sending an order to each service provider—finally produced success. Fortunately, Mitnick was such a persistent hacker that he gave law enforcement many chances to complete the trace.

The process of obtaining a separate order for each link in the communications chain can be quite time-consuming, and it serves no useful purpose since the original court has already authorized the trace. Moreover, the third order addressed to a particular carrier that carried part of a prior communication may prove useless during the next attack: in computer intrusion cases, for example, the target may use an entirely different computer network for his or her subsequent activity.

The bill would modify the pen register and trap and trace statutes to allow for nationwide service of a single order for installation of these devices, without the necessity of returning to court for each new carrier. I support this change.

Second, the language of the existing statute is hopelessly out of date and speaks of a pen register or trap and trace device being "attached" to a telephone "line." However, the rapid computerization of the telephone system has changed the tracing process. No longer are such functions normally accomplished by physical hardware components attached to telephone lines. Instead, these functions are typically performed by computerized collection and retention of call routing information passing through a communications system.

The statute's definition of a "pen register" as a "device" that is "attached" to a particular "telephone line" is particularly obsolete when applied to the wireless portion of a cellular phone call, which has no line to which anything can be attached. While courts have authorized pen register orders for wireless phones based on the notion of obtaining access to a "virtual line," updating the law to keep pace with current technology is a better course.

Moreover, the statute is ill-equipped to facilitate the tracing of communications that take place over the Internet. For example, the pen register definition refers to telephone "numbers" rather than the broader concept of a user's communications account. Although pen register and trap orders have been obtained for activity on such "numbers," they dial that do not apply to the way that pen/trap devices are used and to clarify the statute's proper application to tracing communications in an electronic environment, but in a manner that is technologically neutral and does not capture the content of communications. That being said, I have been concerned about the FBI and Justice Department's insistence over the past few years that the pen/trap devices statutes be updated with broad, undefined terms that allow for nationwide service of a single device. I support amendments that these laws will be used to intercept private communications content.

The administration's initial pen/trap device proposal added the terms "routing" and "addressing" to the definitions describing the information that was authorized for interception on the low relevance standard under these laws. The administration and the Department of Justice flatly rejected my suggestion that these terms be defined to respond to concerns that the new terms might encompass matter considered content, which may be captured only upon a showing of probable cause, not the mere relevancy of the pen/trap statute. Instead, the administration agreed that the definition should expressly exclude the use of pen/trap devices to intercept "content," which is broadly defined in 18 U.S.C. 2510(8). While this is an improvement, the FBI and Justice Department are short-sighted in their refusal to consider the content in new terms that we should be clear about the consequence of not providing definitions for these new terms in the pen/trap device statutes. These terms will be defined, if not by the Congress, then by the courts in the context of criminal cases where pen/trap devices have been used and challenged by defendants. If a court determines that a pen register has captured "content," which the FBI admits such devices do, in violation of the statute, suppression may be ordered, not only of the pen register evidence by any other evidence derived from it. We are leaving the courts with little or no guidance of what is covered by "addressing" or "routing." The USA Act also requires the government to use reasonably available technology that limits the interception under the pen/trap device laws "so as not to include the contents of any wire or oral communications." This limitation on the technology used by the government to execute pen/trap orders is important since, as the FBI advised me June, 2000, pen register devices "do capture all electronic impulses transmitted by the facility on which they are attached, including such impulses transmitted after a phone call is connected to the called party." The impulses made after the call is connected could reflect the electronic banking transactions a caller makes, or the electronic ordering from a catalogue that a customer makes over the telephone, or the electronic ordering of a prescription drug. These transactions are intercepted after the call is connected is "content." As the Justice Department explained in May, 1998 in a letter to House Judiciary Committee Chairman Henry Hyde, "the retrieval of the electronic impulses that a caller necessarily generated in attempting to direct the phone call" does not constitute a "search" requiring probable cause since "no part of the substantive information transmitted after the caller had reached the called party" is obtained. But the Justice Department made clear that "all of the information transmitted after a phone call is connected to the caller is substantive in nature. These electronic impulses are the 'contents' of the call: They are not used to direct or process the call, but instead convey certain messages to the recipient."

When I added the definition on use of reasonably available technology, codified as 18 U.S.C. 3121(c), to the pen register statute as part of the Communications Assistance for Law Enforcement Act, CALEA, in 1994, I recognized that these devices are content and that such collection was unconstitutional on the mere relevance standard. Nevertheless, the FBI advised me in June 2000, that pen register devices for telephone services "continue to operate as they have after a call had reached the party and that "there has been no change . . . that would better restrict the recording or decoding of electronic or other impulses to the dialing and signaling information utilized in call processing." Perhaps, if meaningful judicial review and accountability, the FBI would take the statutory direction more seriously and actually implement it.

Judicial Review: Due in significant part to the fact that pen/trap devices in use today collect "content," I have sought in legislation introduced over the past few years to update and modify the judicial review procedure for pen and trap devices. Existing law requires an attorney for the Government to certify that the information likely to be obtained by the installation of a pen register or trap and trace device will be relevant to an ongoing criminal investigation. The court is required to issue an order upon seeing the prosecutor's certification. The court is not authorized to look behind the certification to evaluate the judgement of the prosecutor.

I have urged that government attorneys be required to include facts about their investigations in their applications for pen/trap orders and allow...
courts to grant such orders only where the facts support the relevancy of the information likely to be obtained by the orders. This is not a change in the applicable standard, which would remain the very low relevancy standard. Instead, this change would allow the court to evaluate the facts presented by a prosecutor, and, if it finds that the facts support the Government’s assertion that the information to be collected will be relevant, issue the order. Although this change will place an additional burden on law enforcement, it will allow the courts a greater ability to assure that government attorneys are using such orders properly.

Some have called this change a “roll-back” in the statute, as if the concept of allowing meaningful judicial review was an extreme position. To the contrary, this is a change that the Clinton administration supported in legislation transmitted to Congress last year. This is a change that the House Judiciary Committee also supported last year. In the Electronic Communications Privacy Act, H.R. 5018, that Committee proposed that before a pen trap device could be installed, the government must first demonstrate to an independent judge that ‘specific and articulable facts reasonably indicate that a crime has been, is being, or will be committed, and information likely to be obtained through such installation and use . . . is relevant to an investigation of that crime.’” Report 106–932, 106th Cong. 2d Sess., Oct. 4, 2000, p. 13. Unfortunately, the Bush administration has taken a contrary position and has rejected this change in the judicial review process.

Computer Trespasser: Currently, an owner or operator of a computer that is accessed by a hacker as a means for the hacker to reach a third computer, cannot sue to law enforcement monitoring of the computer. Instead, because the owner or operator is not technically a party to the communications, law enforcement needs wiretap authorization under Title III to conduct such monitoring. I have long been interested in closing this loophole. Indeed, when I asked about this problem, the FBI explained to me in June, 2000, that:

“... This anomaly in the law creates an untenable situation whereby providers are sometimes forced to sit idly by as they witness hackers enter and, in some situations, destroy or damage their systems and networks while law enforcement begins the detailed process of seeking court authorization to assist them. In the real world, the situation is akin to a homeowner being forced to helplessly watch a burglar or vandal while police seek a search warrant to enter the dwelling.

I therefore introduced as part of the Internet Security Act, S. 2430, in 2000, an amendment proposed a different formulation of the exception that would have allowed an owner/operator of any computer connected to the Internet to consent to FBI wiretapping of any user who violated the owner’s policy or online service term of service and was thereby an “unauthorized” user. The administration’s proposal was not limited to computer hacking offenses under 18 U.S.C. 1030 or to conduct that causes harm to a computer system. The administration rejected these refinements to their proposed wiretap exception, but did agree, in section 217 of the USA Act, to limit the authority for wiretapping with the consent of the owner/operator to communications of unauthorized users without an existing subscriber or other contractual relationship with the owner/operator.

Sharing Criminal Justice Information: The USA Act will make significant changes in the sharing of confidential criminal justice information with various Federal agencies. For example, as we have seen concerned about the leaks from the FBI that can irreparably damage reputations of innocent people and frustrate investigations by alerting suspects to flee or destroy material evidence, the administration has insisted on the broadest authority to disseminate such information, without any judicial check, is disturbing. Nonetheless, I believe we have improved the administration’s initial proposal in responsible ways. Only time will tell whether the improvements we were able to agree on are sufficient.

At the outset, we should be clear that current law allows the sharing of confidential criminal justice information, but with court supervision. Federal Rule of Criminal Procedure 6(e) provides that matters occurring before a grand jury may be disclosed only to an attorney for the government, such other government personnel as are necessary to assist the attorney, and another grand jury. Further, disclosure is also allowed as specifically authorized by a court.

Similarly, section 525 of title 18, United States Code provides that wiretap evidence may be disclosed in testimony during official proceedings and to investigative or law enforcement officers to the extent appropriate to the proper performance of their official duties. In addition, the law allows disclosure of wiretap evidence “relating to offenses other than specified in the order” when authorized or approved by a judge. Indeed, just last year, the Justice Department assured us that intelligence agencies have authority under current law to share title III information regarding terrorism with intelligence agencies when the information is of overriding importance to the national security.” Letter from Robert Rayen, Assistant Attorney General, September 28, 2000.

For this reason, and others, the Justice Department at the time opposed an amendment proposed by Senators Kyl and Feinstein to S. 2507, the “Intelligence Authorization Act for fiscal year 2001 that would have allowed the sharing of foreign intelligence and counterintelligence information collected through wiretaps with the intelligence community.” I deferred to the Justice Department on this issue and sought changes in the proposed amendment to address the Department’s concern that this provision was not only unnecessary but also “could have significant implications for wiretapping operations and the discovery process in litigation.” “raises significant issues regarding the sharing with intelligence agencies of information collected about United States persons” and jeopardized “the need to protect equities relating to ongoing criminal investigations.” In the end, the amendment was revised to address the Justice Department’s concerns and passed the Senate as a free-standing bill, S. 3205, the Counterterrorism Act of 2000. The House took no action on this legislation.

Disclosure of Wiretap Information: The administration initially proposed adding a sweeping provision to the wiretap statute that broadened the definition of an “investigative or law enforcement officer” who may receive disclosure of information obtained through wiretaps to include Federal law enforcement, intelligence, national security, national defense, protective and immigration personnel and the President and Vice President. This proposal troubled me because information intercepted by a wiretap has enormous potential to infringe upon the privacy rights of innocent people, including people who are not even suspected of a crime and merely happen to speak on the telephone with the targets of an investigation. For this reason, I proposed allowing the authority to disclose information obtained through a wiretap has always been carefully circumscribed in law.

While I recognize that appropriate officials in the executive branch of government should have access to wiretap information that is important to combating terrorism or protecting the national security, I proposed allowing such disclosures where specifically authorized by a court order. Further, with respect to information relating to terrorism, I proposed allowing the disclosure without a court order as long as the judge who authorized the wiretap was notified as soon as practicable after the fact. This would have provided a check against abuses of the disclosure authority by providing for review by a neutral judicial official. At the same time, there was a little likelihood that a judge would deny any requests for disclosure in cases where it was warranted.

On Sunday, September 30, the administration agreed to my proposal, but within two days, it backed away from its agreement. I remain concerned that the resulting provision will allow the unprecedented, widespread disclosure...
of this highly sensitive information without any notification to or review by the court that authorizes and supervises the wiretap. This is clearly an area where our committee will have to exercise close oversight to make sure that the newly-minted disclosure authority is not abused.

The administration offered three reasons for reneging on the original deal. First, they claimed that the involvement of the court would inhibit Federal investigators and attorneys from disclosing information needed by intelligence and national security officials. Second, they said the courts might not have adequate security and therefore should not be told that information was disclosed for intelligence or national security purposes. And third, they said the President’s constitutional powers under Article II give him authority to get whatever foreign intelligence he needs to exercise his national security responsibilities. I assure you, my concerns are unfounded. Federal investigators and attorneys will recognize the need to disclose information relevant to terrorism investigations. Courts can be trusted to keep secrets and recognize the needs of the President.

Current law requires that such information be used only for law enforcement purposes. This provides an assurance that highly intrusive invasions of privacy are confined to the purpose for which they have been approved by a court, based on probable cause, as required by the Fourth Amendment. Current law calls for minimization procedures to ensure that the surveillance does not gather information about private and personal conduct and conversations that are not relevant to the criminal investigation.

When the administration reneged on the agreement regarding court supervision, we turned to other safeguards and successfully blocked other questionable features of the administration’s bill. The administration accepted my proposal to strike the term “national security” from the description of wiretap information that may be shared throughout the executive branch and replace it with “foreign intelligence” information. This change is important in clarifying what information may be disclosed because the term “foreign intelligence” is specifically defined by statute whereas “national security” is not.

Moreover, the rubric of “national security” has been used to justify some particularly unsavory activities by the government in the past. We must have at least some assurance that we are not embarked on a course that will lead to a repetition of these abuses because the statute will now more clearly define what type of information is subject to disclosure. In addition, Federal officials who receive the information may not be in the line of conduct of their official duties. Therefore, any disclosure or use outside the conduct of their official duties remains subject to all limitations applicable to their retention and dissemination of information of the type of information received. This includes the Privacy Act, the criminal penalties for unauthorized disclosure of electronic surveillance information under chapter 119 of title 18, and the contempt penalties for unauthorized disclosure of grand jury information. In addition, the Attorney General must establish procedures for the handling of information that is acquired in the course of criminal law enforcement and judicial proceedings. This provides an assurance of retention and dissemination of foreign intelligence and counterintelligence information pertaining to United States persons currently in effect under Executive Order 12333.

While these safeguards do not fully substitute for court supervision, they can provide some assurance against misuse of the private, personal, and business information about Americans that is acquired in the course of criminal law enforcement and judicial proceedings. Courts have already recognized that such restrictions on retention and dissemination of foreign intelligence and counterintelligence information pertaining to United States persons currently in effect under Executive Order 12333.

Disclosure of Grand Jury Information: The wiretap statute was not the only provision in which the administration reneged on its agreement to provide safeguards. The bill does not provide any judicial supervision of the new authorization for dissemination of foreign intelligence obtained from grand jury proceedings to a broad range of officials in the executive branch of government. As with wiretaps, few would disagree that information learned in a criminal investigation that is necessary to combating terrorism or protecting the national security ought to be shared with the appropriate intelligence and national security officials. The question is how best to regulate and limit such disclosures. The administration’s proposal for so-called “sneak and peek” search warrants. The House Judiciary Committee dropped this provision entirely from its version of the legislation. Normally, when law enforcement officers execute a search warrant, they must leave a copy of the warrant and a receipt for all property seized at the premises searched. Thus, even if the search occurs when the owner of the premises is not present, the owner will receive notice that the premises have been lawfully searched pursuant to a warrant rather than, for example, burglarized. If the circuit courts of appeal, the Second and the Ninth Circuits, have recognized a limited exception to this requirement. When specifically authorized by the issuing judge or magistrate, the officers may delay providing notice of the search to avoid compromising an ongoing investigation or for some other good reason. However, this authority has been carefully circumscribed.

First, the Second and Ninth Circuit cases have dealt only with situations where the officers search a premises without seizing any tangible property. As the Second Circuit explained, such
searches are “less intrusive than a conventional search with physical seizure because the latter deprives the owner not only of privacy but also of the use of his property.” United States v. Villegas, 889 F.2d 1324, 1337 (2d Cir. 1989).

Second, the cases have required that the officers seeking the warrant must show good reason for the delay. Finally, while the courts have allowed notice of the search may be delayed, it must be provided within a reasonable period thereafter, which should generally be no more than seven days. The reasons for these careful limitations were spelled out succinctly by Judge Sneed of the Ninth Circuit: “The mere thought of strangers walking through and visually examining the center of our privacy interest, our home, arouses our passion for freedom as does nothing else. That passion, the true source of the Fourth Amendment, demands that surreptitious entries be closely circumscribed.” See United States v. Freitas, 800 F.2d 1451, 1456 (9th Cir. 1986).

The administration’s original proposal would have ignored some of the key limitations by the caselaw for sneak and peek search warrants. First, it would have broadly authorized officers not only to conduct surreptitious searches, but also to secretly seize any type of property without any additional showing of necessity for a warrant, which has never been addressed by a published decision of a federal appellate court, has been referred to in a law review article written by an FBI agent as a “sneak and steal” warrant. See K. Corr, “Sneaky But Lawful: The Use of Sneak and Peek Search Warrants,” 43 U. Kan. L. Rev. 1103, 1113 (1995). Second, the proposal would simply have adopted the procedural requirements of 18 U.S.C. section 2705 for providing delayed notice of a wiretap. Among other things, this would have extended the permissible period of delay to a maximum of 90 days, instead of the presumptive seven-day period provided by the caselaw on sneak and peek warrants. I was able to make significant improvements in the administration’s original proposal that will help to ensure that the government’s authority to obtain sneak and peek warrants is not abused. First, the provision that is now part of the bill would bar the government from seizing any tangible property or any wire or electronic communication or stored electronic information unless it makes a showing of reasonable necessity for the seizure. Thus, in contrast to the administration’s original proposal, the presumption is that the warrant will authorize only a search unless the government can make a specific showing of additional need for a seizure. Second, the provision now requires that notice be given to the target of the execution of the warrant rather than giving a blanket authorization for up to a 90-day delay. What constitutes a reasonable time, of course, will depend upon the circumstances of the particular case. But I would expect courts to be guided by the teachings of the Second and the Ninth Circuits that, in the ordinary case, a reasonable time is no more than seven days.

Several changes to the Foreign Intelligence Surveillance Act, FISA, are designed to clarify technical aspects of the statutory framework and take account of experience in practical implementation of its provisions. First, the original proposal, the presumption was whether to eliminate the existing statutory “agent of a foreign power” standard for surveillance and investigation of the political or commercial activities of Americans. One of the most difficult issues was whether to eliminate the existing statutory “agent of a foreign power” standard for surveillance and investigation of the political or commercial activities of Americans. Experience indicated that the “agent of a foreign power” standard in existing law was designed to ensure that the FBI and other intelligence agencies do not use these surveillance and investigative techniques that raise important privacy concerns, but not at the level that the Supreme Court has held to require a court order and a probable cause finding under the fourth amendment. These include pen register and trap and trace devices, access to business records and other tangible items held by third parties, and access to records that have statutory privacy protection. The latter include telephone, bank, and credit records.

The “agent of a foreign power” standard in existing law was designed to ensure that the FBI and other intelligence agencies do not use these surveillance and investigative methods to investigate the lawful activities of Americans in the name of an undefined authority to collect foreign intelligence or counterintelligence information. The law has required a showing of reasonable suspicion, less than probable cause, to believe that a United States person is “engaged in international terrorism or clandestine intelligence activities. However, the “agent of a foreign power” standard is more stringent than the standard under comparable criminal law enforcement procedures which require only a showing of relevance to a criminal investigation. The FBI’s experience under existing laws since they were enacted at various times before the past 15 years has been that the practice is one that to show reasonable suspicion that a person is an “agent of a foreign power” has been almost as burdensome as the
requirement to show probable cause required by the fourth amendment for more intrusive techniques. The FBI has made a clear case that a relevance standard is appropriate for counterintelligence and counterterrorism investigations, as well as for criminal investigations.

The challenge, then, was to define those investigations. The alternative proposed by the administration was to cover any investigation to obtain foreign intelligence information. This was extremely broad, because the definition includes any information with respect to a foreign power that relates to, and if concerning a United States person is necessary to, the national defense or the security of the United States or the conduct of the foreign affairs of the United States. This goes far beyond FBI counterintelligence and counterterrorism requirements. Instead, the bill requires that use of the surveillance technique or access to the records to an investigation to protect against international terrorism or clandestine intelligence activities.

In addition, an investigation of a United States person may not be based solely on protecting the first amendment. This framework applies to pen registers and trap and trace under section 215, access to records and other items under section 215, and the national security authorities may not be used to telephone, bank, and credit records under section 506. Lawful political dissent and protest by American citizens against the government may not be the basis for FBI counterintelligence and counterterrorism investigations under these provisions.

A separate issue for pen registers and trap and trace under FISA is whether the court should have the discretion to make the decision on relevance. The administration has insisted on a certification process. I discussed this issue as it comes up in the criminal procedures for pen registers and trap and trace under title 18, and my concerns apply to the FISA procedures as well.

The most controversial change in FISA requested by the administration was the proposal to allow surveillance and search when "a purpose" is to obtain foreign intelligence information. Current law requires that the secret procedures and different probable cause standard be used to access telephone, bank, and credit records. High-level executive official certifies that "the purpose" is to obtain foreign intelligence formation. The administration's aim was to allow FISA surveillance and search for law enforcement purposes, so long as there was at least some element of a foreign intelligence purpose. This proposal raised constitutional concerns, which were addressed in a legal opinion provided by the Justice Department, which I inserted in the record at the end of my statement.

The Justice Department opinion did not defend the constitutionality of the original proposal. Instead, it addressed a suggestion made by Senator Feinstein to the Attorney General at the Judiciary Committee hearing to change "the purpose" to "a significant purpose." No matter what statutory change is made even the Department concedes the proposal would impose a constitutional requirement of "primary purpose" based on the appellate court decisions upholding FISA against constitutional challenges over the past 20 years.

Section 218 of the bill adopts "significant purpose," and it will be up to the courts to determine how far law enforcement agencies may use FISA for criminal investigation and prosecution beyond the scope of the statutory definition of "foreign intelligence information." In addition, I proposed and the administration agreed to an additional provision in Section 505 that clarifies the boundaries for consultation and coordination with individuals who conduct FISA search and surveillance and Federal law enforcement officials including prosecutors. Such consultation and coordination is authorized for the enforcement of laws that protect against international terrorism, clandestine intelligence and counterintelligence, and other grave foreign threats to the nation. Protection against these foreign-based threats by any lawful means is within the scope of the definition of "foreign intelligence information." The Justice Department's position cited relevant legislative history from the Senate Intelligence Committee's report in 1978, and there is comparable language in the House report.

The administration initially proposed that the Attorney General be authorized to detain any alien indefinitely and to maintain the power to deport the alien will have the opportunity to litigate the case. The Justice Department has been without his leadership.

I was disappointed that the administration's initial proposal authorizing the President to impose unilateral food and medical sanctions would have undermined a law we passed last year with overwhelming bipartisan support. Under that law, the President already has full authority to impose unilateral food and medical sanctions against nations that support international terrorist activity. This is a substantially more protective than the administration's proposal, which would have empowered the Secretary of State to deport someone who raised money for the African National Congress. Throughout our negotiations on these issues, Senator Kennedy provided steadfast help. Although neither of us are pleased with the final product, it is far better than it would have been without his leadership.

Over 30 farm and export groups, including the American Farm Bureau Federation, the Grocer Manufacturers of America, the National Farmers Union, and the American Soybean Export Council, wrote to me and explained that the administration proposal would "not achieve its intended policy goal."
I worked with Senator ENZI, and other Senators, on substitute language to give the administration the tools it needs in this crisis. This substitute has been carefully crafted to avoid needlessly hurting American farmers in the future. I assure you that the United States can engage in effective multilateral sanctions.

This bipartisan agreement limits the authority in the bill to existing laws and executive orders, which give the President full authority regarding this conflict, and grants authority for the President to restrict exports of agricultural products, medicine or medical devices. I continue to agree with then-Senator Ashcroft, who argued in 1999 that unilateral U.S. food and medicine sanctions simply do not work when he introduced the “Food and Medicine for the World Act.” As recently as October 2000, then-Senator Ashcroft pointed out how broad, unilateral embargoes of food or medicine are often counterproductive. Many Republican and Democratic Senators made it clear just last year that the U.S. should work with other countries on food and medical sanctions so that the sanctions will be effective in hurting our enemies, instead of just hurting the U.S. I am glad that with Senator Enzi’s help, we were able to make changes in the trade sanctions provision to both protect our farmers and help the President during this crisis.

I have done my best under the circumstances to confine the amendment demands to those matters that are consensus legal improvements. I concede that my efforts have not been completely successful and there are a number of provisions on which the administration has insisted with which I disagree. Frankly, the agreement that was made September 30, 2001 would have been far better balanced. It could not stop the administration from reneging on the agreement any more than I could have sped the process to reneging on the agreement any more could not stop the administration from breaking its promises. I concede that the administration has insisted with which I disagree.

In its beginnings, Wheeling was a small outpost that represented the westernmost point of eastern settlement in a young country. Because of its location, Wheeling became the window of the West and a gateway to the unknown. Travelers flocked to this new epicenter of travel and transportation in pursuit of fortune and adventure. After the Civil War, Wheeling, and much of the Northern Panhandle, experienced a postwar industrial expansion that brought to the area great prosperity and growth into the 20th century. A booming economy, combined with a natural beauty and a genteel society, ushered in an era of Wheeling’s splendor.

However, as market demands changed, Wheeling—along with most industrial regions throughout this nation and across West Virginia—repositioned itself, transitioning from an industrial base to a more diverse, high-tech economy. While it has focused on economic development, Wheeling also has kept an eye on preserving its rich cultural and historic areas.

I have supported Wheeling’s efforts to redevelop its historic downtown by winning congressional approval for legislation that established the Wheeling National Heritage Area. The mission of a heritage area is to preserve the lessons of history for future generations so that they can better lead tomorrow. The Wheeling Port is just one of the many components of the heritage area, which includes the Wheeling Visitors Center and the Artisan Center. I am very fortunate to have had the opportunity to assist the city of Wheeling in these initiatives, but the man who first exhibited the vision for renewal of this city was my friend, the late Harry Hamm.

It was Harry, more than anyone, who recognized that Wheeling, like other industrial regions in America, would need to transform itself. In his own words, Harry said that Wheeling would have to “take the old, idle, and abandoned factories . . . and create in them . . . a public place where people can feel at home.” In an effort to accomplish this task, Harry laid out a plan that would promote the city’s heritage and, once again, establish it as a national center of commerce and trade. Harry envisioned Wheeling as a hub of high-technology and as a new port of entry to the heartland of our country. For those of us who knew Harry, we know that he was not an unrealistic dreamer, but that he was a man who worked hard and tirelessly to propel Wheeling toward a brighter future. It was his foresight and leadership that brought about the establishment of the Wheeling National Heritage Area. Although Harry passed away several years ago, if you ever have the opportunity to travel to Wheeling, you will undoubtedly see the imprint that he left on this wonderful city.

Among Harry’s ideas for revitalizing the downtown area of Wheeling was the resurrection of the vibrant heart of the city—the waterfront. The port once served as a main destination point for steamboats traveling down the Ohio River. Now, with its restoration complete, the port will recreate the bustle of the steamboat port that it once was. It will serve as a civic “open space”—a community gathering place enlivened by festivals and concerts.

The port’s restoration is another step to ensure that Wheeling’s legacy to America is preserved for generations to come. The community’s efforts to emphasize both its cultural and historic heritage, while also investing in its future, provide us with a glimpse into the ongoing restoration and redevelopment of our nation’s industrial regions. The activities undertaken in Wheeling could serve as a blueprint for post-industrial America and the communities in pursuit of a revitalized economy. As the Wheeling of old served as a guidepost in America’s westward expansion, the new Wheeling can serve as a model for a 21st century economy and a 21st century community that has not forgotten its past.

At the dedication of the port, Rabbi Ronald H. Bernstein-Goff of Temple Shalom and Dr. D.W. Cummings of Bethlehem Apostolic Temple, both of Wheeling, offered the invocation and benediction, respectively. Madam President, I ask unanimous consent to have these prayers printed in the RECORD.

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

PRAYER BY RABBI RONALD H. BERNSTEIN-GOFF, D.D.
Master of the universe—Creator of Earth and sky, fire and water, and author of time, flowing like a great river, carrying us down the days and years of our lives.
We gather here today with gratitude for the rich history, the vitality, and prosperity, which those who came before us created and labored to create, we were proud in the past, because we were prosperous; we had dignity, because we were successful; we had hope, because we seemed to be in control of our destinies.
It seems to us like yesterday, although the river has carried us forward in time. We acknowledge that it has taken us too long to deal with the realities of decline and decay; too long to deal with our feelings of guilt and shame, as buildings were boarded up and the joyful noise of life faded into uneasy silence; too long to face our fear of change—our fear of the unknown. And just because we have had faith in the future does not mean we had faith in ourselves or in each other.
Yet, you have taught us that out of suffering and struggle, distress and despair, comes the capacity for renewal and self-transformation.
“Out of the depths have I called you, O God”—Psalm 130:1.
“Revive my spirit, lest I sleep the sleep of death.”—Psalms: 13:4:16.
How can we thank You then, for giving us the wisdom and the courage to face our problems, before You this day, as we dedicate ourselves to a new hopefulness and a new reality? How can we thank You for bringing us beyond nostalgia to a waking vision of the future; to a renewed sense of solidarity and purpose in our community—our hopeful city; how can...
Mr. CAMPBELL. Madam President, today I would like to take a moment and recognize all those brave firefighters who died in the line of duty last year.

This past Sunday—October 7—was National Fallen Firefighters Memorial Day. The President and Mrs. Bush joined with thousands of family members and friends at the National Fallen Firefighters Memorial to honor those who have given the ultimate sacrifice. In 2000, 99 brave men and women in 38 States and Puerto Rico lost their lives trying to save the lives of others. I am saddened to say Mr. Robert W. Crump from the Denver Fire Department was one of the many honored this past weekend.

In 1999, over 1.8 million fires were attended to by a public fire department. That means fire departments across the country responded to a fire once every 17 seconds. In that same year, fire resulted in over $10 billion of property damage, almost 22,000 civilian injuries, and almost 3,000 civilian deaths.

We currently have over a million firefighters in the United States. While there are thousands of career firefighters that serve us each day in cities across the country, there are over 785,000 volunteer firefighters. In fact, most communities with less than 25,000 people are served by these volunteer units.

As we saw on September 11th, firefighters are among the first on the scene. It is without a doubt that there would have been hundreds if not thousands of lives lost in the help of those brave public servants. It is our job to make sure that these our firefighters have the right tools and training so that they may continue to work saving thousands of people each year.

We must also remember that these acts of bravery not only occur in our cities but also in our national forests. As a citizen of the American West, I have seen the devastating effect forest fires have on our country. An average of over 1,818,000 fires burn nearly 4 million acres each year. Federal forest firefighters based throughout the country work with local departments to protect the national forest system.

Since 1981 the names of 2,181 firefighters have been added to the plaques that surround the National Fallen Firefighters Memorial. As a Co-Chairman of the Congressional Fire Services Caucus, I will continue to work to insure that these firefighters will not be forgotten.

RECOGNITION OF TOM MORDORF

Mr. HARKIN. Madam President, I rise today to say thank you and farewell to a trusted friend and a dedicated public servant, Tom Morford. For the past 5 years, Tom has served as the deputy administrator of the Health Resources and Services Administration, helping to bring health care to millions of underserved Americans. Without much fanfare or public recognition, he has quietly and dutifully served the American people in this post and in many others over the past three decades.

I do not know if Tom had planned for such a long career in public service when he came to Washington in 1971. Since he first began as a management intern at the then Department of Health, Education and Welfare, Tom has held numerous positions, authored 12 papers, and received more awards than time will allow me to recite.

For the past five years as deputy administrator of HRSA, Tom spent his days making hundreds of phone calls, reviewing budgets, and signing contracts. It isn’t the kind of work that will make you famous, but it does make a tremendous difference.

Tom was responsible for some of America’s most vital public health programs; the construction of health care facilities, the operation of health clinics in underserved areas, and the training of healthcare professionals. His leadership helped strengthen the nation’s community health centers, bringing primary health care services to nearly 12 million people this past year alone. Tom also helped pioneer the comprehensive telehealth network which provides first-class health care to the hardest to reach communities.

Tom’s accomplishments are much further than the systems he oversaw or the facilities he helped build. Tom’s greatest skill has always been his desire to put aside egos and politics so he could concentrate on serving the American people. From the secretaries and grants officers at HRSA to Members of Congress, Tom listens, builds relationships and trust, then gets the job done. By his example alone, Tom reminds us why we entered public service—to make a difference.

Now, thirty years later, Tom has decided to move on. He leaves behind a tremendous legacy and our nation’s healthcare system is better for his efforts. While he will be sorely missed, we will greatly miss his style, his kindness, and his anonymity done for millions of people.

It is said that “a hand never opens in vain.” Tom Morford has spent the last 30 years opening his hands to a successional line of presidents, senators, congressmen, to legislators, and to health care providers and advocates. Most importantly, Tom Morford opened his hands to the millions of forgotten who are often left in the shadows of our society. On behalf of my colleagues in the Congress and the millions of Americans who don’t know Tom, but who benefit from his work, I say a simply thank you. Thank you, Tom, for opening your hands to lift those most in need. You will be missed.

Mr. SPECTER. Today I want to salute and thank Mr. Thomas G. Morford, as he retires from the Department of Health and Human Services (HHS), after almost 30 years of dedicated service to the American people. As the Ranking Member of the Labor, HHS, and Education Subcommittee on Appropriations, I want to express my gratitude to Tom for the assistance he has provided to our subcommittee over the years. His knowledge of appropriations law and the federal budgetary process, and his willingness to assist my staff has been an invaluable service to the subcommittee. Tom spent many long hours, working under tight deadlines, in helping to craft our labor’s budget and, in turn, helping our subcommittee complete our appropriations bills. Vital programs like Healthy Start, the National Health Service Corps, Ryan White AIDS programs, and Health Professions—to name a few—have benefited from Tom’s tireless efforts.

Tom has been a valued member of the staff at HHS, first in the Office of the Secretary, then with the Health Care Financing Administration, and finally with the Health Resources and Services Administration. My staff and I will miss his presence, guidance, patience, and good humor during the fiscal year.
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2002 appropriations season and beyond. But, more importantly, the American people are losing a valued and dedicated public servant. Tom is one of those unsung heroes throughout our government who has made it his life’s work to help those in need. But, as Tom leaves us, I want to sing his praises and let all who hear this know what a great loss his departure means to so many of us. I recognize, though, that Tom is embarking on another new and exciting chapter in his life, both personally and professionally. I know that one of Tom’s goals is to spend more time with his wife, Gail, and their two daughters, which his retirement will allow him to do. I also know that Tom plans to continue to use his talents and gifts to help others in his new position with Johns Hopkins University. He deserves the very best in these future endeavors and, therefore, today I extend my heartfelt praise, thanks, and best wishes.

CAPTAIN ROBERT E. DOLAN, U.S. NAVY

Mr. WARNER. Madam President, I rise today to honor and pay tribute to the life of one of our servicemen who perished at the Pentagon during the horrific events of 11 September. Captain Robert E. Dolan. During one of my many recent visits to the site where so many tragically lost their lives, I met Captain Dolan’s widow, Mrs. Lisa Dolan. As we stood together on the southwest lawn of the Pentagon, we spoke of her husband and the love and devotion to his family and the Navy in which he was so proud to serve. Mrs. Dolan then handed me a copy of a letter of tribute to her husband which she wrote to the friends and family of her late husband be printed in the RECORD.

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

My husband, Captain Robert E. Dolan, and the people who perished along with him at the Pentagon, died as he lived: a hero.

He saw himself as an American with a simple life.

He was a man who saw his duty clearly, and did it unselfishly.

He was a man who knew honor as a badge, and wore it proudly.

He was a man who viewed service as a privilege, and performed it to the best of his ability.

To him, that was a simple life. But Captain Robert E. Dolan was anything but simple. He was a leader of men. He influenced thousands of members of the military family as Commander of the USS John Hancock, which has a motto of “First for Freedom.” He influenced many more as a fellow citizen, because Bob Dolan was every American. A quiet patriot. A good neighbor. A friend and fellow citizen. You see him every week coaching at Little League games and chaperoning at school dances. You sit next to him in churches and synagogues. You stand in line with him to vote.

And he was so much more than just a military leader to those who knew him best. He was:

A loving father to his daughter, Rebecca, and son, Ben.

A faithful and devoted husband, a dutiful and respectful son.

A wonderful brother.

A good and true friend.

Bob Dolan was the best and the brightest this country had to offer to the altar of freedom. That very freedom is an ideal that the rest of the world can only wonder at, and strive to comprehend the magnitude and glory of.

The Americans—both civilian and military—killed and wounded in the past few days under this unwarranted attack, join the ranks of patriots fallen in other conflicts. They are Americans all, and our duty is to remember them as heroes. Let us record that as their tribute. Let history record that as their legacy.

Abraham Lincoln once said: “there is a divinity that shapes our ends.” That divinity has now shaped Bob’s destiny. Like Lincoln, “he belongs to the ages.”

We pray that his rest is peaceful. Although ours cannot be, we rest easy in the memories of an American hero, and many more like him, so very much touched by the hand of God.

Sincerely,

LISA DOLAN

THE AMERICAN SMALL BUSINESS EMERGENCY RELIEF AND RECOVERY ACT

Mr. ROCKEFELLER. Madam President, I am proud to have joined last week with the Chairman and Ranking Republican Member of the Senate Small Business and Entrepreneurship Committee, as well as a bipartisan group of my colleagues to cosponsor S. 1499, the American Small Business Emergency Relief and Recovery Act of 2001.

It is no exaggeration to say that small businesses have always solidified the economic foundation of our country. While the Fortune 500 companies make the news, small businesses create most of the jobs and are responsible for much of the economy’s growth. When terrorists attacked our country on September 11, there were many unforeseen and unfortunate side-effects. Our economy, which was going through a tough period anyway, suffered a significant blow that day and has followed, and we can only hope that the recovery is rapid and steady. Unfortunately, the adverse effects of the September 11 attacks on many of our Nation’s 25 million small businesses may turn out to be even more profound than those sustained by the economy as a whole.

The bipartisan proposal that my colleagues and I have introduced will provide a significant and critical measure of relief necessary to help small businesses recover from the financial losses and other damages incurred in the days and weeks following the attacks.

Specifically, this emergency legislation will ensure greater stability in the industry by strengthening and expanding access to the Small Business Administration’s loans and management counseling. By aiding small businesses in their efforts to maintain and create new jobs, this legislation helps entrepreneurs and their employees to remain productive and self-sufficient.

This bill attempts to save small businesses and jobs and resources placed in jeopardy by addressing the decreasing availability of credit and venture capital afforded small businesses by traditional lenders and investors. In an effort to encourage this investment, the bipartisan proposal includes changes to two of SBA’s main non-disaster lending programs put in place to facilitate borrowing and lending.

By providing incentives for loans and investment, this bill protects those small businesses directly or indirectly affected because they are physically located in or near the buildings and areas attacked. Our hearts go out to the businesses and workers in this category, because on top of severe financial hardships, many in this category may have also suffered the loss of loved ones and co-workers.

The bill also targets small businesses directly or indirectly affected because they are suppliers, service providers, or complementary industries to any affected industry. This is the type of assistance that might help small businesses like the Galley Restaurant in the Benedum Airport in Bridgeport, WV. When the FAA shut down commercial aviation for the wake of the attacks, business at the Galley just stopped. Likewise, the bill could help the Mountain State Travel Agency in Clarksburg, WV. In the days after the attacks, Mountain State has turned out to be helping virtually nothing. It is my hope and belief that this legislation may help the Galley’s owner, Beverly Bland, and Mountain State’s owner, Maria Elena Oliverio, and the owners of thousands of small businesses in the entire state and throughout the country, from having to close the doors of their small businesses.
Finally, the bill will provide assistance to small businesses in need of capital and investment financing, procurement assistance or management counseling. The incentives include physical and economic injury disaster loans, reductions in interest rates, and easier approval standards on Guaranteed Business Loans.

Small businesses across our Nation are in great need of economic assistance. The vitality of this sector is of crucial importance to our economy. This bill will allow thousands of working families the opportunity to maintain a reasonable standard of living, and give small business owners the boost they need to maintain and hopefully grow their businesses.

EXPRESSING GRATITUDE TO THE MEXICAN SENATE FOR ITS SUPPORT IN THE FIGHT AGAINST TERRORISM

Mr. DODD. Madam President, last week representatives of the Mexican Senate came to the U.S. Senate to meet with legislators and express their support for the U.S.-led effort against terrorism. Mexico has always been a close neighbor and friend to the United States, and the Senators traveled here to ensure us that, in this time of need, our friend and ally Mexico stands by us.

The delegation of Mexican Senators presented the Majority Leader, Mr. DASCHLE, with a letter from Diego Fernandez De Cevallos, the President of the Mexican Senate, which expresses the Mexican Senate’s condolences in the aftermath of the tragic events of September 11th. That letter also contained a statement from the entire membership of the Mexican Senate commenting on the attacks and the unique relationship between Mexico and the United States, and the Senators traveled here to ensure us that, in this time of need, our friend and ally Mexico stands by us.

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At times like these every expression of support from our allies is important. However, given the special relationship between the United States and Mexico, it is even more important to see evidence that our allegiance is strong. These letters prove exactly that. I thank the Mexican Senate for their support.

I seek unanimous consent that the letter and statement from the Mexican Senators be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:


HON. TOM DASCHLE, Majority Leader, U.S. Senate, Capitol Building, Washington DC.

DEAR SENATOR DASCHLE: On the occasion of the visit of a delegation of Mexican Senators to the United States, and in the name of the Senate of the Republic of Mexico, allow me to express to the people and to the Government of the United States, our profound shock and condolences in the aftermath of the tragic events of September 11, 2001 against humanity itself.

It is truly hard to find words adequate to convey the sadness and anguish that all Mexicans feel at the loss of so many innocent lives.

As legislators there are many things we can do together with the U.S. and other Congresses to confront the barbaric threat of terrorism of any kind, as well as the harm that is caused by various forms of fanaticism.

We declare ourselves once again unequivocally in favor of peace, justice, and international solidarity.

I have asked the delegation of Mexican Senators who are visiting your Congress this week to provide you with a copy of the statement which was presented to the Mexican Senate on September 11 in response to that tragic act, which we also provided to his Excellency Ambassador Jeffrey Davidso by that it might be known to the American people and the Government of the United States.

Sincerely,

DIEGO FERNANDEZ DE CEVALLOS,
President of the Mexican Senate.

STATEMENT OF THE MEXICAN SENATE


The Mexican Senate wishes to express to the Government of the United States of America as well as to all Nations, its most profound sympathy and deep indignation relative to the barbarous acts which today have offended the entire world.

The Mexican Senate calls upon all men and women of good faith to prevent this tragedy from escalating into an interminable blood bath.

Let us bring together the governments and peoples of the world to work together to guard against further harm; to scrupulously respect human rights throughout the world; and to build together a peaceful, dignified, and just world for all mankind.

THE U.S. ROLE IN OCEAN EXPLORATION

Mr. AKAKA. Madam President, as we contend with the threats of global terrorism and our national sorrow in the aftermath of September 11th, we must focus on the accomplishments, ideals, and spirit that make America great and look to the future with a renewed sense of resolve and hope. As we engaged in exploring the American continent in the 19th century, and the far reaches of space in the 20th century, we must welcome, in this new century, the challenge of exploring our oceans, the last uncharted frontier. Oceans make up 70 percent of the earth’s surface, yet we have characterized less than ten percent of the United States’ Exclusive Economic Zone, the nation’s picket line. EEOZ, the United States has jurisdiction over more submerged lands than terrestrial lands. Newly charted research voyages and state-of-the-art underwater technology give us the tools we need to make new discoveries to aid us in better understanding the underwater world.

My focus on ocean exploration is timely because the National Oceanic and Atmospheric Administration celebrated the culmination of two voyages of discovery in Charleston, South Carolina, on October 1, 2001. The “Deep East Expedition” and “Islands in the Stream” projects represent two important steps in revitalizing our exploration of the oceans. Through these journeys, NOAA scientists and their partners are uncovering the ocean’s secrets.

The “Deep East Expedition” sailed from Maine to Georgia to investigate the diversity of deep-sea coral beds and gas hydrate communities that may contain new energy resources. On a simultaneous timetable, “Islands in the Stream” followed the Gulf Stream both from Maine to North Carolina. Scientists investigated ocean currents in the Gulf of Mexico, dove in submersibles examining coral reef and hard-bottom communities, and conducted acoustic surveys to characterize the ocean floor. NOAA partnered on these two projects with Woods Hole and Harbor Branch Oceanographic Institutes, the National Geographic Society, numerous universities and other federal agencies, such as NASA and the US Geological Survey.

This summer, NOAA’s flagship research vessel, the Ronald H. Brown, returned from an unparalleled journey of discovery in the undersea Astoria Canyon, beyond the mouth of the Columbia River, Oregon. This voyage entitled the “Lewis and Clark Legacy Expedition” and was intended to be an extension of that historic journey which ended at the mouth of the Columbia River almost two hundred years ago. The scientists discovered two new species, investigated deep-water communities never before seen, at depths of over one half mile. Using advanced sonar technology, scientists created three-dimensional views of the canyon’s sea floor texture and discovered an ancient shoreline from the last ice age, over 17,000 years ago. These discoveries will help answer questions about how glaciers, earthquakes, and plate movement affect the earth’s geological history and its future.

Just as Thomas Jefferson commissioned Lewis and Clark in 1803 to gather scientific facts of the uncharted Western lands, so too must we be visionary in commissioning our best scientists to map and discover unknown reaches of the oceans. We must duplicate Jefferson’s “Corps of Discovery” for our ocean depths. This undiscovered domain is believed to contain many times the biomass of all the rainforests and terrestrial life forms combined.

These explorations have already embarked upon this journey. Just as explorers of the past mapped the mountain ranges and the riverways of our nation, these modern explorers have begun mapping the ranges and riverways beneath the surface of the ocean. Two weeks ago Congress heard many of these explorers, researchers and managers speak about the important role of the oceans in global climate change, weather patterns and carbon cycling, as we celebrate the International Oceans Day. Presenters highlighted the successes of ocean exploration and the challenges that lie ahead.
Recent developments in sonar and submersible vehicles promise to accelerate discoveries in ocean depths. Multibeam sonar, emitting a wide swath, gives the exact contour of the ocean bottom, rather than extrapolating from a single beam directed below. This enhanced sonar detects temperature fluctuations to fractions of a degree. The upper few hundred feet of the oceans hold 1000 times more heat than the atmosphere, but scientists do not yet know how this may influence global climate. The private sector is improving the capabilities of remotely operated vehicles and autonomous underwater vehicles. These vehicles, armed with the newest in sonar equipment, will gain better knowledge of bathymetry, resources and navigation.

Two years ago, President Clinton convened an internationally renowned panel of oceanographers and charged them to develop a United States strategy for ocean exploration. In October of 2000, the Ocean Exploration Panel presented its recommendations. The panel challenged the federal government to embrace the discovery of the unknown, to dedicate a vessel for ocean exploration, and to establish an Ocean Exploration Program.

The National Oceanic and Atmospheric Administration provided leadership on this directive by establishing the Office of Ocean Exploration. The Bush Administration proposed $14 million for NOAA to accomplish this significant endeavor for Fiscal Year 2002. The Senate Appropriations bill for the Departments of Commerce, Justice and State provided for this amount, and it is my hope that it will be retained in conference.

The panel further recommended designating a lead federal agency for ocean exploration. The National Oceanic and Atmospheric Administration in the Department of Commerce has the authority, the mission, the track record, the desire, and the capabilities to provide a leadership role. For these reasons, NOAA should be recognized as the federal leader for ocean exploration.

In the Senate of Hawaii, our cultural history is entwined in the history of the ocean. From fishermen to tourists, researchers to snorkelers, we integrate the oceans into our daily lives. Marine life as viewed from one window which define Hawaii. The Hawaiian Islands Humpback Whale National Marine Sanctuary, the Northwest Hawaiian Islands Coral Reef Ecosystem Reserve, and many other federal and state marine protected areas illustrate the importance we as a community place on our marine resources. The commitment to nurture, protect, and educate people about the ocean represents the essence of malama i‘ai, care for the sea, which is so important to the Hawaiians. The importance of the sea to our sustenance and livelihoods, it is essential that we learn about and share the responsibility to protect our ocean and coastal resources.

The steep terrain of Hawaii’s coastal underwater lands and its location in the Pacific Ocean make Hawaii a prime candidate from which to launch deep-sea exploration. From Hawaii Undersea Research Laboratory (HURL), established by NOAA under the National Undersea Research Program and the University of Hawaii, works through private, state and federal grants to study the processes of the deep ocean. HURL has been studying the volcanic activity of the undersea volcano, Loihi, and its effects on the global carbon cycle and tsunamis. Studying this dramatic phenomenon is critical to understanding the formation of Pacific Islands and submerged land masses that provide essential habitat for marine life.

I applaud the efforts of those who continue down the unmarked path toward ocean exploration, constructing the underwater observatories. At this time of national resolve and sorrow, I call attention to the global challenges that we face to understand the inner space of our earth—the oceans. A true ocean odyssey under the most sophisticated or in simple boats operated in cooperation with the Navy, National Science Foundation, NASA, the USGS, universities and private not-for-profit organizations. Our oceans are crucial to our existence and national security; we must understand them.

AMERICA MUST OPPOSE HATE CRIME

Mr. VOINOVICH. Madam President, one of the guiding principles upon which the United States of America was founded is that of religious freedom. Indeed, it is guaranteed in the Constitution, and it is a right that we as Americans hold dear.

Our Constitution welcomes to these shores from nations all over the world searching for the ability to worship as they pleased, and even now, men, women and children still come to the United States to do so. Today, virtually every branch of religion known to man is represented here in the United States. That fact should not only be expected in a Nation of immigrants, but our diversity of cultures and religions should be celebrated.

However, in the wake of the September 11 terrorist attacks, events have occurred across this Nation that fly in the face of our Constitutional guarantees. Acts of hatred have been perpetrated against Arab-Americans and Muslim-Americans as if they had carried out or even condoned the killing of thousands of innocents.

I am disturbed by the stories I have heard in the last few weeks: a Sikh gas station owner in Mesa, AZ, who was shot and killed in the weekend following the attack simply because he was wearing a turban; a Pakistani Muslim grocer in Texas, as well as an Egyptian Christian in California, both killed in crimes of hate as a result of the attacks; two girls in Palos Hills, IL, beaten because they were Muslim; a mosque in Evansville, IN, damaged by a man who rammed his car through a wall. We have had incidences of intolerance in my own home state of Ohio, and within a few hours, our buildings have been tossed through the windows of Arab-American owned businesses in Hamilton, and an Islamic Center in Cincinnati continues to receive harassing and threatening phone calls.

These stories, which have resonated across the country, do not constitute the views of the majority of Americans. Indeed, most Americans are peaceful and tolerant. The individuals perpetrating these crimes may think these acts represent patriotism, but they are far from it. Instead, they are perpetuating a hatred similar to that which drove 19 terrorists to take so many lives on that fateful Tuesday, and it must stop.

There are 6.5 million Muslims living in the United States today. While September 27, the FBI was investigating over 90 hate crimes committed against Muslims, individuals of Middle Eastern and South Asian descent, or in some cases, individuals who appear Muslim or Middle Eastern. While these cases are under investigation, the Council on American-Islamic Relations has received reports of more than 625 attacks against Arab-American businesses. This type of bigotry cannot go on.

On September 11, the terrorists did not single out their victims based on what they looked like or how they worshiped. They killed American citizens and foreign nationals of dozens of other nations indiscriminately. They murdered men, women and children of different ethnic backgrounds and religions, many of whom were themselves Muslims.

Some of our citizens have lost loved ones and friends, yet the vast majority of us have lost only our innocence. Our Nation is hurting right now, and we will all grieve in our own fashion, but we must not redirect our anger and frustration against one another. Even in the face of such hatred in our own Nation, the rays of hope and compassion still shine. The same Islamic Center in Cincinnati that has been the target of hate has raised $6,000 for the American Red Cross, and will hold a blood drive soon to help in rescue efforts. Muslims from the tri-state area, Ohio, Kentucky and Indiana, have also helped in the relief efforts, calling on their community to donate blood, give money, and pray for the victims and their families.

As President George W. Bush stated in his September 20 speech to the Nation, ‘‘[Islam’s] teachings are good and peaceful, and those who commit evil in the name of Allah blaspheme the name of Allah.’’ We must not only remember these words in the weeks to come, but we need to assure men and women of all backgrounds that the American
people understand that the terrorists who attacked the United States do not represent all Muslims, just like those who commit hate crimes against Americans of Muslim or Middle Eastern origin do not represent all Americans. The more that we understand one another, the greater the chance for peace.

THE FEDERAL WORKFORCE AS A CRITICAL INFRASTRUCTURE

Mr. AKAKA. Madam President, I rise today to call attention to the dedicated men and women in our Federal workforce and the invaluable contributions they make to our Nation.

The tragic events three weeks ago appropriately has focused our attention on new ways to protect our Nation’s critical infrastructure. A number of activities have been identified including communication, emergency services, and transportation. All are essential to the running of our country. However, on September 11 we were all quickly reminded of another critical infrastructure—our Federal Government and its workforce. For every essential service these attacks disrupted, we expected our government to respond quickly and effectively—and that is what our government did. Our Nation’s recovery will be aided because of the talents and professionalism of our Federal workforce.

Like us all, I was struck by the heroism of rescue workers in the moments following the events of September 11. Law enforcement officers, firefighters, and others raced into buildings to save lives. Teachers calmed children in schools and kept them safe from the surrounding horrors. Local officials executed response plans and coordinated resources. These are among the many examples we will long remember.

Representatives from the Federal Government worked side by side with those brave and selfless local and State heroes. Various federal agencies responded to immediate social and community needs by providing temporary food and shelter, emergency child care, and other support services. At ground zero, the Federal Emergency Management Agency, the Army Corps of Engineers, and other Federal agencies worked with State and local rescue workers. They set up emergency and coordinated disaster responses, opened community centers, and provided counseling and medical assistance. Federal transportation agencies worked with industry to put our air, rail, and road networks back into operation. Our Federal Law Enforcement Officers and Intelligence specialists spent long hours in intense investigations to track down the terrorists and their networks. More than 2,100 federal employees were deployed in disaster response teams alone, not counting the thousands of others who responded to this national crisis as a part of their normal duties.

Despite the attacks, Americans were able to rely on their government. We received our mail. The Federal Government ensured the stability of our financial markets and Americans were able to count on the reliability of their banks.

Our Federal workforce responded in other ways not as immediately obvious, but just as important to our country’s needs. Federal employees ensured the availability of a clean blood supply and monitored the quality of our air and water. Aid was provided through the timely processing of claims for survivors of victims and financial assistance for those who lost their unemployement insurance. Special loans were made available to small businesses and residents displaced by the disaster.

Despite the events of September 11, our Nation is functioning and recovering. This is due in part to the efforts of our Federal workforce whose response was immediate and thorough. The Federal workforce is this nation’s backbone. Our ability to be resolute in confronting a faceless enemy is partially attributable to the strength of our backbone. We can take comfort and pride in the resilience and fortitude of our government workers.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred May 29, 2001 in Honolulu, HI. Two teens were charged with attempted murder after allegedly dousing the tents of gay campers, while people were inside, with flammable liquid and setting one on fire in Polihale State Park. Police believe the crime is a hate crime based on “insinuations and remarks” made by the suspects at the time. Victims in the attack said the perpetrators threw rocks and shouted homophobic slurs at about 20 men prior to setting the tent on fire.

I believe that government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

ADDITIONAL STATEMENTS

IN HONOR OF ALDERMAN JAMES BALCER

Mr. DURBIN. Madam President, I rise today to honor a man who has served not only the City of Chicago with tireless dedication but who has served his county with selfless valor. Alderman James Balcer is a hero by any definition, and the Bronze Star recently pinned to his chest is only a token symbol of a life marked by bravery and service.

The people of Chicago know Jim Balcer as Alderman Balcer, representing the 11th ward on the City Council. They know him as a strong advocate for the city’s veterans and as an effective voice for his community. Few know more about military history or are more dedicated to understanding the challenges facing those who have fought for our country. During his four years on the city council, Alderman Balcer has worked tirelessly for his constituents and sung their praises without so much as a note from his own horn.

But long before he was Alderman Balcer, Jim was Pfc. Balcer in the U.S. Marine Corps. As an 18-year-old soldier more familiar with the streets of his home area of Bridgeport than the jungles of southeast Asia, Balcer was a member of the 9th Marine Regiment during the Vietnam War. In late February of 1969, Pfc. Balcer and his company were holding their position on a hilltop in the A Shau Valley in Laos. A group of Vietnamese Viet Cong descended into the valley below on a reconnaissance mission, enemy fire erupted from the dense foliage, trapping the group in a hail of bullets and shrapnel.

With dozens of young Marines killed and wounded at the bottom of the hill, it was Pfc. Jim Balcer who volunteered to lead the mission to rescue them. Through that long Laotian night, in the pouring rain and deep, treacherous mud, Balcer made trip after trip into the valley to reach his fallen comrades. Half-hour descents through the jungle were followed by nearly four hours of backbreaking climbs up steep and slippery embankments, under enemy fire and carrying makeshift stretchers made from ponchos.

Thanks to Pfc. Balcer and his fellow Marines, every member of the 9th Regiment who went into the valley that night in 1969 came out. The Bronze Star is given to soldiers who distinguish themselves “by heroic or meritorious achievement or service . . . while engaged in an action against an enemy of the United States or while engaged in military operations involving conflict with an opposing foreign force.” Ordinary language to describe extraordinary courage, but hardly enough to describe the actions of someone who to this day still tells his own story without a hint of bravado.

The City of Chicago is fortunate to have someone so tenacious and selfless on its side. Alderman Jim Balcer is as dedicated to Chicago and its people now as he was to his fellow soldiers then. A man of integrity and honor, he is to be commended on receiving the Bronze Star. Wear it proudly, Jim, for we are proud of you.

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TRIBUTE TO S. LANE FAISON, JR.

Mr. JEFFORDS. Madam President, today I rise to recognize the contributions of S. Lane Faison, Jr., to American art education and museums, and to acknowledge with gratitude, his 20-year service as a trustee of the Bennington Museum in Bennington, Vermont.

Professor Faison’s seventy year career as an art history teacher, curator, scholar, and administrator reflects his significant efforts in the advancement of art, and its importance to our cultural identity. His scholarly influence has been extensive, and he has created an extraordinary legacy that he has generously shared with his community.

Since 1981, Professor Faison has given his time and expertise as a highly valued and appreciated trustee of the Bennington Museum. It is very fitting that the Bennington Museum Board of Trustees has chosen to honor him through the establishment of a fund designated exclusively for enhancing exhibitions. It is my pleasure to acknowledge the S. Lane Faison, Jr. Exhibition Endowment Fund” and to congratulate Professor Faison on the establishment of this fund in his honor.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The nominations received today are printed at the end of the Senate proceedings.

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on October 5, 2001, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolutions:

H.J. Res. 42. A joint resolution memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

H.J. Res. 51. A joint resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam.

Under the authority of the order of the Senate of January 3, 2001, the enrolled joint resolutions were signed by the President pro tempore (Mr. BYRD) on October 5, 2001.

At 11:40 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2564. An act to provide for the continuation of agricultural programs through fiscal year 2011.

H.R. 2883. An act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, and has agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appropriated such sums as the managers of the conference on the part of the House: Mr. Istook, Mr. Wolf, Mrs. Northup, Mr. Sununu, Mr. Peterson of Pennsylvania, Mr. Tahart, Mr. Sweeney, Mr. Sherwood, Mr. Young of Florida, Mr. Hoyle, Mrs. Meeke of Florida, Mr. Price of North Carolina, Mr. Rothman, Mr. visclosky, and Mr. Obey.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar.

S. 1499. A bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

S. 1530. A bill to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigative tools, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2883. An act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–4325. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Trail, NC” (Doc. No. 01–127) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4326. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, DTV Broadcast Stations; Spokane, WA” (Doc. No. 00–137) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4327. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Pittsburg, KS” (Doc. No. 01–127) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4328. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Albemarle and Indian Trail, NC” (Doc. No. 01–127) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4329. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Hudson Falls, NY” (Doc. No. 99–127) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4330. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the North-eastern United States, Fishery Management Plan for Tilefish” (RIN0648–AF97) received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4331. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone of the United States, Reauthorization” received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4332. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States and in the Western Pacific: Pacific Coast Groundfish Fishery; Pacific Whiting Allocation” received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4333. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination confirmed for the position of General Counsel, Office of the Secretary, received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4334. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination confirmed for the position of Administrator, Research and Special Programs Administration, received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–4335. A communication from the Attorney/Advisor, Department of Transportation,
transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Aviation and International Affairs, received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–336. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fishing Off West Coast States and in the Western Pacific: West Coast Salmon Fisheries; Inseason Adjustment for the Commercial Salmon Season from Queets River, WA, to Cape Falcon, OR” received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–337. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Implementation of Conditional Closures in the Gulf of Maine” received on October 3, 2001; to the Committee on Commerce, Science, and Transportation.

EC–338. A communication from the Attorney/Advisor, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Transportation Policy, received on October 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC–339. A communication from the Chief of the Division of Management Authority, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Import of Polar Bear Trophies from Canada: Change in the Special Permit Program; Virginia” (FRL7073–7) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–340. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled “Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; State of Tennessee Authorization Application”; to the Committee on Environment and Public Works.

EC–341. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled “National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminating Source”; to the Committee on Environment and Public Works.

EC–342. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Clean Air Act Full Approval of Operating Permit Program, Virginia” (FRL7073–6) received on October 2, 2001; to the Committee on Environment and Public Works.

EC–343. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Idaho; Final Authorization of State Hazardous Waste Management Program Revisions” (FRL7074–2) received on October 2, 2001; to the Committee on Environment and Public Works.

EC–344. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Plan: Wisconsin; Post-1998 Rate of Progress Plan for the Milwaukee–Racine Ozone Nonattainment Area” (FRL7076–6) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–345. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revision to the California State Implementation Plan, Tehama County Air Pollution Control District” (FRL7069–9) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–346. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, the monthly status report on the Chairman’s Regulatory duties, July 2001; to the Committee on Environment and Public Works.

EC–347. A communication from the Principal Deputy Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Plan: Wisconsin; Post-1998 Rate of Progress Plan for the M’Clintock Channel Population” (RIN1018–AH72) received on October 1, 2001; to the Committee on Environment and Public Works.

EC–348. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revision to the California State Implementation Plan, Bay Area Air Quality Management District” (FRL7055–7) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–349. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Conditional Approval Implementation Plans; Ohio” (FRL7082–5) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–350. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District and Imperial County Air Pollution Control District” (FRL7070–8) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–351. A communication from the Principal Deputy Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District and Imperial County Air Pollution Control District” (FRL7070–8) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–352. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District” (FRL7067) received on October 3, 2001; to the Committee on Environment and Public Works.

EC–353. A communication from the President of the United States (received and referred on October 9, 2001), transmitting, consistent with the War Powers Act, a report relative to Afghanistan; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and are referred to in the table as indicated:

POM–187. A resolution adopted by the House of the Legislature of the state of Michigan relative to China; to the Committee on Foreign Relations.

HOUSE RESOLUTION No. 105

Whereas, Falun Gong, which is also known as Falun Dafa, is a discipline of personal beliefs that incorporates Chinese culture, and principles based on truthfulness, compassion, and forbearance. Its millions of practitioners work to attain inner peace, health, and knowledge, to deal with stress and conflict in life; and

Whereas, Over the past several years, authorities in the People’s Republic of China have taken strong and brutal actions against practitioners of Falun Gong. Reports indicate that tens of thousands of people have been injured and sent to labor camps, and property owned by those who follow this discipline has been destroyed or confiscated. The aggressive actions taken by the state reflect a systematic commitment to eliminate Falun Gong and those who pursue it; and

Whereas, The persecution of practitioners of Falun Gong is in apparent violation of the People’s Republic of China’s own constitution and a flagrant violation of standards of human rights recognized by the United Nations and most governments of the world; and

Whereas, Citizens of Michigan who practice Falun Gong and those who understand Falun Gong cannot be deprivation of the Chinese authorities. Indeed, those who value human rights seek an increase of efforts to urge the People’s Republic of China to halt this persecution; Now, therefore, be it

Resolved. That copies of this resolution be transmitted to the United States Secretary of State; the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation. Adopted by the House of Representatives, June 19, 2001.

POM–188. A resolution adopted by the House of the Legislature of the State of Michigan relative to Latvia; to the Committee on Foreign Relations.

Whereas, Since its formation in the wake of World War II, NATO has been an important force in bringing peace, stability, and partnership to the member nations. In addition to its role to work for the security of an area of the world wracked by the horrors of wars, NATO has promoted the growth of democracy and accountability that are vital to the world and not only of the individual countries, but also the future of Europe and much of the world; and

Whereas, Since the restoration of its independence in 1991, Latvia has been a leader among former Iron Curtain countries in developing democratic institutions and fostering a free-market economy. Latvia has also reformed its national defense based on NATO through its work in a host of world and trade organizations; and

Whereas, Latvia has a long and distinguished record of leadership among the Baltic nations. Hundreds of years ago, it was a key member of the Hanseatic League, and Latvia has been a key trading partner with its European neighbors throughout history. From the ruins of World War I, it developed a vibrant economy with democratic principles, and democracy;

Whereas, Latvia is strongly committed to NATO’s defense priorities. Further, it has set
in place prudent monetary and social policies well in keeping with those of other eastern European nations that have recently become part of NATO. Opening the doors of welcome to Latvia will expand the breadth of this vitally important organization; now, therefore, be it

Resolved, That the President and the Congress of the United States to work for the admission of Latvia into NATO; and be it further

Resolved, That copies of this resolution shall be transmitted to the President of the United States, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.


POM-189. A joint resolution adopted by the Legislature of the State of Alaska relative to long-term care insurance; to the Committee on Finance.

LEGISLATIVE RESOLVE No. 36

Whereas members of the baby boom generation are beginning to retire, which will put a strain on the financial resources of younger workers, and their taxes and insurance premiums will be increased to cover the resulting rise in total Social Security and Medicare payments to retirees; and

Whereas Medicaid was designed as a program for the poor but, in many states, Medicaid is being used to fund long-term care expenses for middle-income elderly people; and

Whereas, in the coming decade, people over 65 years of age will represent 20 percent or more of the population, and the proportion of the population composed of individuals who are over age 85 and are most likely to be in need of long-term care may double or triple; and

Whereas the costs of nursing home care can have a catastrophic effect on families, wiping out a lifetime of savings before a spouse, parent, or grandparent becomes eligible for Medicaid; and

Whereas many people are unaware that most long-term care costs are not covered by Medicare and that Medicaid covers long-term care only after the person’s assets have been exhausted; and

Whereas widespread use of private, long-term care insurance has the potential to protect against catastrophic costs of long-term care services while, at the same time, easing the burden on Medicaid as the baby boom generation ages; and

Whereas the federal government has endorsed the concept of private, long-term care insurance by establishing some federal tax rules for tax-qualified policies in the Health Insurance Portability and Accountability Act of 1996; be it

Resolved, That the Alaska State Legislature respectfully requests the Congress to determine to what extent tax rules may discriminate against the buyers of long-term care insurance policies and to look for ways to remove such barriers and implement new incentive for the purchase of long-term care insurance by individual Americans.

Copies of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice President of the United States; and President of the U.S. Senate; the Honorable Tommy Thompson, United States Secretary of Health and Human Services; to the Honorable Ben Nighthorse Campbell, and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; the Honorable Bob Blackburn, Governor of Alaska; and Bob Kohl, Director of the Division of Service, Department of Community and Economic Development; and to Jane P. Dernert, Executive Officer of the Alaska Commission on Aging, Division of Senior Services, Department of Administration.


POM-190. A joint resolution adopted by the Legislature of the State of Alaska relative to the Federal Temporary Assistance to Needy Families Program; to the Committee on Finance.

LEGISLATIVE RESOLVE No. 35

Whereas the Temporary Assistance to Needy Families (TANF) block grant program mandates a block grant at the federal level; whereas the welfare reform provisions of the personal responsibility and work opportunity reconciliation act of 1996 included modest supplemental grants for 17 relatively poor or rapidly growing states; and

Whereas the State of Alaska was awarded a supplemental grant because the state’s population growth exceeds the national average by 10 percent between April 1, 1996, and July 1, 1994, and

Whereas the supplemental grants included in PRWORA were authorized only through federal fiscal year 2001, while the remainder of the law was authorized through federal fiscal year 2002; and

Whereas, because the supplemental grants will expire, Alaska will face a reduction in its TANF funding in the amount of $6,887,800, or 13 percent of its block grant, starting at the beginning of federal fiscal year 2002 on October 1, 2001; and

Whereas the elimination of the supplemental grant for the State of Alaska to scale back its welfare reform efforts, which have been very successful in moving people off welfare, into work, and out of poverty; and

Whereas the TANF block grant provides a broad range of services to Alaskans through the Alaska temporary assistance program, including cash benefits, child care, case management, job development, job training and placement, program administration, transportation, and other supportive services; and

Wheresas the federal government has provided other essential services to needy Alaskans not receiving welfare, including child care, child protection, victims of domestic violence, the Healthy Family program, pregnancy prevention, and teen parent services; and

Whereas the elimination of the supplemental TANF grant will also result in the loss of federal funding to some or all of these programs and services; be it

Resolved, That the Alaska State Legislature respectfully requests the Congress to continue the TANF supplemental block grants through federal fiscal year 2002, the end of the full TANF authorization period.

Copies of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Tommy Thompson, United States Secretary of Health and Human Services; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to all the other members of the 107th United States Congress.

POM-191. A joint resolution adopted by the Legislature of the State of Alaska relative to the United States Coast Guard; to the Committee on Appropriations.

LEGISLATIVE RESOLVE No. 19

Whereas the United States Coast Guard is a military multi-mission maritime service that has answered the call of the United States public continuously for more than 210 years; and

Whereas the United States Coast Guard has provided critical services to the citizens of Alaska; and

Whereas, throughout its history, the United States Coast Guard’s roles as lifesaver and guardian of the sea have remained constant, while its missions have evolved and expanded with the growth of the nation; and

Whereas the mission of the United States Coast Guard is to protect the nation’s safety, security, environment, and economy; and

Whereas the United States Coast Guard’s operating goals of safety, natural resource protection, maritime security, and national defense enable it to touch everyone in the nation; and

Whereas the United States Coast Guard pursues its goal of safety primarily through its search and rescue and marine safety operations; and

Whereas the United States Coast Guard is the only organization or government agency that has the extensive inventory of assets and expertise necessary to conduct search and rescue operations for both recreational boaters and commercial mariners on lakes, on rivers, in shore areas, and on the high seas; and

Whereas the United States Coast Guard provides the first line of defense in protecting the maritime environment through its marine safety program, which ensures the safe and commercial transport of passengers and cargo, including oil, through the nation’s waters, and which guards the nation’s maritime borders from incursions by foreign fishermen and drug smugglers; and

Whereas the United States Coast Guard is a global model of efficient military multi-mission maritime service for the emerging coast guard organizations of the world and helps friendly countries to become positive forces of peace and stability, which promotes democracy and the rule of law; and

Whereas United States Coast Guard personnel are a highly motivated group of people who are committed to providing essential and valuable services to the American public; and

Whereas the United States Coast Guard military structure, law enforcement authority, and humanitarian functions make it a unique arm of national security and enable it to support broad national goals; and

Whereas the United States Coast Guard is well known for being the first to reach the scene when maritime disaster strikes, and it continues to be given the task of protecting the nation’s waters from pollution, the nation’s borders from drug smuggling, and the nation’s ports from terrorist attacks, and to be assigned additional duties that stretch thin its personnel and resources; be it

Resolved, That the Alaska State Legislature urges the United States Congress to fully fund the United States Coast Guard’s
supplemental budget for its operational readiness and recapitalization requirements to ensure that this humanitarian arm of the nation’s national security system remains “semper paratus” throughout the Twenty-First Century.

Copies of this resolution shall be sent to the Honorable Dick Cheney, Vice-President of the United States of America; the President of the Senate; the Honorable Thad Cochran, Chairman of the Senate Appropriations Committee; the Honorable Robert C. Byrd, Chairman of the Senate Appropriations Committee; the Honorable Pete Domenici, Chairman of the Appropriations Committee; the Honorable Betty McCollum, Chairwoman of the House Appropriations Committee; the Honorable Charles F. Gerald, Chairman of the House Appropriations Committee; and the Honorable George Miller, Chair of the Committee on Appropriations.

POM-193. A concurrent resolution adopted by the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Appropriations.

POM-194. A concurrent resolution adopted by the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Energy and Natural Resources.

POM-195. A concurrent resolution adopted by the Senate of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Appropriations.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Energy and Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Appropriations.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Energy and Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Appropriations.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Energy and Natural Resources.

Resolved, That the Legislature of the State of Utah relative to cricket and grasshopper infestation; to the Committee on Natural Resources.
Resolved, That the Legislature of the state of Utah urges the United States Congress to support its plan introduced by President Bush; be it further
Resolved, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–197. A joint resolution adopted by the Legislature of the State of Utah relative to rescinding the call for constitutional convention; to the Committee on Rules and Administration.

HOUSE JOINT RESOLUTION No. 15
Whereas, the Legislature of the state of Utah, acting with the best of intentions, has, at various times, previously made applications to the Congress of the United States of America for one or more constitutional conventions for general purposes or for the limited purposes of considering amendments to the Constitution of the United States of America on various subjects and for various purposes;
Whereas, former Justices of the United States Supreme Court and other leading constitutional scholars are of the general conviction that a constitutional convention, notwithstanding whatever limitations have been specified in the applications of the several states, is one that would have gone beyond the scope of its authority the complete redrafting of the Constitution of the United States of America, thereby creating an immovable establishment of a core retiree of the people and to the constitutional principles under which we are presently governed;
Whereas, the Constitution of the United States of America has been amended many times in the history of the nation and may yet be amended many more times, and has been interpreted and enforced, pursuant to the process provided therein and previously used throughout the history of this nation, without resort to a constitutional convention;
Whereas, such changes or amendments as may be needed in the present Constitution may be secured and enacted, pursuant to the process provided therein and previously used throughout the history of this nation, without resort to a constitutional convention; be it further
Resolved by the Legislature of the state of Utah, That any and all existing applications to the Congress of the United States of America for constitutional conventions or conventions heretofore made by the Legislature of the state of Utah under Article V of the Constitution of the United States of America for any purpose, whether limited or general, be hereby repealed, rescinded, and canceled and rendered null and void to the extent that such applications had never been made; be it further
Resolved, That the Legislature of the state of Utah urges the adoption of each and every state which is applied to Congress for either a general or a limited constitutional convention to repeal and rescind the applications; be it further
Resolved, That a copy of this resolution be sent to presiding officers of both houses of the legislatures of each of the other states of the Union, the United States Senate, to the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–198. A joint resolution adopted by the Legislature of the State of Utah relative to the regulation of poll closing; to the Committee on Rules and Administration.

HOUSE JOINT RESOLUTION No. 6
Whereas, during election night in 2000, television networks made declarations of victory based on partial data from the United States before the polls had closed;
Whereas, in one erroneous declaration, the winner of the competitive state of Florida was announced hours before polls in the western region of the nation were closed and before all polls in western Florida has closed;
Whereas, when news services declare winners before the nation's polls close, voters in states where polls are not yet closed may conclude that their vote will not affect the outcome and choose not to vote;
Whereas, releasing the vote count results for states where winners were declared before the closure of polling places in other regions of the country can distort the results of an election by suggesting that votes not yet cast will have no bearing on the outcome;
Whereas, in close races like the most recent election of President of the United States, declarations of victory before polls close can affect the outcome of the vote;
Whereas, a uniform poll closing time would prevent the publicizing of early election returns in one region of the nation from impacting the vote in other regions;
Whereas, if a uniform poll closing time was established for the Eastern, Central, Mountain, and Pacific time zones, polling places in western regions of the country could open earlier on the morning of election day to compensate for their earlier closing time; and
Whereas, uniform poll closing times in these time zones would significantly reduce the possibility that an election could be tainted by premature declarations of victory; Now, therefore be it
Resolved, That the Legislature of the state of Utah urges the United States Congress to institute uniform poll closing times for states in the Eastern, Central, Mountain, and Pacific time zones; be it further
Resolved, That the United States Congress review the factors that contributed to the problems in the 2000 General Election vote and consider acts for the Presidency of the United States; be it further
Resolved, That a copy of this resolution be presented to the President of the United States up to aof the United States House of Representatives, and the members of Utah's congressional delegation.

POM–199. A joint resolution adopted by the Legislature of the State of Utah relative to Social Security; to the Committee on Finance.

HOUSE JOINT RESOLUTION No. 2
Whereas, Social Security is a federal program that requires almost unanimous participation by employed workers in the state of Utah and throughout the United States;
Whereas, the retirement portion of the Social Security tax is high, having risen from a peak rate of 1.5% in 2001 over the year 2000, and is now 57% higher than in 1990;
Whereas, because neither the employee's nor the employer's contribution to Social Security is paid on the employee's behalf on the employer's federal tax return, few employees understand the amount of Social Security retirement tax they actually pay each month;
Whereas, individuals can estimate their own Social Security tax cost by estimating 1% of annual compensation paid each month—for example, an annual income of $30,000 would yield an estimated monthly Social Security retirement tax cost of $300 per month;
Whereas, the Social Security retirement tax consumes nearly every dollar that many workers of modest income might otherwise be able to save and invest;
Whereas, because higher income workers are better able to save and invest over and above the amounts paid in Social Security taxes, escaping Social Security, but modest income workers cannot, the system creates disproportionate dependence on the system by low and middle-income workers;
Whereas, for many lower income American workers, the Social Security retirement tax represents virtually all of the monthly retirement savings they are able to save for retirement;
Whereas, with the individual retirement benefit currently ranging from a low of just a few dollars per month to a high of approximately $1,400 per month, and the average monthly retirement benefit currently at about $845 per month, Social Security retirement benefits amount to a below poverty level subsistence for many retirees;
Whereas, although Social Security was originally intended to merely supplement other retirement income sources, the high tax rate prohibits many workers from ever adequately saving and investing, and as a consequence, Social Security has become the retirement income source for many Americans;
Whereas, national demographics have shifted significantly since the system was created as a part of President Roosevelt's New Deal policies;
Whereas, in 1945, 41.9 workers supported each retiree, and today just 3.3 workers support each retiree;
Whereas, the ratio is expected to dwindle to 2 workers per retiree within the next 30 years, making the current system unsustainable;
Whereas, tax receipts currently exceed benefit payments, yet, Social Security Trustees estimate that benefit payments will exceed tax receipts, producing annual deficits, beginning in approximately 15 years, or the year 2015;
Whereas, the Social Security Trustees estimate the cumulative annual deficits for years 2015 through 2075 to reach $21.6 trillion; be it further
Whereas, because neither the employee's nor the employer's contribution to Social Security is paid on the employee's behalf on the employer's federal tax return, few employees understand the amount of Social Security retirement tax they actually pay each month;
Whereas, the current system is unfair to future retirees because after a lifetime of contribution, the system can distort the results of an election by suggesting that voters not yet cast will have no bearing on the outcome;
paying into the system, a worker retains no legal right nor claim to any amount or ben-
efit, but is subject to future congresses who will set the benefit rates;

Whereas, the present system is unfair to those who die prematurely because it is pos-
sible to pay for a lifetime into the system yet draw only minimal benefit or even no benefit prior to death and leave no residual value to any heir;

Whereas, the current system is unfair to widows and widowers because they must forever forfeit their own benefit or theirs to a deceased spouse’s benefit (“widow(er)’s” ben-
efit), and may claim the widow(er) benefit only after attaining qualification age them-
selves regardless of the age of the deceased spouse;

Whereas, the current system is unfair to women who leave employment to raise fami-
lies because many women in Utah and throughout the United States work and pay 
retirement taxes into the system for many years but never complete the required 10 years or 40 quarters, before leaving employ-
ment, making them ineligible for retirement benefits;

Whereas, the current system is unfair to women who choose the traditional family life style;

Whereas, the system is unfair to some eth-
nic minorities, including African-Americans, whose life expectancies are shorter and will typically collect benefits for a shorter time period;

Whereas, retirement security is best 
achieved by regularly saving and investing one’s own money over a lifetime of work, and publish-
ing Social Security legislation should support, facilitate, and encourage saving rather than discourage or deter it;

Whereas, the objective of Social Security privatization is for individual workers to have legal ownership in a retirement asset that can be used and ultimately passed on to heirs;

Whereas, even with modest return assump-
tions, the private, individually owned ac-
count can be expected to produce a signifi-
cantly enhanced retirement income;

Whereas, private, individually owned ac-
counts accrue value and future benefits to 
the workers regardless of future congres-
sional actions;

Whereas, private, individually owned ac-
count grow on behalf of the worker whether 
or not the worker completes 40 quarters of contribution;

Whereas, private, individually owned ac-
count can be passed on by inheritance to spouses, children, or grandchildren, affording an opportunity for inter-
generational wealth accumulation;

Whereas, a national system of private, in-
dividual accounts can be perpetuated with-
out end and without concern for projected 
dates of insolvency;

Whereas, private, individual accounts af-
ford workers the opportunity to select from among multiple investment options, includ-
ing government bonds or prudent, diversified investment models like those used by large pension or endowment funds;

Whereas, workers abroad the world are em-
bracing privatized systems as a workable so-
lution to an overburdened government Social Security system;

Whereas, the successful pioneer Chilean model was commenced 20 years ago with at least seven other Latin American countries following suit;

Whereas, Great Britain, Australia, and Singapore have also adopted private options, similar reforms are underway in Russia, Hungary, and Kazakhstan, and the People’s Republic of China have embraced a private option with workers contributing one-half of their retirement funds into an in-
dividual system since 1996;

Whereas, some U.S. workers have enjoyed a private account system as certain munici-
palities, including Galveston, Texas were al-
lowed to opt out of Social Security in favor of a privatized system prior to 1981; and

Whereas, since many Americans are unable to save enough beyond the 12.4% payroll tax, a privatized Social Secu-
rit y option may be the only hope for many lower income or economically disadvantaged 
Americans to achieve financial empower-
ment and retirement security; Now, there-
fore, be it

Resolved, That the Legislature of the state 
urge the United States Congress to en-
act legislation to allow individual workers to 
choose to remain in the current system or 
to select a private account option; be it fur-
ther

Resolved, That the Legislature urge that 
the legislation not disrupt the benefits paid to 
eexisting Social Security recipients; be it 
further

Resolved, That the legislation create pri-
ivate accounts to be owned and controlled by 
individual employees or workers, allow the 
individual employee or worker discretion to 
invest among multiple prudent and diversi-
ed investment options, and create min-
imum guaranteed income, disability, and 
dead benefit in the private account; be it 
further

Resolved, That a copy of this resolution be 
 sent to the Speaker of the United States 
House of Representatives, the President of 
the United States, the United States Senate, and the members of Utah’s congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SARBANES, from the Committee 
on Banking, Housing, and Urban Affairs, 
without amendment:

S. 1513: A bill to extend the temporary sus-
 pense of duty with respect to certain snowboa-
 d boots; to the Committee on 
Finance.

By Mr. KOHL:
S. 1515. A bill to provide for enhanced secu-
rity with respect to aircraft; to the Com-
mittee on Commerce, Science, and Transpor-
tation.

By Mr. SANTORUM:
S. 1516. A bill to remove civil liability bar-
 riers that discourage the donation of fire 
equipment to volunteer fire companies; to 
the Committee on the Judiciary.

By Mr. SPECTER:
S. 1517. A bill to amend titles 10 and 38, 
United States Code, to authorize Mont-
gomery GI Bill, and for other purposes; to 
the Committee on Veterans’ Affairs.

By Mr. BOND (for himself, Mr. CONRAD, 
and Ms. SNOWE):
S. 1518. A bill to improve procedures with 
respect to the admission to, and departure 
from, the United States of aliens; to the 
Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. LUGAR, 
Mr. KERRY, Mr. CRAPO, Mr. MCCONNELL, 
Mr. HELMS, Mr. DODD, Mr. LEAHY, Mr. HUTCHINSON, Mr. MILLER, Mrs. LINCOLN, Mr. BAUCUS, Mr. ROBERTS, Mr. CONRAD, and Mr. NELSON 
of Nebraska):
S. 1519. A bill to amend the Consolidated Farm and Rural Development Act to provide 
cash aid assistance for activated reser-
 voirists; to the Committee on Agriculture, Nu-
trition, and Forestry.

By Mr. BAYH (for himself, Mr. VOINOV-
ICH, Mr. MILLER, Mrs. CARNARAN, Mr. CARPER, Mr. NELSON of Nebraska, Mr. ROCKERFELLER, Mrs. LINCOLN, Mr. MIKULSKI, and Mr. BENNETT):
S. 1520. A bill to assist States in preparing for, and responding to, biological or chem-
ical terrorist attacks; to the Committee on 

By Mr. BROWNBACK:
S. 1521. A bill to amend the FREEDOM Support Act to authorize the President to 
waive the restriction of assistance for Azer-
bijan if the President determines that it is 
in the national security interest of the United States to do so; to the Committee on 
Foreign Relations.

INTRODUCTION OF BILLS AND 
JOINT RESOLUTIONS

The following bills and joint resolu-
tions were introduced, read the first 
and second times by unanimous con-
sent, and referred as indicated:

By Mr. SARBANES:
S. 1511: An original bill to combat interna-
tional money laundering, thwart the fi-
ancing of terrorism, and protect the United 
States financial system, and for other pur-
poses; to the Committee on Banking, 
Housing, and Urban Affairs; placed on the 
calendar.

By Mr. INHOFE:
S. 1512. A bill to report on any air space re-
striction of duty with respect to aircraft; 
and for the purpose of obtaining an 
Investigation of 9-11, to authorize 
the Select Committee on 
Intelligence to conduct an Investigation 
of 9-11, and for the purpose of 
providing for the 
selection of certain collateral witnesses; to the 
Committee on 
Intelligence.

By Mr. McCURDY:
S. 1513: A bill to extend the temporary sus-
pense of duty with respect to certain snowboa-
d boots; to the Committee on 
Finance.

By Mr. JEFFORDS (for himself and Mr. 
LEAHY):
S. 1514. A bill to extend the temporary sus-
pense of duty with respect to certain snowboa-
d boots; to the Committee on 
Finance.

SUBMISSION OF CONCURRENT AND 
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read and 
referred (or acted upon), as indicated:

By Mr. NASCHELLE (for himself, Mr. 
LOTT, Mr. BAUMES, Mr. BURKS, Mr. BYRD, Mr. STEVENS, Mr. INOUYE, Mr. THURMOND, Mr. KENNEDY, Mr. HOLINGS, Mr. LEAHY, Mr. REDS, Mr. AKAKA, Mr. ALLARD, Mr. ALLEN, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGHAM, Mr. BOND, Mr. BOXER, Mr. SHEAUX, Mr. BROWNACK, Mr. BUNDY, Mr. CANTWELL, Mrs. CARNARAN, Mr. CARPER, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKINE, Mr. CRAPO, Mr. DAYTON, Mr. DeWINKLE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSN, Mr. ENZI, Mr. FEINGOLD, Mrs. FENSTER, Mr. FITZGERALD, Mr. FISTST, Mr. GRAHAM, Mr. GRAMM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HARRIS, Mr. HUTCHINSON, Mrs. HUTCHINSON, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. Kyl, Mr. LANDRETH, Mr. LEHMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mr. MCCONNELL,
Ms. Mikulski, Mr. Miller, Mr. Murkowski, Mrs. Murray, Mr. Nelson of Florida, Mr. Nelson of Nebraska, Mr. Nickles, Mr. Reid, Mr. Roberts, Mr. Rockefeller, Mr. Santorum, Mr. Sarbanes, Mr. Schumer, Mr. Sessions, Mr. Shelby, Mr. Smith of New Hampshire, Mr. Smith of Oregon, Ms. Snowe, Mr. Specter, Ms. Stabenow, Mr. Thomas, Mr. Thompson, Mr. Torricelli, Mr. Voinovich, Mr. Warner, Mr. WELLSTONE, and Mr. Wyden)

S. Res. 169. A resolution relative to the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana; considered and agreed to.

By Mr. WELLSTONE (for himself, Mr. Dodd, and Mr. Reid):

S. Res. 170. A resolution honoring the United States Capitol Police for their commitment to security at the United States Capitol, particularly on and since September 11, 2001; considered and agreed to.

At the request of Mr. McConnel, the name of the Senator from Idaho (Mr. Craig) was added as a cosponsor of S. 1409, a bill to impose sanctions against the PLO or the Palestinian Authority if the President determines that those entities have failed to substantially comply with commitments made to the State of Israel.

At the request of Mrs. Feinstein, the name of the Senator from Maine (Ms. Snowe) was added as a cosponsor of S. 1498, supra.

At the request of Mr. Specter, the names of the Senator from Maryland (Ms. Mikulski), the Senator from Colorado (Mr. Allard), and the Senator from South Carolina (Mr. Hollings) were added as cosponsors of S. 1434, a bill to authorize the President to award posthumously the Congressional Gold Medal to the passengers and crew of United Airlines flight 93 in the aftermath of the terrorist attack on the United States on September 11, 2001.

At the request of Mr. Hollings, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of S. 1447, a bill to improve aviation security, and for other purposes.

At the request of Mrs. Carnahan, the names of the Senator from Oregon (Mr. Smith of Oregon) and the Senator from North Dakota (Mr. Dorgan) were added as cosponsors of S. 1474, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to extend and improve the collection of maintenance fees, and for other purposes.

At the request of Mr. Harkin, the names of the Senator from Idaho (Mr. Craig) and the Senator from Arkansas (Mr. Hutchinson) were added as cosponsors of S. 1479, a bill to require procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers, and for other purposes.

At the request of Mr. Harkin, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 1482, a bill to consolidate and revise the authority of the Secretary of Agriculture relating to protection of animal health.

At the request of Mr. Johnson, his name was added as a cosponsor of S. 788.

At the request of Mr. Kyl, the name of the Senator from New Mexico (Mr. Domenici) was added as a cosponsor of S. 1400, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien.
a bill to ensure that the United States is prepared for an attack using biological or chemical weapons.

S. 1492
At the request of Mr. Gramm, the names of the Senator from Arizona (Mr. Domenici) were added as cosponsors of S. 1492, a bill to amend the Internal Revenue Code of 1986 to repeal the tax relief sunset and to reduce the maximum capital gains rates for individual taxpayers, and for other purposes.

S. 1493
At the request of Mr. Bond, the name of the Senator from New Mexico (Mr. Bennett) was added as a cosponsor of S. 1493, a bill to forgive interest payments for a 2-year period on certain disaster loans to small business concerns in the aftermath of the terrorist attacks perpetrated against the United States on September 11, 2001, to amend the Internal Revenue Code of 1986 to provide tax relief for small business concerns, and for other purposes.

S. 1499
At the request of Mr. Kerry, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of S. 1499, a bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

S. 1503
At the request of Mr. Rockefeller, the names of the Senator from Connecticut (Mr. Lieberman) and the Senator from South Dakota (Mr. Johnson) were added as cosponsors of S. 1503, a bill to extend and amend the Promoting Safe and Stable Families Program under subpart 2 of part B of title IV of the Social Security Act, to provide the Secretary of Health and Human Services with new authority to support programs mentoring children of incarcerated parents, to amend the Foster Care Independent Living Program under part E of title IV of the Social Security Act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes.

S. 1504
At the request of Mr. Dorgan, the name of the Senator from Texas (Mrs. Hutchison) was added as a cosponsor of S. 1504, a bill to extend the moratorium enacted by the Internet Tax Freedom Act through June 30, 2002.

S. CON. RES. 66
At the request of Mr. Stevens, the names of the Senator from Oklahoma (Mr. Nickles) and the Senator from Wyoming (Mr. Enzi) were added as cosponsors of S. Con. Res. 66, a concurrent resolution to express the sense of the Congress that the Public Safety Officer Medal of Valor should be awarded to public safety officers killed in the line of duty in the aftermath of the terrorist attacks of September 11, 2001.

S. CON. RES. 73
At the request of Mr. Nickles, the names of the Senator from New Jersey (Mr. Corzine) and the Senator from Georgia (Mr. Miller) were added as cosponsors of S. Con. Res. 73, a concurrent resolution expressing the profound sorrow of Congress for the deaths and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001.

S. CON. RES. 74
At the request of Mr. Duren, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. Con. Res. 74, a concurrent resolution condemning bigotry and violence against Sikh-Americans in the wake of terrorist attacks in New York City and Washington, D.C. on September 11, 2001.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. Hutchison (for herself, Mr. Rockefeller, Mr. Smith of New Hampshire, Mr. Hutchinson, Mr. Fitzgerald, and Mr. Allen):
S. 1513. A bill to amend the Internal Revenue Code of 1986 to make marriage penalty tax relief immediate in the 15-percent bracket and the standard deduction; to the Committee on Finance.

Mrs. Hutchison. Madam President, I rise today to introduce legislation that will build upon our historic Economic Growth and Tax Relief Reconciliation Act of 2001 by accelerating the marriage penalty tax relief in that bill and make it effective beginning next year. I am joined in my effort by Senators Brownback, Miller, Smith of New Hampshire, Hutchinson, Fitzgerald, and Allen.

Earlier this year we delivered to the American people long overdue tax relief. Unfortunately, we did not have the ability to give married couples the relief from the marriage penalty as soon as we would have liked. My bill will complete this unfinished business by treating married couples fairly in the tax code beginning next year. Particularly now, as the President and Congress consider additional tax relief to bolster the economy in these difficult times, this legislation would be a smart option. At times like this, what better way to help our Nation than by giving married couples the tools of society, our families, by adding to their budgets through marriage penalty relief.

Every year for the past four years I introduced a bill to eliminate the marriage penalty tax as I simply could not understand why two single people should be thrown into a higher tax bracket and pay more in taxes simply because they got married. Not because of a promotion, not because of a raise, but because they got married! This year we finally told all Americans that they do not have to choose between love and money, that they should not be penalized for exchanging wedding vows. I am proud to say that in this year's tax relief plan we corrected this quirk in the tax code. We returned to the commonsense principles that made this country great, and away from the concept that "no good deed goes unpunished.''

The marriage penalty relief that was passed earlier this year will offer critical relief to our married couples, but unfortunately it will not take place immediately. I want to improve this timing because when the situation is as right as the marriage penalty, that is wrong. There are more than 20 million married couples in America today that pay a penalty just because they got married, a penalty that averages around $1,460. That is a lot of money! Especially when you are just starting out. $1,400 to a young couple could be part of the down payment on the new house or the new car for the expenses associated with having children. However, they choose to spend their money, or for whatever expenses they need it for, we want them to be able to make their own choices with the money they earn.

And we want them to have the ability to do so now, not several years from now. What the Congress is doing by introducing today is that it takes the relief we finally offered in the tax plan and makes it effective immediately for the 15 percent bracket and the standard deduction.

Today, if you take the standard deduction when you do your taxes as an individual, you do not get the same amount of deduction if you get married. That is, the standard deduction does not simply double for couples. Whereas today the standard deduction for a single person is $4,550, and for a married couple is $7,600, our tax relief bill insisted that married couples receive a standard deduction that is exactly double that of the single person, $9,100. Under my bill today, this doubling of the standard deduction will occur immediately.

In addition, we addressed the fact that when most couples marry, the second income bumps them up to a higher tax bracket. Therefore, we decided to widen every tax bracket so that a married couple will not have to pay more in income taxes simply because they go into a higher bracket when they combined incomes.

Today, a combined income will be taxed at the same rate as if it was a single person making two incomes. For example, if each individual in a relationship is in the 15-percent income tax bracket but they get married and their combined incomes now bump them into the 20-percent bracket, our tax relief means that they will effectively remain in the 15 percent bracket.

This is critically important, especially for those who are just starting out in income rate and for whom jumping from the 15 percent bracket to the next one could make all the difference in their budget. Our earlier legislation widens
By Mr. KOHL:

S. 1515. A bill to provide for enhanced security with respect to aircraft; to the Committee on Commerce, Science, and Transportation.

Mr. KOHL. Madam President, I rise this afternoon to introduce the “Safe Ground through Safe Skies Act of 2001.” This bill strengthens security measures for those aircraft that are currently not required to comply with an FAA approved security program. The events of September 11 have shown us a new reality, that our aircraft can be used as lethal weapons against innocent civilians on the ground.

I applaud the FAA, the Administration, and Congress for quickly moving to address this as it applies to commercial aircraft. With the new security measures put in place by S. 1447, I am certain we will not again see a commercial common carrier be hijacked and turned into a bomb. However, the compromises under consideration today do nothing to stop other aircraft, such as chartered planes, leased planes, and cargo planes, from being hijacked and crashed into buildings or landmarks.

I believe many of my colleagues would be surprised to learn that, for purposes of security, these aircraft are virtually unregulated. The protection of these aircraft, some as big or bigger than those used in the September 11 attack, is left to the private sector owners and operators, an approach we now reject for commercial common carriers.

As the Senate continues to work on legislation to enhance security measures for commercial common carriers it is vital that we address the gaping hole in our security as it relates to currently unregulated aircraft. It would be criminally negligent to pass an Aviation Security Act that leaves thousands of aircraft still unprotected from those terrorists who would turn our own planes into weapons of mass destruction.

The Safe Ground through Safe Skies Act is an attempt to address this difficult problem. It is based on three goals:

First, the legislation seeks to maintain the FAA’s flexibility to design different screening systems for all sorts of aircraft, used for all sorts of purposes and boarding and deplaning at airports with a wide variety of experience in security.

Second, the legislation recognizes the time consuming and difficult task of putting together a security program for smaller aircraft, many of which operate out of very small airports without any security in place currently.

And third, and perhaps most importantly, the legislation addresses the immediate threat of a near term repeat terrorist attack.

To achieve these goals, this legislation requires the FAA Administrator to issue a security screening program for all aircraft operations with an aircraft that weighs more than 12,500 pounds. That means every operator of an aircraft that takes-off in this country with more than approximately 15 seats will be subject to new security measures. To address the varying types of aircraft and aircraft operations, the Administrator will have the authority to waive these new requirement in cases reviewed and approved by the Administrator and Congress.

For those aircraft weighing less than 12,500 pounds, this legislation requires the Secretary of Transportation to report to Congress, within 6 months of enactment, recommendations on how to improve security for general aviation. Within one year of enactment, the Administrator must turn that report into an actual program.

Finally, effective immediately upon enactment, this legislation requires aliens and persons identified by the Secretary of Transportation to undergo a background check before buying, leasing, or chartering any aircraft. This provision would expire as the Administrator will be subject to new security rules for each class of aircraft.

Though this final step may seem extreme, it is a quick and simple way to immediately protect our entire aircraft fleet from capture and use as a weapon. The second section is designed to mirror the requirements for background checks for aliens and others seeking flight school training already agreed to in S. 1447. If we need to protect ourselves from terrorists seeking flight school training in the future, we have an equal, if not greater need to protect our aircraft from terrorists who may have already received their flight training.

Current policy falls short of the level of protection that the American people require and deserve. Any comprehensive airline safety legislation must include all types of aircraft conducting operations in our sky. While not placing any burden on the FAA or the general aviation industry, the Safe Ground through Safe Skies Act protects our airline passengers and those of us on the ground by reducing the likelihood of another attack from the skies.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. ENHANCED SECURITY FOR AIRCRAFT.

(a) SECURITY FOR LARGER AIRCRAFT.—

(1) PROGRAM REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall commence implementation of a program to provide security screening for all aircraft operations conducted with respect to any aircraft having a maximum certified takeoff weight of more than 12,500 pounds that is not operating as of the date of the implementation of the program under security procedures prescribed by the Administrator.

(2) WAIVER.—

(A) AUTHORITY TO WAIVE.—The Administrator may waive the applicability of the program under paragraph (1) with respect to any aircraft or class of aircraft otherwise described by that paragraph if the Administrator determines that aircraft described in that paragraph can be secured without the applicability of the program to such aircraft or class of aircraft, as the case may be.

(B) LIMITATIONS.—A waiver under subparagraph (A) may not go into effect—

(i) unless approved by the Secretary of Transportation; and

(ii) until 90 days after the date on which notice of the waiver has been submitted to the appropriate committees of Congress.

(3) PROGRAM ELEMENTS.—The program under paragraph (1) shall require the following:

(A) The search of any aircraft covered by this program before takeoff.

(B) The screening of all crew members, passengers, and other persons boarding any aircraft covered by the program, and their property to be brought on board such aircraft, before boarding.

(4) PROCEDURES FOR SEARCHES AND SCREENING.—The Administrator shall develop procedures for searches and screenings under the program under paragraph (1). Such procedures may not be implemented until approved by the Secretary.

(b) SECURITY FOR SMALLER AIRCRAFT.—

(1) IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, the Administrator shall commence implementation of a program to provide security for all aircraft operations conducted with respect to any aircraft having a maximum certified takeoff weight of 12,500 pounds or less that is not operating as of the date of the implementation of the program under security procedures prescribed by the Administrator. The program shall address security with respect to crew members, passengers, baggage handlers, maintenance workers, and other individuals with access to aircraft covered by the program, and to baggage.

(2) REPORT ON PROGRAM.—Not less than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing a proposal for the program to be implemented under paragraph (1).

(c) BACKGROUND CHECKS FOR ALIENS ENGAGED IN CERTAIN TRANSACTIONS REGARDING AIRCRAFT.—

(1) REQUIREMENT.—Notwithstanding any other provision of law and subject to paragraph (3), no person shall—

(A) acquire an interest in, or charter any aircraft to an alien, or any other individual specified by the Secretary

Exception:
for purposes of this subsection, within the United States unless the Attorney General issues a certification that the completion of a background investigation of the alien or other case may be, that meets the requirements of paragraph (2).

(2) BACKGROUND INVESTIGATION.—A background investigation or an alien or individual, as the case may be, may be, and, if so, a review of the record.

(B) In the case of a volunteer department which may be, presents a risk to the national security of the United States.

(3) EXPIRATION.—The prohibition in paragraph (1) shall expire as follows:

(A) In the case of an aircraft having a maximum certified takeoff weight of more than 12,500 pounds, upon implementation of the program required by subsection (a).

(B) In the case of an aircraft having a maximum certified takeoff weight of 12,500 pounds or less, upon implementation of the program required by subsection (b).

(4) ALIEN DEFINED.—In this subsection, the term "alien" has the meaning given that term in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)).

(d) SURPLUS EQUIPMENT DEFINED.—In this section, the term "surplus equipment" means:

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Commerce of the House of Representatives.

By Mr. SANTORUM:

S. 1516. A bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies; to the Committee on the Judiciary.

Mr. SANTORUM. Madam President, I rise today to introduce the Good Samaritan Volunteer Firefighter Assistance Act of 2001. On September 11, the Nation witnessed the tragic loss of hundreds of brave firefighters. Amazingly, every year quality firefighting equipment worth millions of dollars is wasted. In order to avoid civil liability lawsuits, heavy industry and wealthier fire departments destroy surplus equipment, including hoses, fire trucks, protective gear and breathing apparatus, instead of donating it to volunteer fire departments. The basic purpose of the bill is to induce donations of surplus firefighting equipment by reducing the threat of civil liability for organizations, most commonly heavy industry, and individuals who wish to make these donations. The bill eliminates civil liability barriers to donations of surplus firefighting equipment by raising the liability standard for donors from "gross negligence" to "gross negligence."

The legislation is modeled after legislation passed into law in Texas in 1997 which has resulted in an additional $6 million of equipment donations from companies to fire departments which may not be as well equipped. Representative CASTLE has introduced the Good Samaritan Volunteer Firefighter Assistance Act, H.R. 1919, which has 63 bipartisan cosponsors in the House of Representatives. It is also supported by the National Volunteer Fire Council, the Firemen’s Association of the State of New York, and former director of the Federal Emergency Management Agency, FEMA, James Lee Witt.

The Good Samaritan Volunteer Firefighter Assistance Act of 2001 is modeled after a bill passed by the Texas state legislature in 1997 and signed into law by then-Governor George W. Bush. Now companies in Texas can donate surplus equipment to the Texas Forest Service, which then certifies the equipment and passes it on to volunteer fire departments that are in need. The donated equipment must meet all original specifications before it can be sent to volunteer departments. The Texas program has already received more than $6 million worth of equipment for volunteer fire departments. Arizona, Missouri, Indiana, and South Carolina have passed similar legislation at the State level. The legislation saves taxpayer dollars by encouraging donations thereby reducing the taxpayers’ burden of purchasing expensive equipment for volunteer fire departments.

This bill does not cost taxpayer dollars nor does it create additional bureaucracies to inspect equipment. The bill gets rid of unnecessary inspection bureaucracies or individuals who are State run or a manufacturer’s technician. This is for three reasons. First, bureaucracies are not necessary for inspections because the fire chiefs make the inspections themselves. Second, some of the State bureaucracies control who gets the equipment. These donations are private property transactions, not a good that is donated to the State, allowing the State to pick who will get the equipment. Third, there is no desire to create the temptation of State control over a State bureaucracy in charge of picking the winners and losers.

The bill reflects the purpose of the Texas state law. Federally, precedent for similar measures includes the Bill Emerson Good Samaritan Food Act, Public Law 101-210, named for the last Representative Bill Emerson, which encourages restaurants, hotels and businesses to donate millions of dollars worth of food. The Volunteer Protections and Prerogatives Act of 1995 also immunizes individuals who do volunteer work for non-profit organizations or governmental entities from liability for ordinary negligence in the course of their volunteer work. I have also previously introduced three Good Samaritan measures in the 106th Congress, S. 843, S. 844 and S. 845. These provisions were also included in a broader charitable package in S. 997, the Charity Empowerment Act, to provide additional incentives for corporate contributions for gifts for motor vehicle, aircraft, and facility use. The same provision passed the House of Representatives as part of H.R. 7, the Community Solutions Act, in July of 2001.

Volunteers comprise 74 percent of firefighters in the United States. Of the total estimated 1,062,500 volunteer and paid firefighters across the country, 304,200 are volunteer. Of the 31,114 fire departments in the country, 22,636 are all volunteer; 4,848 are mostly volunteer; 1,602 are mostly career; and 2,028 are all career. In 1998, 54 of the 91 firefighters who died in the line of duty were volunteer.

This legislation provides a common-sense incentive for additional contributions to volunteer fire departments around the country and would make it more attractive for corporations to give equipment to fire departments in the other States. At this time when all of America has witnessed the heroic acts of selflessness and sacrifice of firefighters in New York City and in the Washington, D.C. area, I urge my colleagues to join me in supporting this incentive for the provision of additional safety equipment for volunteer firefighters who put their lives on the line every day throughout this great Nation.

By Mr. SPECTER:

S. 1517. A bill to amend titles 10 and 38, United States Code, to enhance the Montgomery GI bill, and for other purposes; to the Committee on Veterans’ Affairs.

Mr. SPECTER. Madam President, I have sought recognition to comment on legislation I am today to put into effect several recommendations made by the United States Commission on National Security/21st century relative to Montgomery GI bill, MGB, educational assistance benefits administered by the Department of Veterans Affairs, VA. The Commission, co-chaired by former Senators Gary Hart and Warren Rudman, was tasked with reexamining U.S. national security policies and processes, and making recommendations on how the United States could best ensure the safety of its citizenry against emerging national security threats. Sadly, one of the emerging threats anticipated by the Commission, the threat of state or group-sponsored terrorism, was realized on September 11, 2001.

Our Armed Forces, the best in the world, have now engaged the enemy, and we rely on these dedicated men and women in service to sacrifice their lives, if necessary, to defend liberty and secure justice. The Nation must reciprocate by assuring that the benefits provided to service members during, and after, their service to recompense their sacrifices. The Commission understood that, and, consistent with that understanding, the Commission recommended specific improvements in veterans’ educational assistance benefits to assure that the armed forces are capable of attracting highly qualified, dedicated service members.

The Commission made, in total, seven recommendations on how MGB
benefits could be enhanced. It recommended that the MGIB monthly benefit be increased and indexed to the average education costs at four-year public colleges. It recommended, further, that the payment of benefits be accelerated beginning with the dependent’s school term. The Commission recommended, in addition, that MGIB benefits be made available to students taking technical training courses. Further, it recommended the repeal of the requirement that service members make contributions totaling $1200 in order to “buy” eligibility for MGIB benefits. It recommended, in addition, that potential beneficiaries be given 20 years after discharge from the service, not just 10 years, as is currently specified by law, to make use of their MGIB benefits. It also recommended that service members with 15 years of service or more be entitled to transfer their entitlement to MGIB benefits to their spouses or dependent children. Finally, the Commission recommended that MGIB benefits made available to Reserves called to serve in overseas contingency operations be increased on a sliding scale basis.

The Senate Committee on Veterans’ Affairs, a Committee on which I serve as ranking minority member, has considered, and moved favorably on, the first three Commission recommendations listed above; legislation which would, in whole or in part, accomplish these recommendations will be before the Senate. The committee has not, however, acted on the final four recommendations of the Commission, mainly because those proposals were not before the committee. It is my hope that by introducing this legislation, I will assure that the committee continues its consideration of MGIB improvements in the months ahead.

To summarize the bill briefly, section 2 of my bill would eliminate the $1,200 sliding scale, currently members of service members during their first 12 months of active duty as a precondition to eligibility for MGIB benefits. The Hart-Rudman Commission is not alone in recommending the repeal of this requirement. In 1999, the Commission on Service Members and Veterans Transition Assistance, a commission headed by the current Secretary of Veterans Affairs, the Honorable Anthony J. Principi, made the same recommendations. They recommended that service members, who are asked to risk life and limb in service to the Nation, should not be asked, in addition, to contribute a portion of their pay, while in service, to “earn” eligibility for veterans’ educational assistance benefits.

Section 3 of this legislation would allow service members with at least 15 years of active duty to transfer their entitlement to MGIB benefits to their spouses or dependent children. This past January, I met with some of the troops stationed in Bosnia who expressed considerable interest in this idea. Many of them mentioned that they have families back home and that, rather than paying for their own education, they needed funds to pay for their children’s education. At the very least, the idea needs to be further considered. I am aware that Senator Cleland has been working on a concept which is similar, but not identical to, this provision. I would like to work with Senator Cleland on this important issue.

Section 4 of my bill would allow former service members 20 years after discharge, rather than 10 years, as is specified in current law, to utilize their MGIB benefits. I understand that, historically, MGIB benefits are intended to assist in the transition to civilian status, so that economic opportunities lost due to temporary military service can be alleviated upon transition back to civilian life. This concept may have been useful when most departing service members were single persons with no family or financial obligations preventing the use of education benefits very quickly after discharge. Many former service members, however, are married and have children and, with these obligations, often find it difficult to return full-time after separation from service. In addition, today’s rapidly-changing economy demonstrates that the skills which employers demand today may change tomorrow. Extending the MGIB “delimiting date” to “lifetime learning” and enable veterans to keep their skills current.

Finally, section 5 of my bill would enable members of the Selected Reserve who are called to active duty as part of a “contingency operation,” such as the operations to which Reserves are now being called, to be eligible for increased MGIB benefits if they serve in such an operation for more than one year. Currently, those who enlist for a two-year commitment are eligible for $251 per month in education benefits, whether or not they are called to active duty. It would seem to me that Reserves who are activated, especially during times of conflict or war, bear close resemblance to individuals who are serving an active duty enlistment, and so too should the educational benefits made available to such persons. Therefore, my legislation would provide that, in cases where a member of the Selected Reserve serves two years in a contingency operation, his or her education benefit would be adjusted to the half-way point between the benefit afforded to a Reserve Member under current law, now, $251 per month, and that provided to service members who have served two years of active duty, currently, $528 per month. In cases involving members of the Selected Reserves who serve two years of active service in a contingency operation, the amount of educational assistance afforded to them would be increased to two years for veterans who have served two years of active duty, currently, $528 per month. And for those who have served three years active duty in a contingency operation, their benefit amount would be the same, currently, $650 per month, as that afforded to service members who have served a three year enlistment. In this national emergency, it is time to recognize the sacrifices made by reservists called to active duty by increasing their benefits commensurate with time served on active duty.

One of the Hart-Rudman Commission’s recommendations, that an Office of Homeland Security be created to coordinate the federal government’s counterterrorism efforts, has already been embraced the President. Governor Tom Ridge of Pennsylvania, who was just sworn in yesterday, will, I am sure, serve with great distinction as head of that office. We need to address more of the Commission’s recommendations, including those that would enhance national security by making the military a more competitive employer so it can attract and retain the best people. Further, we need to let our fighting men and women know that we value their service by providing them with the tools to succeed upon completion of their military careers. This legislation would accomplish those purposes. I hope my colleagues will support this effort.

By Mr. Bond (for himself, Mr. Conrad, and Ms. Snowe):
S. 1538. A bill to improve procedures with respect to the admission to, and departure from, the United States of aliens; to the Committee on the Judiciary.

Mr. Bond. Madam President, among the many things that makes our country great is the freedom we possess to move about the country and exit and return to our country as we desire. Being a great Nation that believes strongly in that freedom and that has paid a tremendous price in defending that freedom, we like it to be on display. The rest of the world and we continually and generously open our doors to others. We as a Nation benefit from foreign visitors coming to the United States and other countries benefit when their citizens visit this country, whether it be to study at our schools and universities, learn at our institutions, use our medical facilities, do business with our dynamic private sector or visit our great cities and parks.

However, on September 11, this great Nation endured a terrible tragedy, perpetrated by individuals who entered this country legally, as guests, on a visa. Nineteen people who were in this country on travel, work and student visas carried out the most deadly attack ever on our soil. Three of those people had stayed beyond the expiration of their visa. As the investigation of the Attorney General proceeds, many others have been detained. Initial reports indicated that a large number of people were in the country on expired visas and I suspect we will find that a large number of those involved in the planning of the attack
were in the United States on expired visas.

At this time, the only system in place to track the entry and exit of visa holders is antiquated and completely inadequate. The government has to track the entry and exit of those who have entered the United States and to be notified if they violate the terms of their visa. As there are approximately 300 million immigrants and visitors that enter this country every year, getting a handle on this problem will not be simple. However, we must know who those who enter the United States to study arrive and attend school, if those who come here to work are at their jobs, if those who come here to do business do their business and return home and if those who we admit into the United States to vacation return home at the end of their time in the United States. We should strive to keep our borders open, to keep commerce flowing freely and not let the terrorist attack disrupt our relations with our good neighbors and other friends. But at the same time, we must have a better idea of who is entering this country, catch and screen out those who may pose a threat and know who has violated the terms of their visa and remained in the United States beyond the expiration date.

I would like to acknowledge and thank my colleagues KENT CONRAD and OLYMPIA SNOWE for their assistance and work in drafting this legislation.

Specifically, this bill calls for the improvement of the information received by the Department of State for checking the backgrounds of visa applicants. It calls on law enforcement and intelligence agencies to share regularly information that will be useful to the State Department in identifying those who pose any type of threat to the security or people of this country.

This bill calls for the improvement and expansion of the Integrated Entry and Exit Tracking system. It calls on law enforcement and the Department of Homeland Security to track foreign students. Including a requirement that universities notify the INS when foreign students do not show up for school, as Hanjani failed to do before participating in the attack on the World Trade Center.

It is time to begin the roll of the Integrated Entry and Exit Tracking system called for in legislation passed five years ago to record the entry of visa holders, record their exit and notify the Department of Homeland Security of the identity of anyone overstaying their visa. This system should also utilize the latest technology, including biometrics, to ensure that visas cannot be tampered with or stolen. Finally, it is time for the members of the task force to be appointed, including the Director of Homeland Security, so that the issues surrounding this system can be settled.

The bill also calls for the tightening of the Visa Waiver Pilot program to ensure that passports for participating countries are not stolen or defaced by those trying to sneak into the country. It also calls for those employing work visa holders to report to the INS if that person leaves or is terminated from their job.

These are all reasonable proposals that will not impact commerce, travel and relationships with friendly countries. They are a common-sense way of having an accurate picture of who has entered the country and who has departed. It is one of many steps that needs to be taken to avoid further terrorist attacks. I look forward to working with my colleagues to implement this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1518

Be it enacted by the Senate and House of Representa-
tsives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Visa Integrity and Security Act of 2001.”

SEC. 2. SENSE OF THE CONGRESS REGARDING THE IMPLEMENTATION OF INTEGRATED ENTRY AND EXIT DATA SYSTEM. (a) SENSE OF CONGRESS.—The light of the terrorist attack that occurred against this country on September 11, 2001, it is the sense of the Congress that—

(1) the Attorney General should fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry, as specified in section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by the Immigration and Naturalization Service Data Management Improvement Act of 2000 (Public Law 106-215), with all deliberate speed and as expeditiously as practicable; and

(2) the Attorney General, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of the Treasury, should immediately begin establishing the Integrated Entry and Exit Data System Task Force, as described in section 641 of the Illegal Immigration Reform and Immigration Service Data Management Improvement Act of 2000 (Public Law 106-215).

SEC. 3. ENTRY-EXIT TRACKING SYSTEM. (a) DEVELOPMENT OF THE SYSTEM.—In the development of the entry-exit tracking system, as described in the preceding section, the Attorney General shall particularly focus—

(1) on the utilization of biometric technology, including, but not limited to, electronic fingerprinting, face recognition, and retinal scan technology; and

(2) on developing a tamper-proof identification, readable at ports of entry as a part of any nonimmigrant visa issued by the Secretary of State.

(b) INTEGRATION WITH LAW ENFORCEMENT DATABASES.—The entry and exit data system described in this section shall be able to be integrated with law enforcement databases for use by State and Federal law enforcement to identify and detain individuals in the United States after the expiration of their visa.

SEC. 4. ACCESS BY THE DEPARTMENT OF STATE TO CERTAIN IDENTIFYING INFORMATION. (a) AMENDMENT OF THE IMMIGRATION AND NATIONALITY ACT.—Section 105 of the Immigration and Nationality Act (8 U.S.C. 1105) is amended—

(1) in the section heading, by inserting “; DATA EXCHANGE” after “SECURITY OFFICERS”; (2) inserting “(a)” after “(1)”; (3) in subsection (a), by inserting “and border” after “internal” the second place it appears; and

(4) by adding at the end the following:

“(b) The Attorney General and the Director of the Federal Bureau of Investigation shall provide the Department of State access to the criminal history and biographical information contained in the National Crime Information Center’s Interstate Identification Index (NCIC-II), Wanted Persons File, and to any other database maintained by the Federal Bureau of Investigation that may be mutually agreed upon by the Attorney General and the Department of State, for the purpose of determining whether or not a visa applicant or applicant for admission has a criminal history record indexed in any such file. The Department of State shall merge the information obtained under this subsection with the information in the system currently accessed by consular officers to determine the criminal history records of aliens applying for visas.”

(c) REGULAR REPORTING.—The Director of Central Intelligence, the Secretary of Defense, the Commissioner of Immigration and Naturalization, and the Director of the Federal Bureau of Investigation shall provide information to the Secretary of State on a regular basis as agreed by the Secretary and the head of each of these agencies that will assist the Secretary in determining if an applicant for a visa has a criminal background or poses a threat to the national security of the United States or is affiliated with a group that poses such a threat.

SEC. 5. STUDENT TRACKING SYSTEM. (a) STUDENT TRACKING RECORDS OF VISA APPLICANTS AND APPLICANTS FOR ADMISSION TO CERTAIN EDUCATIONAL INSTITUTIONS.—Section 105 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is amended—

(1) in subsection (a)(1), by inserting “and other approved educational institutions,” after “higher education” each place it appears;

(2) in subsections (c)(1)(C), (c)(1)(D), (c)(1)(H), (c)(4)(A), and (d)(1)(A), by inserting “or other approved educational institutions” each place it appears;

(3) in subsections (c)(1)(E), (c)(1)(G), and (d)(1)(A), by inserting “or other approved educational institution” each place it appears; and

(4) in subsection (h), by adding at the end the following: "(3) OTHER APPROVED EDUCATIONAL INSTITUTION.—The term ‘other approved educational institution’ includes public elementary school, language training school, vocational school, or other school, approved by the Attorney General;"
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FARM CREDIT ASSISTANCE FOR ACTIVATED RESERVISTS.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) is amended by adding at the end the following:

"SEC. 376. FARM CREDIT ASSISTANCE FOR ACTIVATED RESERVISTS.

(a) Definitions.—In this section:

(1) Activated reservist.—The term ‘activated reservist’ means—

(A) a member of the Armed Forces of the United States who is serving on active duty in support of a contingency operation (as defined in section 101(a)(13) of title 10, United States Code) pursuant to a call or order issued on or after September 11, 2001, under a provision of law referred to in subparagraph (B) of that section; and

(B) a member of the National Guard of a State not in Federal service who is ordered to duty as reservists and members of the National Guard have been called up, they may find it difficult to continue to meet the terms of these loans. The bill offered today would alleviate some of the financial stress caused by the activation.

The bill directs the USDA to use its lending authority to minimize the financial impact of a reservist being activated. The Secretary of Agriculture is directed to take actions to help keep the farm of an activated reservist in operation by temporarily rescheduling scheduled payments, reducing interest rates, reamortizing or consolidating loans, or taking other restructuring actions. The bill also provides the USDA new authority to provide emergency loan assistance to farms financially injured because of the activation of a reservist.

I thank Senator KERRY for this idea. He introduced legislation in 1999, of which I was a cosponsor, that provided similar relief to borrowers from the Small Business Administration who make up farm businesses, and businesses that can be greatly affected by the absence of one person, farms many times rely entirely on the labor and ingenuity of just one or two key people.

At this time, when these men and women are sacrificing so much, the least we can do is alleviate the financial strain at home caused by their willingness to serve. By enacting this modest measure, we can help lift worries about the farm at home from the minds of the individuals and families directly affected by activation.

Madam President, I ask unanimous consent that the bill be printed in the Record.

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

S. 1519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
“(B) ending 180 days after the date on which the activated reservist is discharged or released from active duty.

“(f) NOTICE.—The Secretary shall develop a program to enable persons of assistance that is available under this section.

“(g) SPOUSES OR RELATIVES.—

“(1) The Secretary may provide for procedures under which the spouse or other close relative (as determined by the Secretary) of an activated reservist may participate, or make determinations related to, a program administered by the Secretary under this title.

“(2) REPRESENTATION.—The Secretary may rely on representation of the spouse or close relative (even in the absence of a power of attorney) made under the procedures described in paragraph (1) if the Secretary—

“(A) determines that the reliance is appropriate in order to prevent undue hardship and to provide equitable treatment for the activated reservist; and

“(B) has no reason to believe that the representation of the spouse or close relative is not in accordance with the intent and interests of the activated reservist.”.

SEC. 2. REGULATIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations and make such necessary amendments to the amendments made by section 1 to—

(1) the notice and comment provisions of section 533 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(b) PROCEDURE.—The promulgation of the regulations and administration of the amendments made by section 1 shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

By Mr. BROWNBACK:

S. 1521. A bill to amend the FREE-DOM Support Act to authorize the Secretary of Commerce to ensure that funds are used to improve the operation of the entire Central Asian region, including Central Asia.

Mr. BROWNBACK. Madam President, in the coming weeks, we are going to be debating several very contentious bills. However, more than at any other point in my career we are considering these bills in extremely congenial, collegial, thoughtful and deliberative way. Certainly, many of us disagree about the details of one issue or another, however, we have consistently put the interest of the nation ahead of the our own interests as political actors.

This is very encouraging to me. This should be very encouraging to the American people. This should be very encouraging to freedom loving people of the world. The tenor of the debates on this floor should signify to everyone that the United States Government is operating not simply as well as it did before September 11th, but better that it did on September 11th. In the face of this attack, the American Government is operating just as it was always intended to operate.

Today, Madam President I rise to offer a bill that will ensure that our government continues to operate just as intended.

The administration is going about the business of fighting a war. That process relies greatly on our government’s ability to strengthen ties with countries that will help us wage this war on terrorism. The countries, in many cases, will be taking on functions within their own borders in order to do what is right. For these efforts to prevail, we must use all our assets. One of the most important and appealing being trade and foreign assistance—particularly with regard to the nations of Central and South Asia.

In this spirit, I am introducing a bill which will grant the President the authority to waive the restriction that prevents any support from the United States government for the young nation. This language ties the administration’s hands as they attempt to estrategically important ally in the war against terrorism.

Unlike past efforts to repeal or waive section 907 of the Freedom Support Act places sanctions on Azerbaijan that prevent any support from the United States government for the young nation. This language ties the administration’s hands as they attempt to estrategically important ally in the war against terrorism.

Unlike past efforts to repeal or waive section 907 of the Freedom Support Act that prevent any support from the United States government for the young nation. This language ties the administration’s hands as they attempt to estrategically important ally in the war against terrorism.

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Mr. McCaLIN, Mr. M CoNNELL, Ms. M IhAGEL, Mr. H Arkin, Mr. H Atch, Mr. E Edwards, Mr. E Nsign, Mr. E NzI, Mr. J ohnson, Mr. K erry, Mr. K ohl, Mr. K ennedy, Mr. H Oldbyrd, Mr. S tevens, Mr. I nouye, Mr. C orzine, Mr. C raig, Mr. C rapo, Mr. C arnahan, Mr. C arper, Mr. C hafee, Mr. G erald, Mr. F rist, Mr. G raham, Mr. G razzari, Mr. G regg, Mr. H agel, Mr. Harkin, Mr. Hatch, Mr. H els, Mr. Hutchinson, Mrs. H utchison, Mr. I nhofe, Mr. J effords, Mr. J ohnson, Mr. K erry, Mr. K ohl, Mr. K yl, Ms. L andrieu, Mr. L evin, Mr. L ieberman, Mrs. L incoln, Mr. L ugar, Mr. M cCain, Mr. M cConnell, Ms. M kulski, Mr. M iller, Mr. M urkowski, Mrs. Murray, Mr. N elson of Florida, Mr. N elson of Nebraska, Mr. N ickles, Mr. R eed, Mr. R oberts, Mr. R ockefeller, Mr. S antorum, Mr. SARBaneS, Mr. Schum er, Mr. S eessions, Mr. S riphie, Mr. Smith, Mr. Smith of Oregon, Ms. S nowe, Mr. S pecter, Ms. S tabenow, Mr. T homas, Mr. T hompson, Mr. T orricell i, Mr. V oinovich, Mr. W arner, Mr. W ellstone, and Mr. W yden) submitted the following resolution; which was considered and agreed to:

S. RES. 169

Whereas Mike Mansfield, the son of Irish immigrants, was born in 1903 in New York City and raised in Great Falls, Montana;

Whereas Mike Mansfield was the youngest Montanan to serve in World War One, having enlisted in the United States Navy at the age of fourteen;

Whereas Mike Mansfield spent eight years working in the copper mines of Montana;

Whereas Mike Mansfield, at the urging of his wife Maureen, concentrated his efforts on education, obtaining both his high school diploma and B.A. degree in 1933, an M.A. in 1934, and becoming a professor at the University of Montana at Missoula, where he taught until 1952;

Whereas Mike Mansfield was elected to the House of Representatives in 1943 and served the State of Montana with distinction until his election to the United States Senate in 1952;

Whereas Mike Mansfield further served the State of Montana and his country in the Senate from 1952 to 1976, where he held the position of Majority Leader from 1961 to 1976, longer than any Leader before or since;

Whereas Mike Mansfield continued to serve his country under both Democratic and Republican administrations as the post of Ambassador Extraordinary and Plenipotentiary to Japan from 1977 to 1989; and

Whereas Mike Mansfield was a man of integrity, decency and honor who was loved and admired by this Nation: Now therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased Senator.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

SENATE RESOLUTION 170—HONORING THE UNITED STATES CAPITOL POLICE FOR THEIR COMMITMENT TO SECURITY AT THE UNITED STATES CAPITOL, PARTICULARLY ON AND SINCE SEPTEMBER 11, 2001

Mr. W elstone (for himself, Mr. D ood, and Mr. R eid) submitted the following resolution; which was considered and agreed to:

S. RES. 170

Whereas the Capitol is an important symbol of our democracy across the United States and throughout the world, and those who safeguard the Capitol safeguard that freedom and democracy;

Whereas millions visit the Capitol each year to observe and learn the workings of the democratic process;

Whereas the United States Capitol Police force was created by Congress in 1828 to provide security for the United States Capitol building;

Whereas, today the United States Capitol Police provide protection and support services throughout an array of congressional buildings, parks, and thoroughfares;

Whereas the United States Capitol Police provide security for Members of Congress, their staffs, other government employees, and many others who live near, work on, and visit Capitol Hill;

Whereas the United States Capitol Police have successfully managed and coordinated major events minimizing any potential for Congress, the State of the Union Addresses, State funerals, and inaugurations;

Whereas the United States Capitol Police have bravely faced numerous emergencies, including three bombings and two shootings (the most recent of which in 1998 tragically took the lives of Private First Class Jacob ‘J.J.’ Chestnut and Detective John Michael Gibson);

Whereas the horrific events of September 11, 2001 have created a uniquely difficult environment, requiring heightened security, and prompting extra alertness and some strain among staff and visitors;

Whereas the United States Capitol Police force has responded to this challenge quickly and courageously, including by facilitating the evacuation of all of the buildings under their purview, as well as the perimeter thereof;

Whereas the United States Capitol Police Department has since instituted 12-hour, 6-day shifts, requiring that officers work 30 hours of overtime each week to ensure our continued protection;

Now, therefore, be it

Resolved by the Senate, That—

(1) the Senate hereby honors and thanks the United States Capitol Police for their outstanding work and dedication, during a period of heightened security needs on the day of September 11, 2001 and thereafter;

(2) when the Senate adjourns on this date they shall do so knowing that they are protected and secure, thanks to the commitment of the United States Capitol Police.

SENATE CONCURRENT RESOLUTION 77—EXPRESSING THE SENSE OF THE CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED TO HONOR COAL MINERS

Mr. M cConnell submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. Res. 77

Whereas the Nation is greatly indebted to coal miners for the difficult and dangerous work they have performed to provide the fuel needed to operate the Nation’s industries and to provide energy to homes and businesses;

Whereas millions of workers have toiled in the Nation’s coal mines over the last century, risking both life and limb to fuel the Nation’s economic expansion;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation’s coal mines, and 3,000,000 coal miners have suffered non-fatal injuries;

Whereas 100,000 coal miners have contracted Black Lung disease as a direct result of their toil in the Nation’s mines;

Whereas coal provides 50 percent of the Nation’s electricity and is an essential fuel for industries such as steel, cement, chemicals, food, and paper;

Whereas the United States has a demonstrated coal reserve of more than
him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

**SEC. 14. REPORT OF NATIONAL AIRSPACE RESTRICTIONS PUT IN PLACE AFTER TERRORIST ATTACKS THAT REMAIN IN PLACE.**

(a) Report.—On the date of the enactment of this Act, the President shall submit to the committees of Congress specified in subsection (b) a report containing—

(1) a description of each restriction, if any, on the use of national airspace put in place as a result of the September 11, 2001, terrorist attacks that remains in place as of the date of the enactment of this Act; and

(2) a justification for such restriction remaining in place.

(b) Committees of Congress.—The committees of Congress specified in this subsection are the following:

(1) The Select Committee on Intelligence of the Senate.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 19. MUTUAL PASSENGER ASSURANCE.**

(a) Requirement.—Chapter 417 of title 49, United States Code, is amended by adding at the end of subchapter I the following new section:

```
41722. Mutual passenger assurance.

(a) Requirement to honor passenger tickets of other carriers.—Each air carrier referred to in subsection (b) that provides scheduled air passenger service on an air passenger route shall, to the extent practicable, provide air transportation to passengers ticketed for air transportation on that route by an air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism, or insolvency or bankruptcy of the carrier.

(b) Applicability.—This section applies to an air carrier that receives assistance under section 101 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42).''

(b) Clerical amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 41721 the following new item:

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41722. Mutual passenger assurance.''
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**SEC. 20. DEFINITIONS.**

**SEC. 1848.** Mr. BAYH (for himself, Mr. VONOVICEK, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

In section 19, strike the section heading and insert the following:

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SEC. 19. MUTUAL PASSENGER ASSURANCE.

(a) Requirement.—Chapter 417 of title 49, United States Code, is amended by adding at the end of subchapter I the following new section:

```
41722. Mutual passenger assurance.

(a) Requirement to honor passenger tickets of other carriers.—Each air carrier referred to in subsection (b) that provides scheduled air passenger service on an air passenger route shall, to the extent practicable, provide air transportation to passengers ticketed for air transportation on that route by an air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism, or insolvency or bankruptcy of the carrier.

(b) Applicability.—This section applies to an air carrier that receives assistance under section 101 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42).''
```

(b) Clerical amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 41721 the following new item:

```
41722. Mutual passenger assurance.''
```

**SEC. 1849.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the section relating to air marshals, insert the following subsection:

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(____) AUTHORITY TO APPOINT RETIRED LAW ENFORCEMENT OFFICERS.—Notwithstanding any other provision of law, the Secretary of Transportation may appoint an individual who is a retired law enforcement officer or a retired member of the Armed Forces as a Federal air marshal, regardless of age, if the individual otherwise meets the background and fitness qualifications required for Federal air marshals.
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**SA 1850.** Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1510, to deter and punish terrorists acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes; which was ordered to lie on the table; as follows:

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

**SECTION 2. ENFORCEMENT OF CERTAIN ANTI-TERRORISM JUDGMENTS.**

(a) Short Title.—This section may be cited as the ‘‘Justice for Victims of Terrorism Act’’.

(b) Definition.—

(1) IN GENERAL.—Section 1605(b) of title 28, United States Code, is amended—

(A) In paragraph (3), by striking the period and inserting ‘‘; and’’;

(B) by redesigning paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(C) by striking ‘‘(b)’’ through ‘‘entity—’’ and inserting the following:

‘‘(b) An ‘agency or instrumentality of a foreign state’’ means—

(i) any entity—’’; and

(D) by adding at the end the following:

‘‘(2) for purposes of sections 1605(a)(7) and 1610(a)(7) and (f), any entity as defined under subparagraphs (A) and (B) of paragraph (1), and subparagraph (C) of paragraph (1) shall not apply.’’

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1391(f)(3) of title 28, United States Code, is amended by striking ‘‘1605(b)’’ and inserting ‘‘1605(b)(1)’’.

(c) Enforcement of judgments.—Section 1610(f) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ‘‘(including any agency or instrumentality or such state)’’ and inserting ‘‘(including any agency or instrumentality of such state)’’;

(B) by adding at the end the following:

‘‘(C) Notwithstanding any other provision of law, any judgments rendered in any court of the United States (including any agency or instrumentality thereof) to any state against which a judgment is pending under section 1605(a)(7) shall be subject to attachment and execution with respect to that judgment, in like manner and to the same extent as if the United States were a private person, except to the extent of any punitive damages awarded;’’; and

(B) by adding at the end of the following:

‘‘(C) Notwithstanding any other provision of law, any judgments rendered in any court of the United States (including any agency or instrumentality thereof) to any state against which a judgment is pending under section 1605(a)(7) shall be subject to attachment and execution with respect to that judgment, in like manner and to the same extent as if the United States were a private person, except to the extent of any punitive damages awarded;’’; and

(2) by striking paragraph (3) and adding the following:

‘‘(3)(A) Subject to subparagraph (B), upon determining on an asset-by-asset basis that a waiver is necessary in the national security interest, the President may waive this subsection in connection with (and prior to the enforcement of) any judicial order directing attachment in aid of execution or execution against any property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations.

(B) A waiver under this paragraph shall not apply to—

‘‘(i) if property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations has been used for any sovereign public purpose (including use as rental property), the proceeds of such use; or

TEXT OF AMENDMENTS

SA 1847. Mr. INHOFE submitted an amendment intended to be proposed by...
“(ii) if any asset subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations is sold or otherwise transferred for value to a third party, the proceeds of such sale or transfer.

“(C) In this paragraph, the term ‘property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations’ mean any property or asset, respectively, the attachment in aid of execution or execution of which would result in a violation of an obligation of the United States under the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations, as the case may be.

“(4) For purposes of this subsection, all assets of any agency or instrumentality of a foreign state shall be treated as assets of that foreign state.’’.}

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any claim for which a foreign state is not immune under section 1605(a)(2) of title 28, United States Code, arising before, on, or after the date of the enactment of this Act.

(e) PAYGO ADJUSTMENT.—The Director of the Office of Management and Budget shall not make any estimates of changes in direct spending outlays and receipts under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)) for any fiscal year resulting from the enactment of this section, or any amendment made by this section.

SA 1851. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

In section 17(b), strike “(from amounts made available for obligation under subsection (a))” and insert “(from amounts made available for obligation under subsection (a) or from amounts made available pursuant to an Act making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for antiterrorism, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes (Public Law 107-38)”.

SA 1852. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 6. AMENDMENTS TO AIRMAN REGISTRY AUTHORITY.

(a) REGISTRATION AND RECORDATION SYSTEM.—Section 44111 of title 49, United States Code, is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking “pilots” and inserting “airmen”;

(B) by striking the period and inserting “related to combating acts of terrorism.”;

(2) by striking the period and inserting “and related to combating acts of terrorism.”;

(3) by inserting the following flush sentence, at the end of section (a): ‘‘For purposes of this section, the term ‘acts of terrorism’ means an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State, and appears to be intended to intimidate or coerce a civilian population or to influence the policy of a government by intimidation or coercion or to affect the conduct of a government by assassination or kidnaping.”; and

(4) in the heading, by striking ‘‘NOT PROVIDING AIR TRANSPORTATION’’.

(b) Section 44703(g) of title 49, United States Code, is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking “pilots” and inserting “airmen”;

(B) by striking the period and inserting “related to combating acts of terrorism.”;

(2) by adding at the end, the following new paragraph:

“(3) The Administrator is authorized and directed to work with State and local authorities, and other Federal agencies, to assist in the identification of individuals applying for or holding airmen certificates.”.

SA 1853. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 6. AMENDMENTS TO AIRMAN REGISTRY AUTHORITY.

(a) REGISTRATION AND RECORDATION SYSTEM.—Section 44111 of title 49, United States Code, is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking “pilots” and inserting “airmen”;

(B) by striking the period and inserting “related to combating acts of terrorism.”;

(2) by striking the period and inserting “and related to combating acts of terrorism.”;

(3) by inserting the following flush sentence, at the end of section (a): ‘‘For purposes of this section, the term ‘acts of terrorism’ means an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State, and appears to be intended to intimidate or coerce a civilian population or to influence the policy of a government by intimidation or coercion or to affect the conduct of a government by assassination or kidnaping.”; and

(4) in the heading, by striking ‘‘NOT PROVIDING AIR TRANSPORTATION’’.

(b) Section 44703(g) of title 49, United States Code, is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking “pilots” and inserting “airmen”;

(B) by striking the period and inserting “related to combating acts of terrorism.”;

(2) by adding at the end, the following new paragraphs:

“(3) The Administrator is authorized and directed to work with State and local authorities, and other Federal agencies, to assist in the identification of individuals applying for or holding airmen certificates.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, October 9, 2001, at 2:30 p.m. to hold a nomination hearing.

Nominees: Mr. Edward Fox, of Ohio, to be an Assistant Administrator (Legislative and Public Affairs) of the United States Agency for International Development;

Mr. Kent Hill, of Massachusetts, to be an Assistant Administrator (for Europe and Eurasia) of the United States Agency for International Development;

Mrs. Anne Peterson, of Virginia, to be an Assistant Administrator (Global Health) of the United States Agency for International Development; and

Mr. John Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet on Tuesday, October 9, 2001, at 10 a.m.

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

PRIVILEGE OF THE FLOOR

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Ray Ivie of my staff be granted the privilege of the floor today and throughout consideration of S. 1447.

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

HONORING MIKE MANSFIELD

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 169 submitted earlier today by the two leaders, and others.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 169) relative to the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana.
IN HONOR OF THE UNITED STATES CAPITOL POLICE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 170 submitted earlier today by Senator WELLSTONE.

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

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's Record under 'Submitted Resolutions.'

IN HONOR OF THE UNITED STATES CAPITOL POLICE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 170 submitted earlier today by Senator WELLSTONE.

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

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

HONORING LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, EMERGENCY RESCUE PERSONNEL AND HEALTH CARE PROFESSIONALS

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from consideration of S. Con. Res. 76, and that the Senate then proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 76) honoring law enforcement officers, firefighters, emergency rescue personnel and health care professionals who have worked tirelessly to search for and rescue the victims of the horrific attacks on the United States on September 11, 2001.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FEINGOLD. Madam President, I rise today in support of this resolution honoring the efforts and sacrifices of law enforcement officers, firefighters, emergency rescue personnel and health care professionals in responding to the horrific attacks on the United States on September 11, 2001.

In New York and Washington, D.C., emergency calls went out on the morning of September 11 just after those attacks occurred. Those alarms were heard by first-responders throughout the country. Law enforcement, firefighters, emergency rescue personnel, and health care professionals answered the call with courage and determination that has long distinguished our emergency response community. While the world looked on in
stunned disbelief, these workers, always prepared and ever vigilant, instinctively donned their uniforms and raced to the scene.

At ground zero, as many as 400 of these brave men and women sacrificed their lives in service to their communities that morning. Since that time hundreds more have labored tirelessly in efforts to save and recover their fellow rescuers and other victims. Although we react with awe and commend them for working above and beyond the call of duty, these courageous souls expect no less from themselves and carry on despite the heavy emotional and physical burdens of their mission. This instinct to respond has shown in the efforts of emergency response personnel nationwide. On seeing the events of September 11 unfold, volunteers from all parts of the country, including firefighters and other workers from the State of Wisconsin, travelled across the nation to assist the impact on the important areas of their mission. In Madison, local firefighters have raised over $200,000 for families of their New York counterparts who died at the World Trade Center. Other community fire departments throughout Wisconsin have also risen to the occasion.

I am proud to recognize the contribution of our Wisconsin emergency response community. More than three-quarters of our fire and rescue workers in Wisconsin are volunteers, individuals who balance this substantial public service commitment while working full-time jobs throughout our communities. These workers know, like no other, the sacrifices that were made at the World Trade Center on September 11, and go out to them as they grieve for their comrades-in-arms.

As we prepare to respond to this vicious attack on our Nation, we must not forget the integral part that emergency response workers will play in this campaign. The threat of terrorism knows no boundaries, as we were so painfully reminded, and these first-responders will be on the front lines of our defense. These workers have been quietly preparing for years for this moment. It will need our continued support to remain at-the-ready. It will be these workers who will ensure that America “gets back to work,” because their efforts give us security in our streets, our public facilities, and our homes. I would like to say to all of our emergency response workers thank you for your service to our communities. Your work has never been so needed, never so appreciated.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 76) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 76
Whereas on September 11, 2001, terrorists hijacked and destroyed 4 civilian aircraft, crashing 2 of the planes into the towers of the World Trade Center in New York City and a third plane into the Pentagon in northern Virginia, and resulting in the crash of a fourth plane in Somerset County, Pennsylvania;

Whereas these attacks destroyed both towers of the World Trade Center, as well as adjacent buildings, and seriously damaged the Pentagon;

Whereas thousands of innocent Americans and foreign nationals were killed or injured as a result of these attacks;

Whereas police, firefighters, public safety officers, and medical response crews were thrown into extraordinarily dangerous situations, responding to these horrendous events, acting heroically, and trying to help and to save as many of the lives of others as possible in the impact zones, in spite of the clear danger to their own lives;

Whereas scores of these workers, police officers, firefighters, and medical rescue volunteers, died or are missing at the site of the World Trade Center;

Whereas firefighters, rescue personnel, and police officers have been working above and beyond the call of duty, putting their lives at risk, working overtime, going without proper sleep, and spending time away from their families and loved ones;

Whereas the United States Capitol Police, the United States Secret Service, the Police Department of Metropolitan Washington, D.C., the Arlington County Police Department, and other law enforcement agencies have put in extra hours to ensure the safety of all Americans, particularly the President, members of Congress, and other United States Government officials; and

Whereas since the morning of September 11, 2001, police officers and public safety officers throughout the United States have been called upon to put in extra time to ensure the safety and security of Americans: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress

(1) designates October 19, 2001, as “National Mammography Day”; and

(2) requests the President to issue a proclamation calling upon the people of the United States to observe this day with appropriate programs and activities.

RECOGNIZING THE IMPORTANT CONTRIBUTIONS OF THE YOUTH FOR LIFE: REMEMBERING WALTER PAYTON

Mr. REID. Madam President, I ask unanimous consent that the resolution proceed to the immediate consideration of Calendar No. 182, S. Res. 164.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 164) designating October 19, 2001 as “National Mammography Day”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 164) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 164
Whereas according to the American Cancer Society, in 2001 192,200 women will be diagnosed with breast cancer and 40,600 women will die from this disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases, the cancer resulted in death;

Whereas the risk of breast cancer increases with age, with a woman at age 70 years having twice as much of a chance of developing the disease as a woman at age 50 years; and

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives;

Whereas mammograms can reveal the presence of small cancers up to 2 years or more before a regular clinical breast examination or breast self-examination, reducing mortality by up to 63 percent; and

Whereas the 5-year survival rate for localized breast cancer is over 97 percent.

Now, therefore, be it

Resolved, That the Senate—
(1) designates October 19, 2001, as “National Mammography Day”; and

(2) requests the President issue a proclamation calling upon the people of the United States to observe this day with appropriate programs and activities.
ORDERS FOR WEDNESDAY,
OCTOBER 10, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Wednesday, October 10, that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of the motion to proceed to S. 1447, the aviation security bill; and further, that all time during the adjournment be counted under rule XXII.

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

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment in accordance with S. Res. 169, as a further mark of respect to the late majority leader, Senator Mike Mansfield.

There being no objection, the Senate, at 7:08 p.m., adjourned until Wednesday, October 10, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 9, 2001:

FEDERAL HOUSING FINANCE BOARD

John Thomas Korsmo, of North Dakota, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2009. (Reappointment.)

John Thomas Korsmo, of North Dakota, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2002. Vice Lawrence U. Costajlo. Term expired.

DEPARTMENT OF STATE

Charles S. Shapiro, of Georgia, a career member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Bolivarian Republic of Venezuela, By Donald L. Shriver of Louisiana. To be an Alternate Representative of the United States of America to the General Assembly of the United Nations. Vice Paul W. Bremer. Term expired.

NATIONAL LABOR RELATIONS BOARD

Enri Acosta, of Virginia, to be a Member of the National Labor Relations Board for the Remainder of the Term Expiring August 27, 2002, Vice John C. Truceda. Reappointed.

THE JUDICIARY

Julia Smith Gibson, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Vice Gilbert R. Merritt. Retired.

William H. Steele, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, Vice Emmet G. Sullivan.

Philip L. Martin, of Texas, to be United States District Judge for the Western District of Texas, Vice a new position created by public law 106–553. Approved December 21, 2000.

C. Ashley Royal, of Georgia, to be United States District Judge for the Middle District of Georgia, Vice Douglas P. Fisher. Retired.

IN THE COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under Title 14, U.S.C., Section 12201:

To be rear admiral (lower half)

Capt. Dale G. Gabel. 0000
Capt. Jeffrey M. Garrett. 0000
Capt. David W. Kunkel. 0000
Capt. David B. Fetheman. 0000

The following named officers for appointment in the United States Coast Guard Reserve to the grade indicated under Title 14, U.S.C., Section 12201:

To be rear admiral

Capt. Stephen W. Roche. 0000

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under Title 10, U.S.C., Section 601, and to be a senior member of the military staff committee of the United Nations under Title 10, U.S.C., Section 711:

To be lieutenant general

Maj. Gen. George W. Casey Jr. 0000

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under Title 10, U.S.C., Section 601:

To be vice admiral

Vice Adm. Charles W. Moore Jr. 0000

IN THE ARMY NATIONAL GUARD

The following named officer for appointment to the grade indicated in the Reserve of the Army under Title 10, U.S.C., Sections 12203 and 12211:

To be colonel

Capt. Stephen C. Burritt. 0000

IN THE NAVY

The following named officer for appointment to the grade indicated in the United States Navy under Title 10, U.S.C., Section 624:

To be captain

Michael S. Speicher. 0000

The following named officer for appointment to the grade indicated in the United States Navy under Title 10, U.S.C., Section 624:

To be commander

Gary W. Latson. 0000

The following named officer for appointment to the grade indicated in the United States Navy under Title 10, U.S.C., Section 624:

To be lieutenant commander

Robert S. Sullivan. 0000
Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Saint Peter the Apostle Serbian Orthodox Church on the occasion of their 50 year anniversary. The church will be celebrating its golden anniversary at a celebration on October 13 of this year.

Saint Peter the Apostle Serbian Orthodox Church has been a significant source of guidance in the Fresno community over the past fifty years. Many members of the Orthodox Faith in the Central San Joaquin Valley have made Saint Peter the Apostle Serbian Orthodox Church their home.

On March 18 of 1951, Saint Peter the Apostle Serbian Orthodox Church-School Congregation of Fresno was officially incorporated in the State of California. The Church by-laws were approved and accepted by the Serbian Orthodox Diocese of America and Canada on June 1, of 1951.

Since then, Saint Peter’s has engaged in various improvement projects including starting an annual Parish Golf Tournament in 1968, that has raised thousands of dollars for the Social Hall and Education Building Funds and capital improvements on the church property and facilities. In 1989, St. Peter’s Men’s Club was organized. Through their monthly dinners they have raised funds for special church projects and have given thousands of dollars to local Fresno and Madera charitable organizations.

During the 1990’s, Saint Peter’s has been active in providing humanitarian assistance to refugees from the civil war in the former Yugoslavia as well as the Kosovo Conflict. This assistance has included housing and sponsoring 7 refugees who were receiving medical treatment and prosthetic limbs in Fresno for over a two-year period. Saint Peter’s has also been active in providing food to needy families in the Fresno/Clovis area through their Humanitarian Outreach Team.

Mr. Speaker, I rise today to congratulate Saint Peter the Apostle Serbian Orthodox Church on its 50 year anniversary. I urge my colleagues to join me in congratulating the Church and wishing them many years of continued success.

Mr. BERMAN. Mr. Speaker, we rise today to pay tribute to Dr. Marlene R. Bane, who is being honored by the Action Democrats of the San Fernando Valley for her extraordinary dedication to democratic principles. Marlene is also a good friend with whom we have enjoyed working for many years.

Marlene is President and owner of Marlene Bane Associates. Under her leadership the firm has flourished into a full service Government Relations and Consulting Firm. She has also held important positions in the California State Assembly including Senior Consultant and Administrative Assistant. In addition, Marlene has served as a member of the California Narcotic Addict Evaluation Authority; as assistant to the President, Council of S & L Financial Corp; as an interior designer and as a teacher.

Marlene is an active member of the community who has contributed in a wide variety of ways. As Chair of the CA Lupus Appropriations Commission she was a warrior in the fight against Lupus. She serves on the CSUN Presidential Advisory Board and Board of Trustees which has greatly helped the development of the University. Also, she is well known throughout the Jewish community for her participation in groups such as the National Association of Jewish State Legislators; American Israel Public Affairs Committee; Anti Defamation League; Women’s Alliance for Israel; and the Valley Jewish Business Leaders Association which she founded and helps run as a current board member. These groups are just a small sample of the many organizations in which Marlene actively participates.

The hard work that Marlene puts into service is evidenced by the many honors she has accumulated. She has received honors from the council of State legislatures, the National Institute of Health, the State of California and the Mid-Valley College of Law. Marlene is also a published author whose work can be found in the Library of Congress.

Marlene is an exemplary individual whose dedication to her community is legion. Marlene is not only a great leader, but also a loving mother and grandmother. Her late husband, Assemblyman Tom Bane, was a great man who shared Marlene’s passion for democracy and good works.

Mr. Speaker, distinguished colleagues, please join us in paying tribute to Marlene R. Bane.

Mr. Speaker, today I recognize the outstanding work done by participants in my Student Congressional Town Meeting held this summer. These participants were part of a group of high school students from around Vermont who testified about the concerns they have as teenagers, and about what they would like to see government do regarding these concerns.

On behalf of Stacey Caron and Dalaina Buffum—Regarding Freeing Families From the High Cost of a College Education, May 7, 2001

Congressman Sanders. Stacey, just bring the mike real close so everybody can hear you. This is a very important issue.

Stacey Caron. Every day at school, students hear their peers talking about where they’re going to college and who is going to pay what college? When the students go home at night for dinner, they usually sit down to have dinner with their parents. This is a time to talk about what’s going on in everybody’s life. I know, when I go home, I always get asked how my day was at school, and my parents are always on my back about college. Did I fill out the applications yet or the scholarship forms? How many students go through twelve years of school and work very hard to get good grades so they can get into a college, yet many of these honors roll students’ families don’t have enough money to send their children through college. It’s a complete waste of talent. There are scholarships that are offered to students who excel, but how many students are going to get these scholarships and how much money are they going to get? These questions are not questions students should be asking themselves. After all the hard work students go through in school, they should be able to go to college free of charge as long as they get accepted. Is it like hard work isn’t enough. You now have to pay to go to college, to get a good job, and be a success in life. To me, that doesn’t seem right.

Dalaina Buffum. The financial burden of college can sometimes scare students away, only because they are afraid. They aren’t ready to make the commitment of leaving home, especially the financial commitment. Most students don’t get out of debt until they are in their thirties. How is someone supposed to start a family and their life while they’re still paying off debts? We have done research on this topic and discovered a very different system which is used over in Europe. There is a very hard test that each student that wants to go to university has to take. If you pass the exam with a certain grade, you can go to university free of charge. However, if you don’t pass the exam, you can’t go to college. This is very different, but at the same time proves how much a student is ready and how much they want to go to college and further their education. We believe that there should be a similar system here. This would enable more

●This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
students who are qualified to go to college, and may boost a student’s motivation to suc-
cceed in high school so they are ready for the
test. We feel that this is an important issue
that is worth looking into.

ON BEHALF OF ANGELA DEBLASIO AND LYNN
CLOUGH—REGARDING “RICHT MAN’S RETURN”
ON BUSH’S TAX CUT, MAY 7, 2001
Angela DeBlasio. President Bush has pro-
cessed several tax cuts as the cen-
tercpiece of his campaign. The $1.9 trillion
ten-year cost of the plan would use more
than all the projected surpluses over the
next ten years. Most of the proposed tax cuts
will go to the upper-income taxpayers, with
43 percent of the tax cut targeted to the top
1 percent.

Lynne Clough. The cost of President
George W. Bush’s plan is enormous. Based
on the official projections from the Con-
gressional Budget Office and the Joint Com-
mittee on Taxation, the Bush tax cut would
use up slightly more than all of the projected
surpluses over the first ten years. Over the
fiscal period 2002 to 2011, the Bush tax cut
would cost $1.9 trillion, while the projected
surpluses are $1.8 trillion. In fact, the Bush
tax cuts’ effects on the surpluses are even
greater than these estimates. The official sur-
plus projections are substantially overstated
because of other factors, such as the adjust-
ment for federal appropriations and infla-
tion, which indirectly impact surpluses.

Furthermore, most economists believe a tax
reform is necessary. While Bush is predicting
a recession, his tax cuts will provide a false
sense of security and economic prosperity.
Thus, in fairness to future generations, the
Bush tax cuts would use up more than all of
the projected surpluses over the next ten
years.

Therefore, we should not allow any form of
such a tax cut. Congressman Sanders, how

can we even think about a tax cut when
President Bush is foolishly planning to build
a missile defense system we already have a
falling social security system, as well as
deteriorating education system, which
needs American tax dollars? Please agree
with us that there shouldn’t be any form of
tax cut.

Angela DeBlasio. Democratic National
Committee Co-Chairman Terry McAuliffe says
a tax cut should be one that’s fair to all
Americans, and must be part of a responsi-
bly, honest budget that balances all of our
priorities important to American families.

While Bush is predicting a recession to sell
his giant tax cut, he is simultaneously pro-
slosh to slash the very initiatives that
American families depend on. The economy
does slow down. Bush’s backward talk on
the economy and retrograde budget is a recipe
for disaster. Lynne Clough. Thank you, Congressman
Sanders.

H.R.—A BILL TO ENSURE A UNIF-
ORM STANDARD FOR THE SEC-
URITY, USE AND PROTECTION OF
CONSUMER FINANCIAL IN-
FORMATION
HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001
Mr. NEY. Mr. Speaker, today I rise to intro-
duce a bill to ensure a single uniform standard
for the security, use and protection of con-
sumer financial information. This bill will tem-
porarily establish the standard set forth in the
Gramm-Leach-Bliley Act as the uniform stan-
dard for financial privacy. This provides the
Congress and the Administration the nec-
cessary time to evaluate the potentially nega-
tive impacts of multiple, uncoordinated state
regulatory schemes on consumers, intel-
ligence gathering, law enforcement, and our
economy.

The Gramm-Leach-Bliley Act’s provisions
regarding the use of consumer financial informa-
tion, which went into effect on July 1 of this
year, establish a national standard on the use and
security of consumer financial information. Private
financial institutions have undertaken great ef-
forts to retool and restructure their information
management systems to comply with this im-
portant national standard. Across the nation,
human resources and state legislatures are poised
to consider state legislation that would establish
different standards for the use and security of
consumer financial information. While the con-
sideration is permitted under Gramm-Leach-
Bliley, I am urging my colleagues to join me in
imposing a temporary moratorium on state
laws that would upset the uniform na-
tional standard under Gramm-Leach-Bliley.

As my colleagues know, I am a very strong
advocate for the protection of private personal
information. I have aggressively pursued the
protection of federal legislation, such as Title
V of Gramm-Leach-Bliley, to protect consumer
financial information. As we all know, the Inter-
net, information technology systems, and the
development of electronic commerce, have re-
shaped our society and have presented spe-
cial risks for the protection of privacy of per-
sonal financial information.

At the time Gramm-Leach-Bliley was
originally enacted, it was thought that the
states could, over time, provide enhancements
to the federal protections set forth in the Act.
However, at this time, as the Congress and the
Administration are investigating how to
streamline intelligence gathering procedures
that do not undermine the underlying protec-
tions in the law for the privacy of law-abiding
consumers, the prospect of a fragmented
“patchwork quilt” of potentially fifty di-
different state laws represents a great threat to
the security of consumer financial information
and to our need to establish a coordinated in-
telligence gathering and law enforcement ef-
fors.

The Attorney General has testified that: “We
need speed in identifying and tracking down
terrorists. Time is of the essence. The ability
of law enforcement to trace communications
into different jurisdictions without obtaining
an additional court order can be the difference
between life and death for American citizens.”
This is particularly true of financial information.
A recent GAO Report that analyzed current
risks to the Nation’s infrastructure arising from
cyber terrorism states that “Information shar-
ing is essential to coordination among govern-
ment organizations and the ability to identify
terrorists. Time is of the essence. The ability
to identify terrorists and to have the ability to
track them is essential.”

Varying laws from state to state would re-
quire financial institutions to fragment their
financial records into several state and local
jurisdictions, thereby increasing the number of
information breaches. Reduced privacy protection
due to more human access through IT profes-
sionals, and more complex fragmented data
management systems, risk leaving more
“backdoors” that may be exploited by those
who would seek to abuse the systems and
hide illegal transactions.

This “patchwork” process threatens to be
at odds with efforts of law enforcement.
Plac-
ing the burden of complying with varying state
imposed regimes at this time would severely
hinder the ability of government organizations
to respond to law enforcement subpoenas to
search and retrieve financial information. The
resulting delay could spell failure of time-sen-
sitive investigations involving the tracking of
assets passing through criminal and terrorist
networks and could require the duplication of
law enforcement efforts across 50 jurisdictions
with differing standards and statutes. Finally,
a lack of uniformity would impair market effi-
ciencies that rely on the free flow of informa-
tion and would harm consumers.

Specifically, this bill would impose a three-
year moratorium on additional state laws that
would affect the security, use and protection
of consumer financial information, giving time
for Congress, the Executive Branch, and the Judi-
cial Branch to develop and implement appro-
priate measures to streamline and improve in-
telligence gathering procedures. During this
time, the previously agreed to national stan-
dard set forth in the Gramm-Leach-Bliley Act,
which already has been implemented through-
out our economy, would govern the protection
of consumer financial information.

I would also establish a Commission to
study the issues raised by laws relating to
use and security of consumer information and
their impact on the economy, consumers and

intelligence gathering procedures. Congress and the states will then be able to adequately study the benefits of a uniform financial information protection law and balance the needs of national security and the benefits of the free flow of information against the appropriate level of protection for consumers.

I ask my colleagues to support this bill to ensure a national standard to preserve the uniform treatment and protection of consumer financial information during this critical time.

**HONORING EVONNE STEPHENSON**

**OF CALIFORNIA**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Mr. RADANOVIĆ. Mr. Speaker, I rise today to pay tribute to Mrs. Evonne Stephenson for her public service in California’s Madera County. After many years of dedicated service in various clerical positions, Mrs. Stephenson is retiring as Madera City Clerk.

Mrs. Stephenson graduated from California State University, Fresno, with a degree in Secretarial Science. Her career began with the Madera County District Attorney’s Office, where she served two years as a secretary. From there she went into private industry at such businesses as IADCO, Anderson Clayton and FMC Corporation. She returned to public service in 1990 as an Administrative Secretary for the City of Madera. In 1992, she became Deputy City Clerk for Madera before being appointed to City Clerk in 1993.

As an Administrative Secretary, Stephenson arranged and attended all Planning Commission meetings, prepared minutes, did follow-up work in connection with the meetings, as well as maintained department files and provided information to the public. As Deputy City Clerk, she performed such duties as administering oaths of office and elections, preparation and distribution of public notices, declarations, ordinances, and resolutions, as well as maintaining files of official city documents. After being appointed to City Clerk, she received her Certified Municipal Clerk title in 1996.

Mrs. Stephenson will officially retire on November 9, 2001. A retirement dinner is scheduled for the same date to be held at Madera’s Municipal Golf Course.

Mr. Speaker, I invite my colleagues to join me in paying tribute to Evonne Stephenson for her years of public service to Madera County. I wish Mrs. Stephenson continued success in the years to come.

**A BIRTHDAY SALUTE TO MADALE WATSON**

**HON. HOWARD L. BERMAN**

**OF CALIFORNIA**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Mr. BERMAN. Mr. Speaker, I am privileged today to ask my colleagues to join me in paying tribute to my friend, Madale Watson, who celebrated her 90th birthday last week.

Madale has been a fixture in Democratic politics in the state of California since her service in James Harvey Brown’s Assembly campaigns in 1948 and 1950. Born into a political family, her father was the District Coordinator for Congressman Jerry Voorhees.

A pioneer and strong advocate for the participation of women in politics and governance, she twice was a candidate herself for the California Assembly. Building on her own political experience, she supported the efforts of a number of campaigns for Democratic candidates. She was appointed to the Democratic State Central Committee in the 1950s and served as its Vice Chair. She was the treasurer of the California Democratic Party’s Southern Division from 1971 to 1977. Coordinator of far too many political dinners to count, she won special notice for her work for President John F. Kennedy in 1962.

She attended five national party conventions. This remarkable woman didn’t confine herself to politics. She was also Chair of the California State Board of Registered Nursing and a Member of the Board of the California Public Employees Retirement System.

Friend to innumerable political figures, none of them dared be self-important around Madale Watson. She knew exactly how to cut a person down to size. Her irrepressible personality, her endless energy and her quick wit made her much beloved by all privileged to know her.

Mr. Speaker, I ask my colleagues to join me in birthday greetings to a California legend—Madale Watson.

**HONORING CAL RIPKEN, JR.**

**SPEECH OF**

**HON. TOM DAVIS**

**OF VIRGINIA**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2001

Mr. TOM DAVIS of Virginia. Mr. Speaker, it is an honor for me to pay tribute to one of America’s great role models, both on and off the field. For those of us in the Metropolitan Washington area still yearning for a team of our own, the Baltimore Orioles are our home team, and Cal Ripken the long time leader of the pack.

On June 18, at age 41, Cal Ripken announced he was leaving the game he loved after 21 seasons to spend more time with his family and devote more energy to his youth baseball endeavors in his home town of Aberdeen, Maryland.

“It’s inevitable that you can’t play forever,” he said. “I’ve maximized my window of opportunity as well as anyone. Baseball has given me a lot of joy, much happiness and satisfaction. I’m proud of what I’ve been able to do.”

Cal’s place in baseball history would have been secure even without The Streak of 2,632 straight games. He came to the Baltimore Orioles as a rookie on August 10, 1981, 14 days shy of his 21st birthday. He won the American League’s Rookie of the Year award in 1982 and its Most Valuable Player award in 1983 and again in 1991; set the American League record for assists by a short stop for single seasons in 1984; became only the second player in major league history to be named the American League’s Most Valuable Player and its Most Valuable Player in the Year, All-Star Game MVP, and winner of a Gold Glove in the same season in 1991; led AL Shortstops in assists for 7 straight seasons, setting the new league record in 1993; became the Orioles all-time leader with 819 extra base hits in 1996; hit his 400th home run in 1999, and recorded his 3,000th hit in 2000.

Cal’s history of community involvement mirrors the type of dedication and commitment he has shown on the field. Cal actively supports his community in a variety of ways, including the establishment of The Kelly and Cal Ripken, Jr. Foundation, which supports community adult and family literacy in the greater Baltimore area. Additionally, the Cal Ripken, Jr./Lou Gehrig ALS Research Fund at Johns Hopkins was established in September 1995 in commemoration of Cal’s record-breaking feat.

Cal Ripken came to be identified strongly with the city in which he played, his work ethic reflecting Baltimore’s working class pride. He grew up outside Baltimore and played his entire professional career in the Orioles’ organization. That, unfortunately, is all-too-rare an occurrence today.

In closing Mr. Speaker, three words sum up Cal Ripken Jr. as both player and citizen—excellence, dependability and consistency.

**HONORING THE MONROE BUSINESS AND PROFESSIONAL WOMEN ON THE OCCASION OF ITS 75TH ANNIVERSARY**

**HON. JOHN D. DINGELL**

**OF MICHIGAN**

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to the Monroe Business and Professional Women (BPW) on the occasion of its 75th Anniversary. The Monroe County Chapter of the BPW was founded in 1926 with Lydia Schmeising presiding as the first president.

It would be hard to underestimate the success of the Monroe BPW in advocating on behalf of all women. The formal and informal networking, mentoring and resources the BPW provides its members has helped promote and advance the careers of hundreds of women throughout its 75 year history. The leadership of the BPW has provided on issues such as gender and pay equity are but two examples of its effectiveness as a forum for advocating women’s issues.

One of the more subtle accomplishments of the BPW is the manner in which it quietly persisted throughout its history. No one needs to be reminded of the difficult times in which we live or through which we have come during the past 75 years. And yet the Monroe BPW has continued on as both an anchor in times of turbulence and as a guiding light during times of prosperity for the women of the Monroe community.

It gives me great pleasure to acknowledge and commend to your attention the enduring contributions the BPW has made to the greater Monroe community on the occasion of their 75th Anniversary, celebrated October 10, 2001. I ask all of my colleagues to join me in saluting the accomplishments and the 75th anniversary of the Monroe Business and Professional Women.
Mr. TRAFICANT. Mr. Speaker, today, I am deeply saddened to share the news of the passing of former Congressman David S. Dennison.

David Dennison was born on July 29, 1918, to David Sr. and Cordella Ford Whitman Dennison. Besides his wife, Dorothy K. Houllete Dennison, a son, David W.; two stepsons, Joseph Houllete and Thomas Houllete; and six grandchildren survive him.

David was a special counselor to the city of Warren, and also served as a special assistant in Trumbull County to the Ohio Attorney General. He was also a U. S. Congressman to the 11th District of Ohio from 1957–1959. Not only was he a contributing member of the Youngstown community, but also a loyal servant to his country. A veteran of World War II, he served in the British Eighth Army in Africa and fought for our Nation’s freedom.

David was also a member of St. John Episcopal Church in Youngstown, OH, and was also a member of the Carmel Foundation in Carmel, CA, the York School, the Monterey College of Law, and Monterey Visiting Nurse Association and the Hospice before his retirement in 2000.

The lives of many were enriched by Mr. Dennison’s life. He always took the time to make people feel extra special with a kind word or a warm smile. He was a wonderful friend and all who knew him looked up to him. The Youngstown community will sorely miss David S. Dennison. I extend my deepest sympathy to his family.

HONORING CAL RIPKEN, JR.

SPEECH OF

HON. ELIJAH E. CUMMINGS
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 2, 2001

Mr. CUMMINGS. Mr. Speaker, I come to the floor to support this resolution offered by two of my Maryland colleagues, Representatives Cardin and Ehrlich, honoring Cal Ripken, Jr., the current 3rd baseman for the Baltimore Orioles and baseball’s “Iron Man,” for his contributions to baseball and the community.

Cal Ripken is involved in numerous philanthropic activities, including the Kelly & Cal Ripken, Jr. Foundation, started in 1992, which primarily support community adult and family literacy, youth recreation, and health-related programs in the greater Baltimore area. He and his wife, Kelly, also support adult literacy through Baltimore Reads, Inc.

We are here to acknowledge a person that gives back so much to his community and we thank him. However, we are here today to primarily honor Cal Ripken as a great baseball player.

Cal Ripken joined the Baltimore Orioles in 1982 and has stayed with the same team throughout his long and impressive career. The 1982 American League Rookie of the Year and a two-time American League MVP, Cal was elected to start in the 2001 All-Star Game. It was his 19th consecutive All-Star nomination and a record 17th as a starter. Ripken was presented the Commissioner’s Historic Achievement Award during the 2001 All-Star Game, by Commissioner Bud Selig. It is only appropriate that Cal was also named the game’s MVP during his appearance at an All-Star game. On September 4, 2001, Cal Ripken, Jr., hit his 600th double, joining Hank Aaron, Stan Musial and Carl Yastrzemski as the only players with 600 doubles, 400 home runs, 5,000 total bases and 3,000 hits.

His performance this year is indicative of his entire career. As a review, Cal became the second player in 1991, in major league history to be named the leagues’ MVP, Major League player of the year, All-Star Game MVP, and winner of a Gold Glove in the same season. Cal broke Lou Gehrig’s record of 2,130 consecutive games played.

Cal played every day for several years, finally sitting down in 1995, after having played in 2,632 games. Cal holds the Major League record for consecutive games played. He is one of seven players in the history of the game to amass more than 3,000 hits and more than 400 home runs.

Cal led the Baltimore Orioles to World Series victory in 1983.

These remarkable accomplishments mark just the highlights of an outstanding baseball player.

In the field and off, he has built a strong reputation as a leader. Eleven teams have held special tributes to honor the “Iron Man” since he announced his retirement. Cal’s last farewell game will be this Saturday during a rescheduled game played at home. Baltimore City, the Nation, and Major League Baseball will miss Cal. He brought character, dignity, and loyalty to the game of baseball and the Orioles franchise.

I urge all my colleagues to support this resolution and support a great sports hero.

HONORING THE FRESNO RESCUE MISSION

HON. GEORGE RADANOVICH
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Fresno Rescue Mission on the occasion of their annual Fall Festival Banquet. I urge my colleagues to join me in wishing the Fresno Rescue Mission many more years of continued success.

Mr. Speaker, I want to honor the Fresno Rescue Mission on the occasion of their Fall Festival Banquet. I urge my colleagues to join me in wishing the Fresno Rescue Mission many more years of continued success.

IN HONOR OF THE LUBRIZOL CORPORATION

HON. KEN BENSTEN
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. BENSTEN. Mr. Speaker, I rise to recognize the Lubrizol Corporation of Deer Park, Texas. On November 15, 2001 the Deer Park Chamber of Commerce will name the Lubrizol Corporation Industry of the Year for 2001.

The Lubrizol Corporation is a global leader in fluid technology. The corporate vision focuses on creating technologies that will make the world a better place. With more than 4,000 employees worldwide, the company has annual revenues close to $1.8 billion.

Founded in Cleveland, Ohio, in 1928, the Lubrizol Corporation was originally a manufacturer of graphite oil products. Today their fluid technologies increase operating efficiency and reduce harmful effects on the environment. In addition to specialty additives for lubricants and fuels, Lubrizol’s products have applications in a variety of markets including coatings, metal workwings, fluids for industry, advanced fluid systems and emissions control.

Lubrizol has emerged into a global, fluid technology company concentrating on high performance chemicals, systems and services for industry and transportation with worldwide manufacturing capabilities and plants in Deer Park and Bayport. The facility services approximately 500 customers in 50 countries and employs over 700 regular and contract workers.

Lubrizol’s corporate philosophy emphasizes a dedication to maintaining the health and safety of its employees, customers, neighbors and the environment. This philosophy in mind the Lubrizol Corporation has supported the American Chemical Council’s Responsible Care Initiative, the Texas Chemical Council, Houston Regional Monitoring, and the Deer Park Local Emergency Planning Committee. Like all Lubrizol employees, the people at the Deer Park facility provide a significant amount of time and resources to a variety of community activities. Lubrizol supports many youth activities and school programs through the Deer Park Independent School District, and last year they provided 34 scholarships to students attending San Jacinto College. The corporation also assists such organizations as the United Way, the Red Cross, the Boys & Girls Harbor and the Armand Bayou Nature Center.
In closing, I want to again congratulate the employees of the Lubrizol Corporation for their exemplary model of community activism and wish them continued success in future endeavors.

HONORING THE EIGHTH AIR FORCE KNOWN AS THE MIGHTY 8TH

HON. HEATHER WILSON
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention the history and contributions of the Eighth Air Force which became known as the Mighty 8th.

The Eighth Air Force was formed and dispatched to England in 1942 to become the largest military unit in World War II, and the largest bomber force of all times. Over 350,000 airmen served in Europe. The Eighth Air Force has served as an operational combat unit to this day with over one million serving the country in war and in peace.

No Mighty 8th mission was ever turned back due to enemy action during World War II. The cost was 26,000 killed in action, and over 28,000 prisoners of war. In the one week period of October 8–14, 1943, the Eighth Air Force lost 150 Heavy Bombers to enemy action in the skies of Europe, and despite heavy losses many feel that this was the turning point for daylight strategic bombing.

The Eighth Air Force Historical Society, the largest single military unit veteran group in history, continues to hold its annual reunions in the month of October.

Today I join with the Eighth Air Force Historical Society members to support their efforts to inform generations that followed them, of the contributions and sacrifice made by the “greatest generation” to perpetuate American freedom and way of life.

Please join me in thanking the Mighty 8th for their service in the military and for their contributions to this great country.

God Bless America.

PERSONAL EXPLANATION

HON. DAN BURTON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. BURTON of Indiana. Mr. Speaker, on October 4 and October 5, 2001, due to a family commitment, I was unavailable for roll call votes Nos. 366, 367, 368, 369, 370, and 371. Had I been here, I would have voted “No”, “No”, “No”, “Aye”, “Aye”, and “Aye”.

WELCOMING REVEREND SOLOMON

HON. EARL F. HILLIARD
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. HILLIARD. Mr. Speaker, I rise to welcome Reverend Solomon to these chambers and I am very appreciative of his leadership in Birmingham, Alabama and his work on the National level with the National Baptist Convention. Many opportunities have been offered to this young man and many things are expected from him! These are difficult times, and young men like Rev. Solomon will make the difference by God of him and his family and may God bless America.

Reverend Solomon is the second of three sons born to Rev. Donald and Clarice Solomon. He was educated in the Jefferson County School System and is a 1984 graduate of Minor High School. He furthered his secular education by attending Miles College and the University of Alabama at Birmingham.


In June of 1995, he again responded to the call of God and accepted the invitation to become the first pastor of the Mt. Moriah Missionary Baptist Church of North Pratt. Pastor Solomon has equipped and organized the members of Mt. Moriah and led them into a sustained period of spiritual and financial growth.

Pastor Solomon has had the opportunity to preach revivals and teach seminars in cities across the country to include: Louisville, Kentucky; Akron, Ohio; Canton, Ohio and Meridian, Mississippi.

Pastor Solomon is the vice president of the Pratt City Ministerial Alliance, a member of the board of directors of the Alabama Community Assistance Program, and a member of the board of directors of the Alabama Galleries of Art.

Pastor Solomon married to the former Cheryl Lynn Fisher. They have one son (Walter, III) and one daughter (Christian). The University of Alabama-Birmingham employs Pastor Solomon as the Technical Supervisor for Inpatient Pharmacy.

IN SUPPORT OF H.R. 203, THE NATIONAL SMALL BUSINESS REGULATORY ACT OF 2001

HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. REYES. Mr. Speaker, I rise today in support of H.R. 203, the National Small Business Regulatory Assistance Act of 2001. H.R. 203 establishes a pilot program at the Small Business Administration (SBA) to allow Small Business Development Centers (SBDCs) to provide regulatory compliance counseling to small businesses.

Current law is preventing the FDA from collecting additional adverse event reports. It also prevents the agency from asking supplement companies for copies of their safety studies. Without this information, the FDA cannot adequately research the risks and benefits of dietary supplements. This is simply unacceptable.

Congress has the authority and the obligation to protect American consumers. It is time for Congress to stop standing on the sidelines. We must take action.

We need to stand up for Tammy Cole, a 35-year-old San Diego resident who suffered panic attacks, chest pain, and insomnia after taking an echinacea supplement for one month.

We need to stand up for Sarah Ingham, a 24-year-old Manassas resident who suffered a stroke in the spring of 2000. She had been taking an echinacea supplement to lose weight for her wedding.

We need to stand up for Rosanna Porras, a 15-year-old Californian who died on a high school soccer field from a massive heart attack. Her parents believe that echinacea pills...
Mr. DELAY. Mr. Speaker, The Asia-Pacific Economic Cooperation Forum in Shanghai will tell us a great deal about the Communist Chinese leadership’s true intentions for engagement with the world. Specifically, the question is whether or not China embraces the moment by allowing full participation from member states with a common interest in advancing trade, encouraging investment, and expanding economic growth around the Pacific Rim.

Although they haven’t yet invited President Chen of Taiwan to attend the APEC Summit in Shanghai, the Communist leaders in Beijing can still demonstrate that they are serious about addressing and eventually resolving their differences with Taiwan in a thoughtful, productive, and enlightened way by offering President Chen a chance to join other leaders at the table of consultation and negotiation.

Beijing should take this opportunity to broaden their approach and lower tensions in the region by extending an invitation to President Chen Shui-bian of Taiwan to attend the APEC Summit in Shanghai. The decision to invite President Chen would send a strong signal that China was committed to seeking peaceful resolutions to issues of mutual concern between the people of China and the people of Taiwan.

The key to resolving tension between China and Taiwan begins an open and wide ranging dialogue that encompasses all the issues important to both parties. China can take a critical step on the pathway of constructive engagement by inviting President Chen to attend the summit.

The United States seeks the fullest possible trading relationship with all APEC members. We want all nations to experience the benefits of globalization and sustained economic growth. We hope that China signals its support for this goal as well by reaching out to Taiwan and allowing President Chen to travel to Shanghai.

MEMORIALIZING FALLEN FIREFIGHTERS

SPEECH OF

HON. SILVESTRE REYES
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2001

Mr. REYES. Mr. Speaker, I rise today in strong support of House Joint Resolution 42, which requires the American flags on all Federal office buildings to be lowered to half-staff each year in commemoration of the National Fallen Firefighters Memorial Service held in Emmitsburg, Maryland, which honors our nation’s firefighters who died in the line of duty.

During the recent terrorist attacks on New York and Washington, D.C., firefighters did their jobs at the Pentagon and the World Trade Center buildings and emerged as true heroes, dedicated to saving and protecting lives. These are individuals who deserve our highest praise for their brave commitment to
duty. September 11, 2001 was a tragic day that proved to the world that the resolve of our nation’s firefighters is strong, as it is every day. The American firefighter goes to work every day and puts his or her life on the line for the protection of fellow citizens, whether the day in question carries with it the façade of national tragedy. There is no question that every fallen firefighter deserves this honor, and I ask my colleagues to support this bill.

I am proud to have close to thirty firefighters in my family. It is a deep rooted tradition and a strong identification to service that has been in my family for years. As was evident to everyone across the world on September 11, firefighters are brothers and sisters bound together by duty. And on that tragic day, 343 New York Firefighters were lost, as well as one firefighter from New Jersey. Public service officers all over the world mourn the deaths of the firefighters who lost their lives in these attacks. Yet they know that tomorrow will bring a new day where people everywhere will count on firefighters to be ready to assist where they are needed most, ready to protect the lives of their fellow citizens.

This resolution is a great honor for our public service officers and a proud sentiment from a grateful Nation.

SAFE ACT

HON. RON PAUL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Mr. PAUL. Mr. Speaker, I rise to introduce the Securing American Families Effectively (SAFE) Act. The SAFE Act makes commonsense changes to federal law that will enhance the government’s ability to prevent terrorist incidents. Unlike other proposals, my legislation in no way threatens the constitutional liberties of the American people. In fact, the only people threatened under the SAFE Act are terrorists.

The SAFE Act repeals regulations preventing agencies who deal with terrorism from sharing information with 1 another. Currently, there are limits on sharing data with policy makers and there is a nearly unanimous agreement on lifting these restrictions. Removing the restrictions on data sharing is a good step which provides more—not less—openness and government transparency.

Hard as it may be to believe, there are actually existing directives in the law enforcement and intelligence communities which grant suspects “extra-legal” rights. These “special” rights could, and should, be clarified without changing existing law. This is why the SAFE Act adopts several of the administration’s proposals to change the procedures regarding prosecutions of terrorism, such as eliminating the statute of limitations for terrorist offenses.

Perhaps the most significant change made to procedures is codifying that probable cause is the maximum standard for an investigation of terrorism. According to information received by my office some federal agencies actually have to meet a higher standard than the constitutional standard of probable cause in order to launch an investigation of suspected terrorists. It is absurd to make the FBI meet a higher standard to initiate an investigation of a terrorist than to initiate an investigation of an insider trader!

Finally, the SAFE Act drastically reduces immigration from countries on the State Department’s terrorist list and countries which refuse to provide assistance in the battle against terrorists. Whatever one’s feelings on other questions connected with immigration, I would hope we all could agree that the United States should not accommodate those who may be threats to the security of United States citizens outside the country. This is especially true considering that the programs I proposed limiting allow immigrants to take advance of taxpayer-funded educational programs and provide other programs for immigrants from terrorist countries. It is the height of absurdity to allow immigrants from countries involved in terrorist activities against American citizens special preferences denied to immigrants from America’s closest allies.

I would also hope that we could all agree that this is far preferable to systems of nationwide “surveillance,” which could threaten the liberty of all immigrants and eventually all citizens. This is an instance where the interests of liberty and security coincide entirely.

In conclusion, I ask my colleagues to join me in taking these commonsense steps to protecting the liberty and the security of the American people from terrorists by cosponsoring the Securing American Families Effectively (SAFE) Act.

SUPPORT OF AMERICAN MILITARY AND THE AMERICAN PEOPLE

HON. EDDIE BERNICE JOHNSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to support the American military and the American people. The terrorist acts of September 11, 2001 were inexcusably the acts of cowards,” said Congresswoman JOHNSON. “The perpetrators of those acts have sought to pervert the Islamic faith and to make it a just war, yet in so doing they have betrayed the very principles they purport to uphold. There is, and never will be, any religious justification for the killing of innocent people. Those who seek to convince the world that there is any sound reasoning behind the acts of terror committed is simply betraying their own insanity. America has every right, and should exercise every right, to protect its citizens.

I continue to encourage the use of diplomatic efforts to the greatest extent possible to win the war on terrorism. We should ensure that we communicate with our neighbors in the world community and develop alliances wherever those relationships will be positive. We should listen to people who think differently than we do. America does, however, have the right to defend itself and will not compromise its interest. We should arm our military forces with the tools necessary to bring the fight to those who threaten our way of life.

In this pursuit, Anna Maria initiated the preservation of the Series was launched in 1998 with the full endorsement of the Hispanic Woman Foundation, the National Association of Hispanic Women, the Hispanic National Leadership Conference, the National Hispanic Institute, the Hispanic National Leadership Conference, and the Hispanic National Leadership Conference. Each year, the magazine issues a special report listing the 50 best companies for Latinos to work for in the United States. Beyond the “Latina Style 50,” the magazine is recognized for its Business Series, a one-day free seminar, conducted across the country. This Business Series was launched in 1998 with the full endorsement of the U.S. Small Business Administration’s Hispanic Business Development Agency, the Women Business Centers and the National Hispanic Leadership Conference. The Series is the most extensive service officer some federal agencies actually have to meet a higher standard than the constitutional standard of probable cause in order to launch an investigation of suspected terrorists. It is absurd to make the FBI meet a higher standard to initiate an investigation of a terrorist than to initiate an investigation of an insider trader!

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IN THE HOUSE OF REPRESENTATIVES

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HONORING THE LIFE OF ANNA MARIA ARIAS

HON. RUBÉN HINOJOSA
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 9, 2001

Mr. HINOJOSA. Mr. Speaker, I would like to take a moment to remember the life of Anna Maria Arias who passed away on Monday, October 1. Many will miss her and mourn her passing.

Anna Maria was the Founder, Publisher and Editor of Latina Style Magazine. Latina Style embodies the life and spirit of the Hispanic woman. Anna Maria will best be remembered for her relentless pursuit of access to education and capital for Hispanic women.

In this pursuit, Anna Maria initiated the prestigious “Latina Style 50.” The “Latina Style 50” honors and showcases the top 50 American companies that promote a healthy working environment for Latina professionals. Each year, the magazine issues a special report listing the 50 best companies for Latinos to work for in the United States. Beyond the “Latina Style 50,” the magazine is recognized for its Business Series, a one-day free seminar, conducted across the country. This Business Series was launched in 1998 with the full endorsement of the U.S. Small Business Administration’s Hispanic Business Development Agency, the Women Business Centers and the regional Hispanic Chambers of Commerce. The Series is the most extensive...
Latina business-owner development program in the nation and is a success because of Anna Maria’s vision and dedication. During this difficult loss, the magazine is committed more than ever to carry out the hopes and dreams, and entrepreneurial spirit of this very talented young woman.

Mr. Speaker, Anna Maria Arias was a person who lived an accomplished life. She deeply cared for people and wanted only the best for them. I was proud to have called her my friend. Her memory will live on in the hearts and minds of the people whom she touched. I would like to extend my deepest sympathy and warmest regards to her husband, Robert E. Bard, and their families at this time of remembrance. My thoughts and prayers are with them.

IN HONOR OF THE NATIONAL DAY OF THE REPUBLIC OF CHINA ON TAIWAN

HON. ENI F.H. FALEOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 9, 2001

Mr. FALEOMAVAEGA. Mr. Speaker, on the auspicious occasion of the National Day of the Republic of China (ROC)—October 10th, 2001—I send my warmest greetings, congratulations and best wishes to President Chen Shui-bian, the Honorable C.J. Chen, ROC Representative to the United States, and the good people of Taiwan.

I also wish to acknowledge and thank President Chen, Representative Chen and the leaders of Taiwan for their strong support of the United States in the aftermath of the September 11th terrorist attacks on America. As our Nation struggled to recover from the horrific tragedy, I would note Taiwan was one of the first governments to declare unequivocal support for and cooperation with the United States to combat terrorism worldwide.

President Chen has repeatedly affirmed Taiwan’s strong belief that the United States is on the right course in going after terrorists and extremists worldwide, and Taiwan has offered assistance in this mission. Terrorism knows no national boundaries and terrorists seek to destroy freedom and our democratic way of life. Standing shoulder to shoulder as fellow democracies, Taiwan has mourned with America, shared the pain of our Nation, and joined in partnership to fight terrorism.

Mr. Speaker, the quick response of Taiwan is not surprising, as the Republic of China is a true democracy—a democracy that cherishes, protects and respects all the rights of her citizens. The success of Taiwan’s democracy is further reflected in her prosperity where, despite having only 23 million people, Taiwan has developed into one of the most important and robust economies in the world.

As the United States leads the global fight to eradicate terrorism, Mr. Speaker, let us be thankful for good friends and allies such as Taiwan. In this regard, Representative C.J. Chen has done an excellent and superb job on Capitol Hill and Washington in representing Taiwan and furthering relations between our governments.

Mr. Speaker, on October 10th, the National Day marking the birth of the Republic of China, I ask our colleagues and all Americans to join me in saluting and honoring the strong, vibrant and impressive democracy that is Taiwan today.
HIGHLIGHTS

House Committee ordered reported the Departments of Labor, Health and Human Services, and Education, and related agencies appropriations for fiscal year 2002.

Senate

Chamber Action

Routine Proceedings, pages S10343–S10402

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 1511–1521, S. Res. 169–170, and S. Con. Res. 77. Pages S10388–89

Measures Reported:
S. 1511, to combat international money laundering, thwart the financing of terrorism, and protect the United States financial system. Page S10388

Measures Passed:

Honoring Mike Mansfield: Senate agreed to S. Res. 169, relative to the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana. Pages S10399–S10400

Honoring U.S. Capitol Police: Senate agreed to S. Res. 170, honoring the United States Capitol Police for their commitment to security at the United States Capitol, particularly on and since September 11, 2001. Page S10400

Honoring Emergency Personnel: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 76, honoring the law enforcement officers, firefighters, emergency rescue personnel, and health care professionals who have worked tirelessly to search for and rescue the victims of the horrific attacks on the United States on September 11, 2001, and the resolution was then agreed to. Pages S10400–01


Youth For Life Contributions Recognition: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Con. Res. 63, recognizing the important contributions of the Youth For Life: Remembering Walter Payton initiative and encouraging participation in this nationwide effort to educate young people about organ and tissue donation, and the resolution was then agreed to. Pages S10401–02

Aviation Security Act: Senate resumed consideration of the motion to proceed to consideration of S. 1447, to improve aviation security. Pages S10346–47, S10354

During consideration of this bill today, the Senate also took the following action:
By a unanimous vote of 97 yeas (Vote No. 292), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on the motion to proceed to the bill. Page S10347

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, on Wednesday, October 10, 2001. Page S10402

Nominations Received: Senate received the following nominations:
John Thomas Korsmo, of North Dakota, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2009. (Reappointment) John Thomas Korsmo, of North Dakota, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2002.
Charles S. Shapiro, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela.
Ernest L. Johnson, of Louisiana, to be an Alternate Representative of the United States of America to the Fifty-sixth Session of the General Assembly of the United Nations.
William J. Hybl, of Colorado, to be Representative of the United States of America to the Fifty-sixth Session of the General Assembly of the United Nations.
Nancy Cain Marcus, of Texas, to be an Alternate Representative of the United States of America to...
the Fifty-sixth Session of the General Assembly of the United Nations.

Rene Acosta, of Virginia, to be a Member of the National Labor Relations Board for the remainder of the term expiring August 27, 2003.

Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

William H. Steele, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Philip R. Martínez, of Texas, to be United States District Judge for the Western District of Texas.

C. Ashley Royal, of Georgia, to be United States District Judge for the Middle District of Georgia.

1 Army nomination in the rank of general.

7 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Navy. Page S10402

Messages From the House: Page S10383

Measures Placed on Calendar: Pages S10345, S10383

Executive Communications: Pages S10383-84

Petitions and Memorials: Pages S10384-88

Additional Cosponsors: Pages S10389-90

Statements on Introduced Bills/Resolutions: Pages S10390-97

Additional Statements: Pages S10382-83

Amendments Submitted: Pages S10398-99

Authority for Committees to Meet: Page S10399

Privilege of the Floor: Page S10399

Record Votes: One record vote was taken today. (Total—292) Page S10347

Adjournment: Senate met at 9:30 a.m., and as a further mark of respect to the late Senate Majority Leader, Senator Mike Mansfield, in accordance with S. Res. 169, adjourned at 7:08 p.m., until 9:30 a.m., on Wednesday, October 10, 2001. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S10402.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of John H. Marburger III, of New York, to be Director of the Office of Science and Technology Policy, and Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology, after the nominees testified and answered questions in their own behalf. Mr. Marburger was introduced by Representatives Boehlert and Grucci, and Mr. Bond was introduced by Senator Allen.

Bioterrorism

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health held hearings to examine effective responses to the threat of bioterrorism, focusing on detection, treatment, and containment measures, after receiving testimony from Senators Cleland, Hagel, Bayh, and Corzine; Janet Heinrich, Director of Health Care—Public Health, General Accounting Office; Donald A. Henderson, Johns Hopkins University Center for Civilian Biodefense Studies, Baltimore, Maryland; Michael Osterholm, University of Minnesota Center for Infectious Disease Research and Policy, Minneapolis; and Mohammad N. Akhter, American Public Health Association, Washington, D.C.

Hearings continue on Tuesday, October 16.

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Committee on Energy and Natural Resources: Committee concluded hearings on S. 1480, to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation; and S. 1456, to facilitate the security of the critical infrastructure of the United States, to encourage the secure disclosure and protected exchange of critical infrastructure information, to enhance the analysis, prevention, and detection of attacks on critical infrastructure, and to enhance the recovery from such attacks, after receiving testimony from Senator Bennett; John W. Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and Lee Liberman Otis, General Counsel, Department of Energy.

Committee on Foreign Relations: Committee concluded hearings on the nominations of J. Edward Fox, of Ohio, to be Assistant Administrator for Legislative and Public Affairs, Kent R. Hill, of Massachusetts, to be Assistant Administrator for Europe and Eurasia, and E. Anne Peterson, of Virginia, to be Assistant Administrator for Global Health, all of the United States Agency for International Development; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Fox was introduced by Senator DeWine, Dr. Hill was introduced by Representative Wolf, Dr. Peterson was introduced by Senator Allen, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Finance: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Homeland Security: Committee concluded hearings on the nominations of John H. Marburger III, of New York, to be Director of the Office of Science and Technology Policy, and Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology, after the nominees testified and answered questions in their own behalf. Mr. Marburger was introduced by Representatives Boehlert and Grucci, and Mr. Bond was introduced by Senator Allen.

Committee on the Judiciary: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Science, Space, and Technology: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Transportation and Infrastructure: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Armed Services: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

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Committee on Homeland Security: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on the Judiciary: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Science, Space, and Technology: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Transportation and Infrastructure: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.

Committee on Armed Services: Committee concluded hearings on the nominations of Phillip Bond, of Virginia, to be Under Secretary of Commerce for Technology; and John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, after the nominees testified and answered questions in their own behalf. Mr. Bond was introduced by Senator DeWine, and Mr. Turner was introduced by Senators Enzi and Thomas.
House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 4059–3072; and 3 resolutions, H. Con. Res. 244–246, were introduced.

Reports Filed: Reports were filed as follows:

- H. Res. 250, amended, urging the Secretary of Energy to fill the Strategic Petroleum Reserve to its capacity as soon as practicable;
- S.J. Res. 19, providing for the reappointment of Anne d’Harnoncourt as a citizen regent of the Smithsonian Institution; Clearing the measure for the President;
- S.J. Res. 20, providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution; clearing the measure for the President;
- H. Res. 256, providing for consideration of H.R. 2992, to amend the Higher Education Act of 1965 to expand the opportunities for higher education via telecommunications (H. Rept. 107–231, Pt. 1); and
- H. Res. 256, providing for consideration of H.R. 3016, to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins, to clarify the application of cable television system privacy requirements to new cable services, to strengthen security at certain nuclear facilities, amended (H. Rept. 107–231).

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker Pro Tempore for today.

Guest Chaplain: The prayer was offered by the guest chaplain, Rev. Dr. W. Wilson Goode, Sr., First Baptist Church of Paschall of Philadelphia, Pennsylvania.

Recess: The House recessed at 12:32 p.m. and reconvened at 2 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:

- “Our Flag” Printing Authorization: H. Con. Res. 244, authorizing the printing of a revised edition of the publication entitled “Our Flag” (agreed to by a yeas-and-nays vote of 412 yeas with none voting “nay”, Roll No. 372);

Supplemental Report: The Committee on Energy and Commerce received permission to file a supplemental report on H.R. 3016, to amend the Antiterrorism and Effective Death Penalty Act of 1996 with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to amend title 18, United States Code, with respect to such agents and toxins, to clarify the application of cable television system privacy requirements to new cable services, to strengthen security at certain nuclear facilities.
Recess: The House recessed at 3:01 p.m. and reconvened at 6:32 p.m.

Amendments: Amendments ordered printed pursuant to the rule appear on page H6459.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appears on pages H6435 and H6436. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:08 p.m.

**Committee Meetings**

**LABOR, HHS AND EDUCATION APPROPRIATIONS; REVISED BUDGET ALLOCATIONS**

*Committee on Appropriations*: Ordered reported H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002.

The Committee also adopted revised Budget Allocations for fiscal year 2002.

**INTERNET EQUITY AND EDUCATION ACT**

*Committee on Rules*: Granted, by voice vote, a modified closed rule providing 1 hour of debate on H.R. 1992, Internet Equity and Education Act of 2001. The rule provides that the amendment recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The rule waives all points of order against consideration of the bill. The rule provides for consideration of an amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution if offered by Representative Mink or a designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives McKeon, Isakson, Miller of California, Mink of Hawaii, Tierney and Holt.

**LABOR, HHS AND EDUCATION APPROPRIATIONS**

*Committee on Rules*: Heard testimony from Representatives Quinn, Obey and Maloney of New York, but no action was taken on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for fiscal year 2002 ending September 30, 2002.

**BIPARTISAN TRADE PROMOTION AUTHORITY ACT**


**NEW PUBLIC LAWS**

*(For last listing of Public Laws, see DAILY DIGEST, October 2, 2001, p. D964)*


**COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 10, 2001**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on Commerce, Science, and Transportation*: Subcommittee on Surface Transportation and Merchant Marine, to hold hearings to examine bus and truck security and hazardous materials licensing, 9:30 a.m., SR–253.

*Committee on Foreign Relations*: Subcommittee on International Operations and Terrorism, with the Subcommittee on Near Eastern and South Asian Affairs, to hold joint hearings to examine Afghanistan's humanitarian crisis, 2:30 p.m., SD–419.

Subcommittee on Near Eastern and South Asian Affairs, with the Subcommittee on International Operations and Terrorism, to hold joint hearings to examine Afghanistan's humanitarian crisis, 2:30 p.m., SD–419.

*Committee on Governmental Affairs*: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to examine the current structure of federal food safety oversight to determine whether it can adequately protect the American public from possible food hazards, 1 p.m., SD–342.

*Committee on Health, Education, Labor, and Pensions*: Business meeting to consider S. 1379, to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health; S. 727, to provide grants for cardiopulmonary resuscitation (CPR) training in public schools; proposed legislation with respect to mental health and terrorism, proposed legislation with respect to cancer screening; H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; and the nomination of Eugene Scalia, of Virginia, to be Solicitor for the Department of Labor, 10 a.m., SD–430.
Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

Committee on the Judiciary: to hold hearings on the nomination of John P. Walters, of Michigan, to be Director of National Drug Control Policy, 1:30 p.m., SD–226.

House

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled “Electricity Transmission Policy,” focusing on transmission siting, incentives, and reliability, 10 a.m., and focusing on RTOs, open access, and jurisdiction, 2 p.m., 2123 Rayburn.


Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, hearing on “The Debt Collection Improvement Act: How Well is it Working?” 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on the Role of Public Diplomacy in Support of the Anti-Terrorism, 10:15 a.m., 2172 Rayburn.

Subcommittee on Europe, hearing on The Caucasus and Caspian Region: Understanding U.S. Interests and Policy, 1:30 p.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, hearing on the Western Hemisphere’s Response to the September 11, 2001 Terrorist Attack on the United States, 2 p.m., 2200 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 1408, Financial Services Antifraud Network Act of 2001; H.R. 1840, to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; and H.R. 1552, Internet Tax Non-discrimination Act, 2 p.m., 2141 Rayburn.

Committee on Science, hearing on Cyber Security—How Can We Protect American Computer Networks From Attack? 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on the Role Small Businesses Can Play in Jump-Starting the Economy, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on Terrorism: Are America’s Water Resources and Environment at Risk? 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, to mark up the following bills: H.R. 2716, Homeless Veterans Assistance Act of 2001; and H.R. 2792, Disabled Veterans Service Dog and Health Care Improvement Act of 2001, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing on “Conflict Diamonds,” 10 a.m., 1100 Longworth.

Joint Meetings

Next Meeting of the SENATE
9:30 a.m., Wednesday, October 10

Senate Chamber

Program for Wednesday: Senate will resume consideration of the motion to proceed to S. 1447, Aviation Security Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, October 10

House Chamber


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