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House of Representatives

The House met at 10 a.m.

The Reverend Eugene Roberson, First Corinthian Missionary Baptist Church, North Chicago, Illinois, offered the following prayer:

Our Father, which art in heaven, hallowed be thy name.

We come to thee for direction as You led Abraham, Isaac, and Jacob. We ask Your blessing on these outstanding leaders who have been given an awesome responsibility to lead this country to greater height and success.

We ask Your blessing as they make objective and powerful decisions that will affect this country and the lives of its citizens. We pray You will give them sight, insight, and foresight.

Give sight that they may look on issues, give them insight that they may look into issues, and foresight to look beyond issues.

Give them strength to rise above conflicts, principalities, against powers, and against the rulers of the darkness of this country so that progress will be achieved.

We pray that each Member of Congress will use their knowledge, skills and intestinal fortitude to do God's will for America.

We pray for peace and unity that this country will live out its true meaning of justice and freedom.

We pray for their going out and coming in and that You will make them the head and not the tail.

We thank You for all that they will achieve during this Congressional session.

In Jesus' name, Amen.

THE JOURNAL

The SPEAKER. 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.

Mr. MCNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MCNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arizona (Mr. FLAKE) come forward and lead the House in the Pledge of Allegiance.

Mr. FLAKE 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.

THE REVEREND EUGENE ROBERSON, FIRST CORINTHIAN MISSIONARY BAPTIST CHURCH, NORTH CHICAGO, ILLINOIS

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

Mr. KIRK. Mr. Speaker, 2 years ago I worshipped at North Chicago's First Corinthian Baptist Church and met Pastor Eugene Roberson. He is a leader.

Pastor Roberson is one of our spiritual leaders in northern Illinois. Under his hand, First Corinthian welcomed 800 new members and will dedicate a new sanctuary this Sunday.

He is a mentor to young people from Zion, Waukegan, and North Chicago. He is also a seventh grade physical education teacher at Central Junior High School in Zion, Illinois. In recognition of his community service, Pastor Roberson received the distinguished Harambee Award of Excellence from the College of Lake County.

Pastor Roberson, a man of integrity and committed to family, is fond of saying, ''God is good all of the time, and all the time, God is good.'' With his wife, Geraldine Herron Roberson, they are proud parents of three, Kristian, LaTonya and Eugene II, who blessed the Robersons with four grandchildren.

We look to Pastor Roberson in this time of adversity. We are reassured under his expanding ministry, and it is my honor to thank him for leading the United States Congress in prayer today during our hours of trial. On behalf of Congress, I thank Pastor Roberson.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces there will be 15 1-minute speeches per side.

WE WILL NOT SUCCUMB TO THE THREAT OF ANTHRAX

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

Mr. FOLEY. Mr. Speaker, last week the Speaker of the House decided, based on credible information and a significant threat, to shut down some of our office buildings. We thought we had coordinated with the other body. Lo and behold, all of a sudden headlines say wimp. The Speaker acted appropriately, concerned for the people who work here, and I would much prefer a headline saying ''wimp'' than ''morons.''

Somehow, somewhere the majority leader decided last week to be tough

and be brave and stand up here and say we will not go home, we will work. I thank the Speaker and I thank our leadership for doing what was appropriate to protect the lives of hundreds of employees who work in this building each and every day.

Mr. Speaker, we will not succumb to the threat of anthrax. It struck my district. It struck our capital, but we will not relent.

Mr. bin Laden and other associates of your terror reign, your days are numbered. Your days are about over. We will not succumb to the fear because America remains united against the threat of terrorism, and we are united as people of this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their comments to the Chair.

REVERSE ROBIN HOOD IS CONTINUING BY CONGRESS

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

Mr. DEFAZIO. Mr. Speaker, after the attacks, we rushed through $16 billion for the airlines, and we were told there was not time to take care of the workers. Their time would come soon. We were promised maybe the next week or the week after we would help the workers. Well, soon is not here yet.

Today, a $100 billion so-called economic stimulus package, and guess what, $25 billion up front to repeal a loophole closing tax provision, $25 billion for the largest corporations in America in a retroactive tax cut to 1986, paid for by FICA taxes, paid for by the working people of this country, coming out of the Social Security Trust Fund going straight to corporate coffers.

Mr. Speaker, guess what, they do not have to give a penny to the workers or provide assistance to the millions of Americans that have lost their jobs. This is in the form of a so-called economic stimulus. Reverse Robin Hood is continuing here on the floor under the guise of helping the American people and the economy.

This has to stop. Let us give workers help with their health insurance. Let us stop dumping money into the corporate coffers.

CELEBRATING THE LIFE OF NAN HERRING BURNSIDE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today I celebrate the life of Nan Herring Burnside, a constituent and fellow educator whose death on October 14 represented a great loss to all who knew her, particularly the many students whom she has helped and their grateful parents.

Upon graduation from the University of Miami, Nan became a teacher in the Miami area, and she remained there for the next 35 years. She was a co-principal at Bay Point School, an alternative educational and rehabilitation center focusing on behavior management for troubled youths.

She was a devoted Christian, and an active member of the First Baptist Church of Perrine. She shared her faith openly with those around here, and was an inspiration to family, friends and students. Like her mother, Amy Steinman, an appropriations analyst for the House majority whip's office, shares her mother's generosity and commitment.

I want to express my deepest condolences to Amy and to her brother John, and to all of the staff and students at Bay Point School.

Nan personified all that was good and noble in this world. She will be sorely missed, especially by her family, the Bay Point community, and all who will continue to work hard to ensure that her legacy lives on in changing the lives of our troubled youth.

CONGRESS BETTER KEEP AN EYE ON THE DRAGON

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

Mr. TRAFICANT. Mr. Speaker, while everyone is choosing their words very carefully, news reports continue to link the Taliban government with China.

On Tuesday, September 11, we all know that the Taliban attacked America with one hand; on the same day with the other hand, the Taliban signed a memorandum of understanding cooperative agreement with China. Something stinks here.

Bin Laden is in the headlines, but we better be very careful that China is not popping up in the details and fine print. To boot, we are financing the biggest war machine in world history with U.S. dollars in China. Beam me up.

Mr. Speaker, I yield back the fact that Congress better keep an eye on the dragon, and the dragon can reach New York and Washington a lot quicker and easier than the Taliban did.

FEAR IS USELESS, WHAT IS NEEDED IS TRUST

(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, in these uncertain days, it is important that we cling to the permanent things and the ancient truths. Among them is the principle that fear is useless, what is needed is trust.

As we prepare in the next hour to vote on H.R. 2975, the PATRIOT Act of 2001, I rise as a proud member of the Committee on the Judiciary to say this legislation is about trust. It is not about fear. It is about trusting the law enforcement authorities of this country with the powers, some temporary, some permanent, to stop those who would wage war on our citizens before they level the attacks.

We do not bring this legislation to this floor in fear. We bring this legislation to the floor in trust. We trust in God. We trust in the governing authorities that our God has placed for such a time as this. I urge all of my colleagues to join me in strongly supporting the PATRIOT Act of 2001.

AMERICANS NEED TO KEEP TERRORIST THREATS IN PERSPECTIVE

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

Mr. EHLERS. Mr. Speaker, I want to make a few comments about the terrorist activity going on and recognize it for what it is.

Terrorists are nongovernmental groups who are trying to disrupt legitimate governments. They do that, they attempt to do that disruption by terrifying people. Therefore, they are called terrorists. They do this by trying to instill fear, to cause substantial expense to legitimate governments, to disrupt daily life and achieve their goals in that way when they cannot achieve them through legitimate power.

We have to keep that in mind in our response. It is very important that we do not become fearful, that we do not become terrified, and that we go about our normal lives.

Mr. Speaker, let me speak for a moment as the scientist that I am. Let us keep things in perspective. I am very concerned that our Nation seems to be fearful, extremely fearful of anthrax. Recognize the risk and put it in perspective. Every day of the week approximately 120 Americans get killed in car accidents, and many more injured; yet very few have been affected by terrorist activities. I urge Americans to fly. It is safe. I ask Americans not to ignore the threat of anthrax, but simply be careful.

□ 1015

ECONOMIC STIMULATION FOR SPECIAL INTERESTS

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

Mr. GREEN of Texas. Mr. Speaker after September 11, the American people came together, Democrats, Republicans, rural, urban, East, West, North,

South, white, black, Hispanic and Asian. The American people wanted this, and they demand it from us.

But today is a different story. The so-called stimulus package that we have on the floor today is being presented wrapped in red, white and blue, but it is a charade. It is a Trojan horse for every special interest package that has come around for the last 10 years. The American people are not and will not be fooled. This so-called stimulus package is a wish list of every special interest tax rebate and tax cut that will not stimulate our economy and does nothing to help us from the September 11 tragedy. The wrapping of special interest legislation in our patriotic feelings is wrong, and it is not in the spirit of our bipartisan war effort.

Do not wrap your special interest in our flag and expect the American people to accept it.

URGING SUPPORT FOR THE ECONOMIC SECURITY AND RECOVERY ACT

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

Mr. GIBBONS. Mr. Speaker, today we will debate and vote on H.R. 3090, the Economic Security and Recovery Act of 2001. I urge everyone's support for this bill. There is no doubt that our economy has been drastically impacted by the September 11, 2001 act and by the subsequent bioterrorism that has occurred throughout America. Both the job creator and the individuals are facing difficult financial situations and action needs to be taken now.

This bill, H.R. 3090, will provide incentives for businesses to create those jobs and innovations to invest in our country and in our future. The bill will also address the issues related to human impacts by these attacks. Hundreds of thousands of individuals are in dire financial straits through no fault of their own and are offered a helping hand in this bill.

This bill will allow for States to provide flexibility to supplement current unemployment and health benefits in States where events of September 11 have caused an increase in the number of unemployed. The bill also offers incentives for businesses to create jobs, spur innovations and invest in our country's future. I urge everybody to support H.R. 3090.

ECONOMIC STIMULUS PACKAGE OUGHT TO BE REJECTED

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

Mr. GEORGE MILLER of California. Mr. Speaker, later today we will be called upon to vote on the economic stimulus package presented from the other side of the aisle. Should that package pass, we will create the greatest inequality in the treatment of American taxpayers in decades in this country. We will return to the days of yesteryear where in 1986, 1987, and 1988 corporations were making millions of dollars and paid no taxes. They paid nothing for the privilege of the defense system of this country. They paid nothing for the research capabilities of this country. They paid nothing for the privileges of being an American corporation.

Today, we are going to go back and we are going to repeal the alternative minimum tax so those corporations will be back in the position of paying no taxes and at the same time, at a time when this country is at war, when we are asking for shared contribution, shared sacrifice, we are going to dump the burden of this war, the cost of this war, the cost of this deficit, the cost of bailing out Social Security on the backs of working people and the payroll tax. That is what the Republican Party believes is fair, is equitable. It is wrong, it drips with greed, it drips with special interests and it ought to be rejected.

PUTTING THE TERRORIST ATTACKS IN PERSPECTIVE

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

Mr. BARTLETT of Maryland. Mr. Speaker, I would like to take just a couple of moments to put the terrorist attacks in perspective. Every day, the 10 leading causes of death in our country result in 5,032 deaths. The fifth leading cause of deaths in our country are accidents. Nearly half of those deaths are caused by automobile accidents. And nearly half of the automobile accident deaths are the result of drunk driving. Every day, about 60 people die as a result of drunk driving. As bad as the terrorist attacks are, we have lost three people to anthrax in the last 9 days.

Your chances of being killed by a drunk driver are far, far, far more than your chances of dying from anthrax.

Mr. Speaker, we must not allow the terrorists to shut down our government. We must not allow them to shut down our country. Please put this in perspective.

VOTE AGAINST THE TAX BILL

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

Mr. MCDERMOTT. Mr. Speaker, the real casualty, it looks like, from the 11th of September was the democracy that this House represents. We were told we could have unlimited 1-minutes today, and suddenly they do not want to have us talk. They do not want to have us talk in hearings. They do not want to bring in people to tell us what these bills are going to do, so today you are going to be faced with a bill that had 1 hour of hearings. Nobody came and told us any of the facts about what was in the bill. So we are going to go out when we go home this weekend and tell our friends and neighbors in our district, buy war bonds so you can give $1.4 billion to IBM, buy war bonds so you can give $2.3 billion to the Ford Motor Company. That is going to stimulate the economy, folks. That really is. Without one hearing.

What else do we have to do but talk? We do not have an office. We do not have staff. We do not have anything else, but we cannot talk in the House of the people. That is shameful. You ought to vote against that tax bill on no other reason than that alone.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind all Members to deactivate electronic devices in the Chamber as a courtesy to other Members.

SUPPORT THE STIMULUS PACKAGE

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, I rise today to thank the Committee on Ways and Means for putting together a great package, a stimulus package, H.R. 3090. The best thing about this package is it does provide some stimulus. That is what we need to remember. We ought to stop the class warfare that generally typifies our discussions here and for this day focus on what is going to provide some stimulus.

This speeds the rate reduction for those in the 28 percent tax bracket. We ought to speed it up for everyone, including those in the higher brackets. It increases capital gains tax deductions. It also allows some capital gains reduction for those holding these capital gains for longer.

I urge the House to hold firm on this package in its negotiations later and to resist the class warfare and resist the redistribution that we are want to do in this House and to provide something that provides long-term stimulus to the economy.

TRIBUTE TO THE POSTAL SERVICE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we know that what America wants is to have its Nation secured. We also realize that the heart of America is our people. That is why I want to pay tribute to the men and women of the U.S. Postal Service and offer my deepest sympathy for those we lost

over the weekend. The Postal Service, who delivers mail through rain or shine or any other difficulty, are the working people of America.

That is why I ask the U.S. Postal Service to give every single postal worker gloves and surgical masks as the science dictates, to provide free testing and free treatment and free drugs if necessary to treat them as it relates to the anthrax scare. These are difficult times and America needs to invest in its people. That is why I will vote ''no'' for this special interest economic stimulus package that stimulates no one but corporate America. And yes, I will vote to help postal workers, and I will vote to federalize the airline security system because what America wants is a secure Nation for the working people of America and all the people of America, not a special interest economic stimulus package that serves no absolute purpose.

GOOD NEWS REGARDING MARS SPACE PROGRAM

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

Mr. DREIER. Mr. Speaker, we have gone through some extraordinary challenges over the past several weeks and I think it is important for us when we have some good news to point to that. We all know that this is the greatest Nation the world has ever known, and further evidence of that came this morning when we saw that the Odyssey entered the orbit of Mars. I want to extend congratulations to the wonderful people at the Jet Propulsion Laboratory that my friend the gentleman from California (Mr. SCHIFF) and I have the privilege of representing. I see the gentlewoman from California (Mrs. NAPOLITANO) here in the Chamber. I know she has many constituents who work up there. They have gone through some very tough times over the past 2 years in dealing with the Mars program. This sign of success is a further demonstration of the greatness of the United States of America and the people who are working on the very important space program.

STIMULUS PACKAGE MARKS RETURN OF PARTISANSHIP

(Ms. SANCHEZ asked and was given permission to address the House for 1 minute.)

Ms. SANCHEZ. Mr. Speaker, I rise today to speak about the so-called economic stimulus package, a bill that truly marks the return of partisanship to our Chamber. Congress should be helping workers in need due to the aftermath of the terrorist attacks. These workers are my constituents, the hardworking men and women who make their living off the tourism industry which provides so much to our district.

Our workers want Congress to strengthen homeland security, to put money in the pockets of unemployed workers, and to ensure our long-term economic confidence. That is exactly what the Blue Dog plan would do. Our plan deals with immediate economic concerns without damaging the Nation's fiscal health or long-term economic recovery. It would ensure resources for vital security needs, provide critical relief for laid-off workers, and maintain the fiscal discipline needed to restore long-term economic confidence and keep interest rates low.

The Republicans are putting special interest tax cuts ahead of the workers of America.

ANNOUNCING A NEW ILLINOIS POWER PLANT

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

Mr. SHIMKUS. Mr. Speaker, in the days and weeks of bad news, I would like to come to the floor with some good news. On Monday, I attended an announcement of a collocated coal mine and power plant that is being planned and developed in Washington County, Illinois. Generation is planned for 2003. Construction of this facility will create approximately 1,500 jobs and then for the operation of the coal mine and the power plant another 500 jobs. These will be high-paying union jobs. This is what we and the administration hoped for in a national energy plan.

I applaud the State of Illinois for their assistance and I look forward to low-cost, reliable, clean energy for Illinois and this Nation.

AIRLINE SAFETY

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

Mr. INSLEE. Mr. Speaker, it is a shame that we are now 42 days after the attack of September 11 and this House has done not a single thing for airline safety. Nothing. Zilch. Not one additional element of airline security. When you get on your planes next Friday to go home, it will be with the sure knowledge that 90 to 95 percent of the bags that go into the belly of your airplane are not screened for explosive devices. Those bags go in there with nothing to screen them from keeping C–4 explosives in them.

Yesterday at the airport, or 2 days ago, I got on an airplane and they took the nail clippers away from the guy next to me and that is great. But we have not done a single thing to keep C–4 explosives out of the bags. Instead, the majority party is bringing this alleged stimulus package that is going to stimulate nothing except campaign contributions. It is really too bad that we are paying more attention to the corporate financial security and no interest in airline passenger personal security.

ANTHRAX AND ECONOMIC STIMULATION

(Mr. WHITFIELD asked and was given permission to address the House for 1 minute.)

Mr. WHITFIELD. Mr. Speaker, first of all, I would like to congratulate the leadership on the Democratic side and the Republican side for dealing with this anthrax issue in the House of Representatives and in the Senate. It has called for cooperation on both sides to deal with this very complicated issue. And, yes, it is affecting our legislative process. It is slowing it down. We are not able to move as fast as we want to.

On the economic stimulus package, it is not everything that any of us want. I will say this, though, that this stimulus package provides $9 billion to States to help them respond to economic hardship in the wake of the September 11 attack. It also provides $3 billion in fiscal 2002 to help States provide health care coverage for unemployed workers who today do not have any health care coverage.

□ 1030

Obviously there are some aspects of it we do not like, but hopefully we can work those out with the Senate in the conference. So I think that this economic stimulus package is reasonable and we can work out differences with the Senate.

CORPORATE ORGY

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

Mr. MENENDEZ. Mr. Speaker, the Republican Economic Security Act being voted on today is not economic stimulus; it is a corporate orgy. It is not temporary, as most economists would recommend, but a permanent corporate party at the expense of the average taxpayer.

The Republican plan does not help small and mid-sized businesses that cannot weather the storm on their own, but it does help special interests. The Republican economic plan not only provides a tax break for corporations, but a corporate tax bonus going back to 1986. Displaced, laid-off workers get no guaranteed assistance; and if they get anything, they get chicken feed.

The Republican plan is nothing but a shameless raiding of billions of dollars from the public treasury for private profit, with $20 billion in tax benefits alone for overseas corporations of financial services companies. At a time of national urgency, when we should be here providing for the security of the American people, we should not in fact be fleecing them, and that is what this Republican plan does.

PROVIDE ECONOMIC STIMULUS TO PEOPLE WHO NEED IT

(Mr. ALLEN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, let us just talk the facts about this particular bill, the economic stimulus bill that the Republican leadership is bringing to the floor. Most Americans got a $300 tax rebate not so long ago. Now we understand where the Republican leadership is really coming from. This bill on the floor today will give a $1.4 billion rebate to IBM, $1.4 billion; it will give a $833 million rebate to General Motors; it will give a $671 million rebate to General Electric, and on down the line. It gives $2.3 billion to the Ford Motor Company.

My friends on the Republican side of the aisle call this ''economic stimulus.'' These are good corporations. They are strong corporations. They do not need a rebate of taxes they have paid since 1986.

What we need in this country is an economic stimulus package that goes to people who will spend it, not $25 billion to the largest American corporations.

FEDERALIZE AIRLINE SECURITY

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

Mr. UDALL of New Mexico. Mr. Speaker, I visited the airport in my State over the last weekend, and there were many new security measures in that airport put in place, and the National Guard was greatly appreciated in terms of their presence. But we can do a lot better when it comes to security. We should match all bags with passengers, we should federalize airline security, we can require overseas airlines to disclose passenger lists before they arrive in the United States, and we can require all luggage be X-rayed for bombs.

The Senate has acted 100 to nothing. We do not have a bill on the floor. We need a bill. We need a bill now. It is absolutely unacceptable that we are not working on airline safety.

HOUSE GIVEN CHOICE ON ECONOMIC STIMULUS PACKAGES

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

Mr. TIAHRT. Mr. Speaker, we have heard a lot this morning about the opposition on the other side of the aisle opposing the stimulus package that is being presented on the floor today for a vote. But the way this works, there will be an opportunity for the opposition to present their version of a stimulus package, so we will have a choice here today.

The Republican version does help companies, small businesses, because those are the institutions that hire people. In Kansas, four out of five jobs are in small businesses. There is business expense and depreciation that will help small businesses in this stimulus package. One of the largest corporations in the Nation is the Boeing Company; but in Wichita, Kansas, they are laying off workers. They need help. They need a stimulus package. There is something in here to help them hire back those people.

We act like the great villains are the businesses in America. The people in business provide the jobs so that taxes will be paid by individual workers. That is in the Republican version, and that is a very good part of it.

Now, the opposition is going to present their version, and what it does is it raises taxes. It starts new programs.

I urge my colleagues to accept the Republican version.

FEDERALIZE AIRPORT SECURITY NOW

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

Mr. MEEHAN. Mr. Speaker, my district in Massachusetts has been very hard hit by the events of September 11. Twenty-eight families in my district have been devastated, with 28 victims who were on flights, a vast majority of them, on American and United Airlines.

As I met with families who have been devastated, overwhelmingly they say to me, if you do nothing else, please make airports and airplanes in this country safe. If you do nothing else. Overwhelmingly they say to me, federalize security at the airports. They say to me, we noticed the other body voted 100 to nothing to federalize airport security. Why can the House of Representatives not do the same?

I do not have an answer for those families. Apparently, there is somebody on the other side of the aisle that does not want to federalize security at airports.

On behalf of the families who have been devastated in my district, I urge the leadership of this House to bring that airport security bill down to the floor of the House of Representatives that passed 100 to nothing in the other body. Let us get it done this week.

CONGRESS MUST DO BETTER ON ECONOMIC STIMULUS PLAN

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

Mr. BLUMENAUER. Mr. Speaker, the President and our congressional leadership have suggested that we are in this effort for the long haul. They have pointed out that we are in the equivalent of war, that we were attacked on September 11, not unlike Pearl Harbor. We have been urged, I think, in our efforts to reach out to the American people.

I am saddened that we are today turning our back on the bipartisanship, on working together, in terms of doing our best that these times demand.

My colleague just pointed out the lunacy of the proposal that is brought before us, that is too big for the White House in economic stimulus. It has very little direct aid to those most in need. It has huge benefits for a few corporate giants, with no requirement that this be tied back to economic stimulus.

But my concern is why are we settling in this time of urgency for a return to partisanship and divisiveness? This bill is not our best. I urge Congress to not give up so soon.

POLITICAL PROFITEERING ON STIMULUS BILL

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

Mr. BROWN of Ohio. Mr. Speaker, the Republican-leaning USA Today writes about the so-called stimulus bill. They write, ''The House takes up today a special wartime stimulus bill that is little more than good old-fashioned special interest giveaway. The Republican House has decided to repay corporate patrons for their years of campaign support. The House lavishes tax benefits,'' USA Today says, ''on just about everyone with a lobbyist. Companies get 70 percent of the tax cuts in 2002, and some of these breaks are permanent. These are times,'' USA Today says, ''that require everyone to put aside petty self-interest and everyday horse trading for the country's good. Yet House Republican leaders showed an unwillingness to do that with the refusal to consider federalizing the Nation's airport security system. Now they are at it again with their brazen attempt to use the current crisis to please well-heeled special interests.''

Mr. Speaker, excessive partisanship at this difficult time in our Nation's history is bad enough, but this kind of political profiteering by House Republicans is down right shameful.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 8 of rule XX, the Chair will now resume proceedings on postponed questions, as follows:

First, on suspending the rules and passing H.R. 3162;

Second, on approving the Journal.

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3162.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the house suspend the rules and pass the bill, H.R. 3162, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 357, nays 66, not voting 9, as follows:

[Roll No. 398]

YEAS—357

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NAYS—66

Baldwin
Barrett
Blumenauer
Bonior
Boucher
Brown (OH)
Capuano
Clayton
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Dingell
Farr
Filner
Frank
Hastings (FL)
Hilliard
Honda
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kucinich
Lee
Lewis (GA)
McDermott
McGovern
McKinney
Meek (FL)
Miller, George
Mink
Mollohan
Nadler
Ney
Oberstar
Olver
Otter
Owens
Pastor
Paul
Payne
Peterson (MN)
Rahall
Rivers
Rush
Sabo
Sanchez
Sanders
Schakowsky
Scott
Serrano
Stark
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Woolsey
Wu

NOT VOTING—9

Abercrombie
Bilirakis
Burton
Clay
Cubin
Hansen
Hill
Kilpatrick
Young (AK)

□ 1105

Mrs. MEEK of Florida and Messrs. OWENS, MOLLOHAN and SABO changed their vote from ''yea'' to ''nay.''

Ms. CARSON of Indiana, Mr. STUPAK, and Mr. COSTELLO changed their vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BEREUTER. Mr. Speaker, on rollcall No. 398 I was inadvertently detained. Had I been present, I would have voted ''yea.''

Mr. HANSEN. Mr. Speaker, on rollcall No. 398 I was inadvertently detained. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. CLAY. Mr. Speaker, due to unforeseen circumstances, I missed this morning's vote on the Journal and the vote on H.R. 3162, the PATRIOT Act of 2001. Had I voted, I would have voted ''yes'' on the Journal and ''yes'' on H.R. 3162.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

THE JOURNAL

The SPEAKER pro tempore. The pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCNULTY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 367, nays 48, not voting 17, as follows:

[Roll No. 399]

YEAS—367

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell

Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—48

Baird
Borski
Brady (PA)
Capuano
Crane
DeFazio
English
Fattah
Filner
Gutknecht
Hastings (FL)
Hefley
Hilliard
Hinchey
Hulshof
Jackson-Lee (TX)
Kucinich
LaFalce
Larsen (WA)
Lewis (GA)
LoBiondo
McDermott
McGovern
McNulty
Miller, George
Moran (KS)
Oberstar
Olver
Peterson (MN)
Rahall
Ramstad
Sabo
Scott
Slaughter
Stark
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Towns
Visclosky
Waters
Weller
Whitfield
Wicker
Wu

NOT VOTING—17

Bilirakis
Blunt
Burton
Clay
Cubin
Goss
Harman
Hill
Kilpatrick
McCollum
Moran (VA)
Pickering
Schaffer
Skelton
Stump
Tancredo
Udall (CO)

□ 1117

So the Journal was approved.

The result of the vote was announced as above recorded.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3162, UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

Mr. LINDER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3162, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Georgia?

There was no objection.

ECONOMIC SECURITY AND RECOVERY ACT OF 2001

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 270

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3090) to provide tax incentives for economic recovery. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. 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 Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his 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 an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

H. Res. 270 is a modified closed rule, waiving all points of order against consideration of H.R. 3090, the Economic Security and Recovery Act of 2001.

The rule provides for 1 hour of general debate in the House, equally divided and controlled by the ranking minority member and the chairman of the Committee on Ways and Means. It also provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.

H. Res. 270 provides for the consideration of only the amendment in the nature of a substitute printed in the Committee on Rules' report accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 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, it provides one motion to recommit with or without instructions.

Mr. Speaker, I urge my colleagues in the House to join me in approving this resolution so the House can move on to consideration of this stimulus package, arguably one of the most important legislative measures we will debate this year.

In light of the tragic events of September 11, 2001, along with more recent developments here in Washington, D.C., New York, New Jersey and Florida, observers are increasingly concerned about our Nation's economy going into a recession. Indeed, President Bush has called upon the Congress to quickly send him legislation that he can sign into law to avoid such a scenario. With all of these events in mind, it is imperative for the House of Representatives to take prompt action on legislation that will provide our economy with a jump-start, and H.R. 3090 does just that.

I wanted to commend the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), for bringing this package to the floor and doing so in a fiscally responsible fashion. As approved by the committee, H.R. 3090 provides hard-working American workers and businesses with roughly $99 billion in tax relief to help stimulate the economy in the first year, and only $159 billion over the next 10 years. Constructing the bill in this fashion will hopefully

maximize its stimulative impact, while minimizing its long-term budgetary impact.

I urge my colleagues on both sides of the aisle to support the rule on this important stimulus package to ensure the economic security of our country.

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

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

Mr. Speaker, it is with a sense of deep disappointment that I rise today, not because it is difficult to oppose this rule and this bill. Republican leaders have presented the House with a bill that is so partisan, so unfair to laid-off workers and so fiscally irresponsible that there is little doubt about the harm it would do to the economy, to Social Security and Medicare and to public health and other homeland security problems. A person could not write a more dangerous piece of partisan posturing if they tried.

No, Mr. Speaker, my deep disappointment today is with the fact that we are considering this bill at all. At a time like this, as Americans pull together to fight anthrax in the mail and to support our troops in Afghanistan, does anyone really believe we need more billion dollar corporate tax breaks? At a time like this as American cities cry out for bipartisan leadership, does anyone really believe we need more partisan posturing and politics as usual?

It does not have to be this way, Mr. Speaker. Over the past 6 weeks, Americans have pulled together to rebuild from the horror of September 11. Here in Washington, Democrats and Republicans strongly support the President and the men and women of the U.S. military as we wage this war against evil.

On the economy, we started off in the right direction. Democratic and Republican leaders joined the President in committing ourselves to build bipartisan consensus around an economic security package.

Unfortunately, Republican House leaders have today forgotten bipartisanship on the economy. Today they hope to ram through a bill that simply repackages a whole host of expensive tax breaks that Republicans have been pushing for years.

Mr. Speaker, one hardly knows where to start with this bill. It violates all the economic stimulus principles identified by the bipartisan leadership of the House and Senate budget committees. President Bush's Secretary of the Treasury called it ''show business'' for Republican special interest friends. One Washington lobbyist called it ''a bag of goodies.''

Mr. Speaker, America's economy is slumping now, but this bill provides precious little immediate stimulus. Instead, it hurts long-term economic growth by squandering the Social Security and Medicare Trust Funds and driving up long-term interest rates and families' credit card and home mortgage payments.

Hundreds of thousands of hard-working Americans have lost their jobs since September 11. Many laid-off workers do not get the unemployment assistance they need to take care of their families while they look for work, and many cannot afford health insurance after they lose their jobs.

This bill pretty much leaves laid-off workers and their families to fend for themselves. Instead, it provides a $20 billion tax refund to the biggest corporations in America, and it does it retroactively to 1986. Let me repeat, it provides $20 billion of tax breaks to the biggest corporations in America and does it retroactively to 1986. Shame on the other side of the aisle. Shame. It gives these corporations and corporations like them another $20 billion in tax benefits when they decide not to invest in the U.S. economy but keep their money abroad.

Finally, this Republican bill shortchanges America's homeland security needs to pay for special interest tax breaks. The first duty of the Government is the safety of the American people, and winning the war on terrorism will be expensive; but this bill would not make a single American more secure.

Instead, it spends $160 billion of Social Security money on tax breaks for corporations and special interests. Unfortunately, tax breaks will not pay for airport security or public health.

The truth is, this stimulus bill only stimulates special interests; and it does it by sacrificing Social Security, the economy and homeland security priorities. The truth is some Republicans believe the public is distracted by the war on terrorism and sees an opportunity to slip in a grab bag of special interest goodies that will neither stimulate the economy nor make a single American safer.

Mr. Speaker, the American people deserve better than that, and the Members of this House in both parties can do better than that.

We still have the opportunity to agree on a bipartisan economic security plan; and the Democratic substitute, which is based on the principles outlined by the Democratic Caucus Task Force on the Economy, was designed to serve as a basis for bipartisan consensus.

It is balanced, ensuring resources for homeland security priorities, critical assistance for laid-off workers, and direct economic stimulus like tax relief for those most likely to spend it, and it is fiscally responsible. Every dollar is paid for by freezing the top tax rate at 38.6 percent.

Our plan puts security first by setting aside $20 billion for immediate homeland security needs. Our plan ensures all laid-off workers have the unemployment insurance and affordable health insurance they need to strengthen families and stimulate the economy by putting money in the pockets of the people who need it most. It provides for 26 additional weeks of unemployment benefits. It provides for 75 percent of the COBRA costs of health insurance for 1 year for laid-off employees, something that Republicans do not even begin to do.

Our plan includes a holiday tax relief for the millions of Americans who pay taxes but did not receive a full rebate check and, in some cases, did not receive any rebate check earlier this year. These new rebate checks, $600 for couples, timed to coincide with the holiday shopping season, could give the economy a crucial shot in the arm.

It also includes meaningful tax relief for small- and medium-sized businesses. Short-term help, focused on encouraging immediate investment, will help jump start the economy without threatening long-term fiscal discipline.

Finally, our plan is fiscally responsible and paid for. So we protect America's long-term economic health and strengthen Social Security and Medicare. To win the war on terrorism and restore our economic strength, we have to pull together and share fiscal responsibility.

These should not be Democratic or Republican priorities. These are American priorities, and Americans deserve political leaders who work together to achieve them. Democrats are committed to doing that. It is my sincere hope, Mr. Speaker, that Republicans will join us in defeating this rule and this partisan bill Republican leaders have put together today.

□ 1130

We can get back to the bipartisanship that America deserves from us.

And let me say in conclusion, Mr. Speaker, the people on the other side of the aisle should be ashamed to show their heads in this Chamber today when they provide $20 billion of retroactive tax breaks going back to 1986 for the largest corporations in America. We should be providing unemployment benefits and health care benefits and jobs for the people who are suffering, not retroactive corporate tax breaks.

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

Mr. LINDER. Mr. Speaker, I yield myself 15 seconds to thank the gentleman from Texas for the generous and bipartisan spirit of his remarks and for his honesty in pointing out that the Democratic substitute is a spending program financed by tax increases.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. FOSSELLA).

(Mr. FOSSELLA asked and was given permission to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time, and I rise in support of the rule and the underlying legislation.

I think there are basically two competing views, and that is okay, that is the beauty of our country, that we can have different views and come to the

floor of this House and debate them. One suggests that we raise taxes and thus raise spending to stimulate the economy. Personally, I do not support that.

I think the vast majority of the American people understand that the best way to stimulate our economy is to provide incentives to individuals and businesses to create more jobs, really harnessing the energy of the American people, the spirit of the American people. So on two levels this bill is the right thing to do because it reduces the top tax rate on individuals, thus providing incentives for people to go out there, work a little harder and keep a little more money from their paycheck, or a small business to keep a little more money in their small business, to create more jobs, to provide health insurance for their employees, to invest in the long-term prosperity of their operations.

On another level it is important for New Yorkers. This is a good bill for New York. We have seen what happened on September 11, and I want to commend my colleagues and the administration on the other side of the House for all they have done for New York; but we also saw in New York an unbelievable spirit that came forward. That is nothing new. There are those of us who believe that the American people have unbridled spirit and, when given the tools, they can achieve everything and anything. And that is what this bill allows to happen. It allows the American spirit to take hold.

In New York, we have to rebuild downtown Manhattan. Fifteen to twenty million square feet of office space needs to be rebuilt. This bill will allow that to happen by decreasing the leasehold improvement for tenants to 15 years. Normally a lease on commercial office space is 7 to 10 years; retail space 3 to 5 years. Current law is out of whack with that. This bill rights that and will provide incentives for the private sector to go into downtown New York and rebuild it as it will. This is the tool that will allow that to happen.

We also recognize that in New York we want to provide incentives to businesses to depreciate and expense their equipment, capital equipment, capital investments that are going to create more jobs. Now, it is one thing to have a view that more taxes is better and more spending is better, but if at any time this country needed a shot in the arm and a resurrection of the knowledge that the American people are the fruit and the root of prosperity, it is right now.

This bill, championed by the gentleman from California (Mr. THOMAS) and the Speaker, and supported by the administration, is right for New York, right for America, and right for this Congress.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I support the rule because the Committee on Rules was kind enough to give us a substitute so that it would give Republicans and Democrats an opportunity to really get off the political hook.

There is nothing more disgraceful during a time of war for people to take advantage of it and pull out old Republican tax cuts that are totally unrelated to the stimulus that the President asked for and that our leadership asked for. This bill that is coming up is the first time on this floor that we have deviated completely from the whole concept of bipartisanship. It is something that is just arrogantly brought to us, as other bills have been brought to the floor by the Committee on Ways and Means, without any consultation at all with the Democrats on the committee. It shows utter contempt for Democrats, utter contempt for the House, and in this particular case, utter contempt for the other body, since we started off on a bipartisan way with guidelines.

Those guidelines are that this is supposed to be temporary tax relief. This is not temporary. It was supposed to be no bigger than $75 billion over 10 years. This more than doubles that. It was supposed to be offset, which is the budget's way of saying it should be paid for, and even the budget chairman says it is not paid for.

This is a disgrace in terms of what it will do for long-term interest rates. It really throws a tax bonus to some of the largest multinationals in this country of some $25 billion, some receiving over $2 billion, one receives $1 billion, others receive $400 million, $500 million, and $600 million. My colleagues cannot justify this as building New York.

We want to have a stimulus for people to go out and spend, so we take the people from the lower income and we give them a decent unemployment compensation, and we help to pay for their health insurance. What do my colleagues do for those same people? My colleagues do not take care of airline security; they do not take care of the security of people in the United States. These are bills we are waiting for.

My colleagues can ram this through, but I think this time the train is going to hit a stone wall.

Mr. LINDER. Mr. Speaker, I want to thank the gentleman for his support of the rule, and I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding me this time; and, Mr. Speaker, I thank the ranking member on Ways and Means for rising in support of the rule, although we have some profound disagreements here.

Despite the tone of the rhetoric this morning, it is worth reminding ourselves that good people can from time to time disagree. And I suppose when we take a look at our Nation's economy, there is a question, a fundamental question about who we should trust to reinvigorate the economy. Should we trust small business and job generators that have proven time and again that our way to long-term prosperity is through job creation; or should we view the economy in a static stagnant mode where government is the answer of first and last resort? To hear my good friend from Texas on the Committee on Rules, it seems he envelops that vision. Somehow, to reinvigorate the private sector with economic stimulus, to make sure that funds are there to provide for new plant and new equipment and thereby reinvigorate the job market, that just does not compute in the vision we hear from the left.

Folks are entitled to their opinions. We believe, however, that the best way to reinvigorate our economy is to reduce taxes for everyone and at this time of national need to make sure that business has the funds to regenerate jobs. Rather than an inherent distrust or an effort to engage in class warfare, it seems to me that as our Nation is at war, we could do without a conflict on the home front. Good people can disagree.

This rule is sound. It provides the minority with their opportunity to offer a static stagnant finger-pointing approach that would somehow stand to accuse all American business of being less than civic minded. And that is certainly their philosophy, and they are entitled to it. But we, instead, opt for the notion that the American people, through saving, spending, and investing their own funds, whether on Wall Street or on Main Street or on your street, Mr. Speaker, can make the difference.

That is the underlying theme of our legislation. That is why I rise in support of this rule and the underlying legislation, because the American people, when left to their own devices rather than with the heavy hand of government, the helping hands of neighbor helping neighbor, business reaching out with job creation, that will make the difference both here at home and in our battles abroad.

For that reason, I ask the House to join us in supporting the rule and the underlying legislation.

Mr. FROST. Mr. Speaker, I yield myself 30 seconds. The gentleman talks about small business. We all agree that small business should be helped. The retroactive tax cuts going back to 1986 include the following: General Motors, $832 million; General Electric, $671 million; IBM $1.424 billion; Ford Motor over $2 billion.

Certainly we want to help small business. The gentleman on the other side of the aisle wants to give retroactive tax cuts to the biggest corporations in America.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Texas for yielding me this time, and I rise in opposition to the rule.

I would also comment that the speaker from Arizona just talked about class warfare, something that Republicans love to talk about; but in fact, it is Republicans who commit class warfare on this floor every day by giving tax cuts to the rich over and over and over again and give so little to workers. All we do as Democrats is point out the fact that Republicans are committing class warfare.

If you are a major corporation, this legislation is for you. But if you are a laid-off worker, if you do not have health insurance, this bill is woefully inadequate. The GOP bill gives damn near everything to many of America's largest corporations, to the tune, as the gentleman from Texas (Mr. FROST) pointed out, of hundreds of millions of dollars to each of these many corporations and so little to those who actually need help.

We all know and we all celebrated and honored the heroes of September 11, and celebrated and honored those victims of September 11, those people who gave their lives in the rescue efforts. However, this bill has forgotten the victims all over the country, the victims of this recession, the victims of all that has happened prior to September 11 and since September 11.

The Republican bill has nothing for health insurance, for instance, for family members who are left behind after the September 11 tragedy. The Republican bill sends none of the money for health insurance directly to laid-off workers, to people who have lost their insurance. The money goes through the States. And who knows how much of it actually ends up for health insurance for those workers that were laid off.

The Republicans know that only a little bit, only a few hundreds of millions of dollars labeled for health care, will really provide meaningful health insurance. It simply is woefully inadequate. It is one-eighth the amount of money we put into health insurance in the Democratic bill.

The Democratic bill understands that sometimes COBRA is a cruel hoax. People lose their jobs and then simply cannot afford to pay the extra two and three times the amount for health insurance that they were paying before. The Democratic plan takes care of COBRA by giving a 75 percent subsidy, takes care of Medicaid to those workers that have lost their insurance.

The Republican bill does not seem to care because they are preoccupied with paying off their corporate contributors.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN).

(Mr. RYAN of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. RYAN of Wisconsin. Mr. Speaker, the oldest trick in Washington is that if you disagree with somebody, impugn their motives, do not attack their policies. That is what we hear on the floor today. Motives are being impugned. All of this talk about giving corporate contributors back their money, those kinds of things, it is just ridiculous and it is a shot to the motives of this Congress.

Mr. Speaker, let us bring this issue back to where it belongs, and that is the fact that we have 7.8 million in America today without a job. We are going into a recession. Now, the problem we have is we need to get people back to work. That is what we are trying to do. The whole entire purpose of a stimulus package is just that, stimulate the economy, get people back to work.

So while some in this Chamber are talking about how to make unemployment a more tolerable position, how to make it something that is easier, what we seek to do in this package is to stop unemployment, to get people back to work. What we are trying to do is to recognize what brought us to this recession in the first place. It was a decline in investment.

When investment dried up in this country, for instance, a 72 percent decline in venture capital, a 50 percent decline in small business financing, a credit crunch that is covering America, when that happened, layoffs began to occur. Then, when people were losing their jobs, when their neighbors around them were losing their jobs, people stopped spending money in the economy.

□ 1145

Mr. Speaker, what we are trying to do is give people job security back. The goal of this bill is job retention, job creation through economic growth. We will not see a rebound in consumer confidence with more rebates. We will see a rebound in consumer confidence if people get their jobs back. People are not going to spend their money if they have lost their job or are afraid of losing their job. People will spend money if they have a job and know that they will keep their job.

The goal of this bill is to grow the economy and let people get their jobs back. Do not believe the hype. I urge passage of this rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. STARK).

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. Mr. Speaker, there has been a lot of rhetoric about motives. There are 7.8 million unemployed people, and this bill will give them less than $6 billion while it gives $25 billion to the largest corporations in this country. Ford and General Motors alone will get more money than all of the money spent on health care to those 7.8 million people. Chrysler and IBM alone will get more money than the unemployment increase, the increase in unemployment benefits, to those 7.8 million people.

The entire bill gives more money to 100 corporations, over $25 billion, than it gives in rebates to 30 million people in unemployment benefits and health care to 7.8 million people. It gives less than $20 billion, less than 20 percent to all middle and lower class Americans, and it gives 25 percent to just these 100 corporations.

Mr. Speaker, Members must make their choice. Do Members think that Chrysler and General Motors and IBM will do more for the unemployment, or will increasing the health care benefits for the unemployed do more?

Mr. MATSUI. Mr. Speaker, will the gentleman yield?

Mr. STARK. I yield to the gentleman from California.

Mr. MATSUI. Mr. Speaker, I am astonished in hearing all this because here we are going to give $8 billion to about 13 corporations, if Members include Ford, which will get $2.3 billion. This is Social Security money. This is payroll tax money that the average American has contributed thinking it is going to go for retirement benefits. We are going to take that payroll tax money and give it to corporations? Is that my understanding of what the gentleman's analysis is?

Mr. STARK. Mr. Speaker, I ask the gentleman, is that not correct? This money will all come out of the Social Security Trust Fund. Not only will people get very little, but they will pay payroll taxes to bail out Chrysler and General Motors.

Mr. MATSUI. Mr. Speaker, I find it astonishing. Perhaps Members think we will not be hearing about this because of the anthrax scare. The reality is Americans are going to find out about this. This is so outrageous the American public will find out about this.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, the previous speaker implied that all of the AMT relief is going to go to 100 corporations. That is a little bit short. It is actually 17,000 corporations that will benefit from the repeal of the AMT in this taxable year, and a refund of the credits. I want to make sure that Members do not think that all of the $25 billion for AMT relief is going to a few corporations. 17,000 corporations in this country will benefit from that. The average benefit will be about a million dollars. That should clear that up.

Mr. Speaker, I would like to yield to the gentleman from Florida to correct a misstatement that has been made.

Mr. SHAW. Mr. Speaker, will the gentleman yield?

Mr. MCCRERY. I yield to the gentleman from Florida.

Mr. SHAW. It seems like when somebody is starting to lose the argument around here, they start yelling about the Social Security Trust Fund. I would challenge any Member to come to the floor and explain how we are dipping into the trust fund. The trust fund is there. It is solid. It has the treasury bills in it.

The Social Security surplus which goes into the general fund, part of that is being used, just as the Democrats did for over 30 years, because we are in a time of economic stress and we are in a time of a war footing. I think both parties will agree that in these particular times of stress, as long as we do not touch the trust fund, the surplus is out there and we can no longer use all of it to reduce the debt as we had been doing prior to September 11.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. MATSUI).

Mr. MATSUI. Mr. Speaker, we are using Social Security money, payroll tax money that people think is going to be going into a trust fund for their retirement to pay essentially 13 corporations about $10 billion. There is no way to deny that.

The gentleman who just spoke 2 years ago voted for the lockbox that was supposed to preserve that money and put that money aside to protect Social Security. How can the gentleman now deny his own vote?

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I thank the ranking member of the Committee on Rules for an opportunity to be heard.

Mr. Speaker, I am so happy that the American public is smarter than many people think that they are. I am so happy that the American public understands that when the airlines got paid, the workers did not get paid, and we are still waiting for the workers to get paid. I am so happy that the American public understands that we still have not put any more security into the airline situation, and we are flying without greater security.

Mr. Speaker, I am so happy that the American public understands that if we are talking about saving industries, why is the steel industry not in the bill for economic stimulus? I am happy that the American public understands that 26 steel companies are in bankruptcy currently, and there is no provision. Talk about saving jobs, what about the steelworkers who built this country. Think about it like this. In fact, there are steel companies that are in bankruptcy, and maybe in the United States we will not even be able to use the steel that is processed in the United States to rebuild our country. I am happy the American public understands.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I am searching on the Democrat side of the aisle for some Members from Michigan. I hope they are going to come to the aid of Ford Motor Company and General Motors.

When we had the discussion on CAFE standards, I know they were most vociferous in protecting Detroit. Today, while this attack is being leveled at Ford and GM, nary a word comes from Michigan. I await their arrival to hopefully shed some light for Members on this floor regarding the horrific layoffs that are occurring in the companies that they mention.

I love Members using big names and big corporate people as ways to have an argument here on the floor on tax policy.

Mr. Speaker, I remember a gentleman from Tennessee that ran for office, the highest office in the land, and the reason he lost, class warfare, pitting one against the other. Picking winners and losers, deciding who is entitled. I love that about this party. I love the Democrats because they get up here on the floor and try to obfuscate the facts that are in this very good bill by the Committee on Ways and Means.

They do not talk about welfare-to-work tax credit extension. They do not talk about qualified zone academy boards, which was pushed by the ranking member of the Committee on Ways and Means. They do not talk about work opportunity tax credit. They do not talk about $11 billion in interest-free financing for school construction. They do not talk about these things because these affect average Americans. These help our communities and neighborhoods. These help the most unfortunate who are losing their jobs.

No, let us roll out the charts. Let us pick on big corporate America because that way Members can rally the forces of those in their communities who side with labor and other interest groups in this Capitol.

Mr. Speaker, I do not want to start that class war rhetoric. The gentleman from Tennessee I mentioned has a nice time walking around the country, not as President but as a former candidate, because he decided rather than unite he would divide. He would determine who is lucky and who is not.

As a Republican, I am proud of the bill we are offering. It covers all Americans, and it will help lift the economy.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I want to turn the debate in a different direction. I met with a number of people in the State of Maine, which I represent, the other day. They were concerned about all of the added costs that the State and the municipality were incurring as a result of their efforts to respond to terrorism. State revenues are declining because of the reduced economy and State expenses are going up.

But this bill from the Committee on Ways and Means will further reduce State revenues by $5 billion in each of the next 3 years because the tax systems of so many States are tied to changes in the Federal Tax Code, a reduction in State revenues of $5 billion. How will Members from New York and California, which are both facing $9 million deficits, say to their folks back home about what they are doing to reduce State revenues even further? In Ohio, Florida, New Jersey, and Michigan, in those States a billion-dollar deficit is going to be made worse by this bill.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, September 11 changed America. It displaced many workers, and a lot of those workers are hurting, and they will be helped by this Congress in incremental fashion.

I do not think that the terrorists realized the economic impact they would have; but they did not win because Congress stood together and stood tall to defeat terrorism. But what we see today is an unraveling of that, and we see now the partisanship crawl back in with the class warfare which I believe divides America. The Democrats, who want to talk about Social Security, let us look at 50 years of Democrat leadership where those problems were manifested. That is a fact. Let us all take care of it.

Mr. Speaker, there is one bottom line here. Without an employer, there is not an employee. Without a corporation, they are not dirty words. This is in fact free enterprise.

Yes, these companies need a stimulus. This is not a perfect bill. Tell me one that is. But I am going to vote for the rule. I am going to vote for the bill. I am hoping in conference there will be some other adjustments. But this bill overall is a stimulus, and that is what it is about.

Today's debate is not about this bill. Today's debate is about who is going to be in control of the House of Representatives. This is not the time, when America is under attack, to decide through politics which party is going to control. Now is the time to control our country. Now is the time to provide that stimulus and incentivize our corporations, our companies, our employers. I will tell Members what, without an employer there is not an employee. Without a job there is no family.

Yes, there may be some better ideas; but quite frankly, this is a good bill. It should be supported by all. I want to say one last word: Let it go, Louie. Let it go with this class warfare business. It hurts America. This is an important bill, as important as any we have dealt with that deals with terrorism. We are defeating terrorism. Let us keep up our record.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, 7 weeks after the unspeakable terrorist attacks against our Nation, the country and Congress do face serious challenges. A first priority must be to ensure the

safety and security of our airlines. The Senate passed a comprehensive airline security bill by unanimous vote. It is unconscionable that this House has failed to act. Ensuring airline safety is not only important to the security of our citizens, but it is a critical component to our economic recovery.

Mr. Speaker, how can we even consider an economic stimulus package that does not include direct assistance for the nearly half a million American workers who have lost their jobs as a direct result of September 11. The unalternative bill, which I support, would extend unemployment and health care benefits for these employees.

□ 1200

Instead of these priorities, securing our airways and helping laid off workers, the bill before us is a collection of inappropriate tax measures. It will not help our economy in the short term and it will hurt us in the long term.

Mr. Speaker, I have voted for tax relief time and time again. This package favors special interests, not the public interest. I urge my colleagues to defeat this rule and this bill.

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, we have just heard from the previous speaker about the airline safety bill. We are working very hard on that. Unfortunately, that is not the bill before us on the floor today. The Economic Security and Recovery Act is the bill that we are discussing today and it contains some very important features. I just want to say that I am delighted by the acceleration of income tax cuts that appears in this bill. This means that people who are working all over the country will see an immediate drop in their withholding tax. That will provide them more dollars they can use for whatever they wish to spend that money on.

I am also very pleased with the reduction in capital gains. Effectively capital gains rates fall from 20 to 18 percent immediately. This means more unlocking of assets, it allows for the sale of assets at a lower tax price, and eventually more assets being turned over means more taxes paid to the government, so it actually brings in revenue rather than cost revenue.

But what I am particularly interested in, Mr. Speaker, is the amount of money that this bill includes for people who are dislocated. These are workers who have lost their jobs all over the country, not workers in one particular line of work but people from the Boeing Company in my neck of the woods, for example, where we are due to lose about 30,000 jobs over the next year and people from the Nordstrom Company where we are due in our area to lose 900 workers and people from all kinds of industries that were touched by what happened on the 11th of September.

This bill that we have worked on with great sensitivity, Mr. Speaker, contains $12 billion in dislocation dollars to help people who are unemployed as a result of 9/11. $9 billion of that money goes directly to States in the form of block grants to be administered locally through the offices of the governors, Republicans and Democrats alike, to go for training, for unemployment extension, for whatever it is that their State needs this dislocation money for. An additional $3 billion goes to the States in the same form, through block grants, to cover health care premiums.

This is a very good way to do business, Mr. Speaker, because it does not, as in the Democrat substitute, merely meet the needs of the COBRA plans, which can be terribly expensive plans but it allows for more options. And so you are going to see people enrolling in the CHIPs program or Medicaid or whatever the programs are that are offered in their States, and the governor will have the influence and the ability to help to subsidize these programs.

The third thing that is done to help dislocated workers, on a short string no doubt, because it phases out the end of next year, is to be able to use their pension funds, their private pension funds, their retirement accounts, for a short period of time but without the 10 percent penalty that is paid now if you take out those funds before the time.

We have done great thought on this bill. It contains a number of tax relief provisions, but these provisions are worth a huge amount of money. In my State alone, $256 million goes into Washington State to help workers who are dislocated. I urge my colleagues to support this bill.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the American public understands what it means to steal from a dying man. The economy in this Nation is dying and this stimulus package steals from a dying economy. This is not divisiveness and partisan politics. This is democracy in reality. This is bringing to the attention of the American people the tragedy of this bill.

Let me tell you why. Stimulus means an infusion of dollars into the economy that will drive the economy—help for the short term! The Republican bill gives permanent relief, permanent removal, permanent elimination of the corporate alternative minimum tax which continuously uses and puts into corporate pockets billions and billions of dollars, $20 billion now and it is even retroactive back to 1986.

I believe in giving relief, but this is stealing from a dying man. Permanent reduction in corporate capital gains tax, stealing from a dying man. No new benefits to laid-off employees for 6 months, flies in the face of our responsibility to secure the American people and get people back to work and provide support while they are looking for work.

What does the Democratic package do? It gives relief to employees, from 13 to 26 weeks additional. It helps part-time workers. It increases the weekly benefit. This is not divisiveness, my friends. This is responsible legislative action. Eight billions being taken from the economy and none of those billions given for securing the American homeland.

Throw out the Republican stimulus package and support the Democratic stimulus package to give the working people of America a real stimulus package that helps put real dollars into the American economy rather than steal from a dying economy.

Mr. LINDER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Ohio (Mr. PORTMAN).

Mr. MCCRERY. Mr. Speaker, will the gentleman yield?

Mr. PORTMAN. I yield to the gentleman from Louisiana.

Mr. MCCRERY. I thank the gentleman for yielding.

Mr. Speaker, a few minutes ago I rose to correct a previous speaker who said that only 100 corporations would benefit from the AMT repeal. I said 17,000 would. Actually it is 23,000 corporations that will benefit from the repeal of the AMT. 17,000 refers to the number of corporations who will benefit from the redemption of the credits.

Mr. PORTMAN. I thank my colleague for correcting the record on that.

We are going to hear a lot of angry rhetoric on the floor today. We are even going to hear a healthy dose of class warfare. In fact, we already have. I think it is very important to keep in mind something very simple, which is that this package is designed to keep jobs. It is designed to enable people to keep good jobs and to keep companies from laying people off. It is to get this economy back on track. That is the simple truth about this legislation. It reflects the good thinking of a lot of people, a lot of economists who have come before our committee and have talked to us as individual Members. It reflects the thinking of the people in the trenches who actually make the decisions as to whether to hire and fire people. These are small businesspeople and large businesspeople alike. It is legislation that is designed to ensure that the economy is not a casualty of the terrorism that hit this country on September 11. It is also legislation which enjoys the support of the Bush administration.

The Treasury Department strongly supports it. Read the statement of administration policy. Their economists, their folks who are following the economy, believe this is the right thing to do to get this economy back on track.

The legislation sparks the economy by putting more money in the hands of people. We have already talked about that some today. It also focuses on incentives to work and invest. It provides

tax relief for individuals by allowing families who are middle-income taxpayers to get the tax relief which we passed last spring but a little bit faster, 4 years quicker. It also allows people who did not get any tax relief with the checks that went out in August and September and this month, by enabling people who do not have any income tax liability to get checks for $300, $500 and $600. It also helps to create jobs and that is a very important part of this legislation.

The package focuses on the alternative minimum tax. This has been discussed today. I want to make a couple of things clear about the AMT. First, over the years this has been something that Democrats and Republicans have agreed upon. In fact, back in 1997, a Democrat President signed legislation which eliminated the AMT for some companies altogether and reformed the AMT in other very important respects. Why? Because the alternative minimum tax has a negative impact on our economy. Think about it. It is a minimum tax that is in place that corporations are asked to pay when they take legitimate tax preferences in the code that all of us put into the code. When does it happen? It happens during economic down times, exactly the time when corporations cannot afford those taxes and, therefore, lay people off.

The data is out there. During the last big recession, 1989–1990, half of America's companies fell into AMT and laid off workers as a result. It is directly related to stimulus. It is directly related to increasing jobs. The gentleman from Louisiana just said 23,000 companies would benefit from this because they are in the AMT situation. Let me tell you one. I saw a chart up here earlier about the Ford Motor Company. Ford Motor Company laid off 4,500 people last month, including in my district. These are companies that need the help now in order not to lay people off.

It is also not a retroactive tax. The gentleman earlier said we should be feeling ashamed. He should feel ashamed for not understanding how this works and how he is misinterpreting it for the American people today. It is not a retroactive tax break. It is allowing them to use tax credits they have built up legitimately through the code. What are you going to do, take those take credits away? I wish we had more time to engage in that discussion, but for purposes of today's debate it is important to set the record straight. This is not retroactive tax breaks. This is about allowing the companies to use the credits they have rightfully built up, and it is about jobs. The Democrat alternative has increased spending and increased taxes. Our approach says we believe that new spending is not the answer to our Nation's problems right now.

The way to get this economy back on track, we believe, is by tax incentives. That is a difference in philosophy, a difference in opinion. I strongly support the rule and strongly support the underlying legislation to keep and retain good jobs in this country.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I thank the gentleman for yielding time.

Mr. Speaker, I would point out that the United States of America is the only industrialized nation on the planet Earth who cannot produce enough steel to meet its own needs. The word ''war'' has been mentioned frequently this morning on this floor and I would point out it is those specialty steels made by the domestic steel industry that are necessary for those nuclear attack submarines and those armored vehicles. Unfortunately, we have an industry in stress. Edgewater Steel in Pennsylvania has ceased operations. Great Lakes Metals in Indiana has ceased operations. Trico Steel in Alabama has ceased operations. CSC Ltd. Steel Company in Ohio has ceased operations. Northwestern Steel & Wire in Illinois has ceased operations. Laclede Steel in Missouri has ceased operations. Al Tech Specialty Steel in New York has ceased operations.

The gentleman from New York (Mr. QUINN) and I went to the Committee on Rules yesterday to ask for $2.4 billion over 3 years to allow this vital industry to consolidate and save itself. We were turned down, but IBM gets $2.3 billion. Vote ''no'' on the rule.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, I rise in strong support of the rule, but I would like to acknowledge the fine work the gentleman from Indiana (Mr. VISCLOSKY), who just spoke on the floor, has done on behalf of steel.

I think there is a need, though, to correct the record. There has been an impression provided here that somehow this stimulus package overlooks the problems in steel, but let us look at the specifics. Bethlehem Steel, which has just declared bankruptcy, under this bill would receive $35 million in AMT relief, it would receive relief on its NOLs, and it would receive benefits from cost recovery reform. They are still trying to pour money, pour capital into improving their facilities. They have to to survive. This would assist them and steel companies all over the country.

The gentlewoman from Cleveland had brought up her concern about steel. LTV would receive $46 million in AMT refunds under this bill. They have $1 billion in NOLs hanging out there and they would also benefit from cost recovery reform.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise to ask Members to vote ''no'' on the previous question, bring up the aviation security bill, reject the Republican tax cut bill and support the Democratic alternative to strengthen our economy.

The Republican tax cut bill is disappointing for two important reasons. First, while it is important to pass legislation to strengthen our economy, it is more pressing today to pass a strong airline security bill to put this responsibility in the hands of Federal law enforcement officers. This is the people's highest priority. Congress and the country should take action on this priority today.

Millions of Americans witnessed what happened on September 11. They watched as hijackers with hate in their hearts smashed two planes, full of innocent civilians, into the Twin Towers. They heard about what happened in Pennsylvania and in the Pentagon, and they are resolved that we do as much as we can to make sure that what happened on September 11 never happens again.

□ 1215

It has been 6 weeks, 6 weeks, since this happened. We were able to get on the floor in a matter of days with a bill to cap the liability of the airlines. I supported that bill. I thought it needed to be passed quickly. But I also thought that simultaneously we should be passing a bill on airline security and a bill to help the unemployed workers of the airlines that have been partially out of business in the last 6 weeks.

It is unexplainable to me that we could be here 6 weeks after this event and not have an airline security bill on this floor long ago. I plead with my friends in the other party to put that bill on the floor today or tomorrow. Let us not leave this week with passengers and flight attendants and pilots worried about security.

We have got to do it. I have been on flights to St. Louis. You have discussions going on with people on the plane trying to figure out who is going to be the vigilante committee to take care of security on the plane if something happens. It is unacceptable to leave here this week without doing this bill.

I do not know who is going to win. I have my views, the gentleman from Minnesota (Mr. OBERSTAR) has his views, the gentleman from Alaska (Mr. YOUNG) has his views. On the other side, others have different views. I do not know who is going to win. Let us just put it up. Let us see who prevails. Let us let the House work its will.

Well, the other issue is what to do about the employees, and I just urge Members to understand that this stimulus bill is the wrong bill with the wrong provisions at the wrong time. People who lost their jobs as a result of September 11 are today worried about two things: one, where are they going to get the money to support their families, to pay their lease or their rent or their mortgage payment? How are they going to afford food and clothing, and

how are they going to afford health insurance, which is their great need?

This Republican bill does not help them. It does not help them as much as they deserve to be helped. In fact, it does almost nothing for them. It sends money to the States without clear direction of how the money should be spent. It could be used for other things in the unemployment system. And there is not enough to really help people with the greatest need they have, which is COBRA, to be able to continue their health insurance.

This bill is a giant tax giveaway to the largest corporations and the wealthiest; it violates the principles to which the bicameral bipartisan budget leaders agreed; and most egregious in my view, is that almost all the assistance goes to the big givers and special interests. It gives 86 percent of the total benefits to special interests that do not need the help. It permanently repeals the alternative minimum tax for corporations. It gives immediate refunds to companies that paid this tax as far back as 1986. That is $21 billion in total refunds and $5.5 billion to eight of the largest corporations in America.

Now, we did the airline bill that gave billions of dollars that were needed for the airlines that were on the ground. I guess now we are going to come back and make sure every large corporation in the country gets billions of dollars.

It contains a permanent reduction in the capital gains tax to benefit again the top 2 percent of income earners. It accelerates tax rate cuts, but the break does not help 75 percent of the people who pay income taxes. The workers who have lost their jobs get bread crumbs from this bill. This bill gives $9 billion to Governors to spend on unemployment, but CBO estimates that only $1 billion or $2 billion will go to the people who really need the help.

The Republican bill is an effort, in my view, to fulfill a wish list of special interests who line up in these halls to lobby for more tax breaks and more tax giveaways.

I urge my colleagues to consider our alternative. Our bill reflects the values that we agreed to with our budget leaders a few weeks ago. It puts money in people's pockets quickly, it focuses the help on those who need it most, and it will make a positive difference in the lives of millions of people.

What happened 6 weeks ago was the worst thing that has happened in our country in my lifetime, and what has followed every day has been another kick in the teeth to our country and our people. I want us to fight back. I want us to win this fight against terrorism. But we will not win this fight against terrorism if we do not stick together, believe in one another and help all of the people in as equal and fair and equitable fashion as we can.

We need our workers who are out of work to be with us every step of the way, with their corporation employers and with their community leaders. We need to be bound together as brothers and sisters in the greatest challenge that this country has ever faced. I just urge Members to understand that this bill is not consistent with that value and that sentiment.

I plead with Members to vote for our alternative. Let us help everybody. Let us bring America forward together.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, about 3 weeks ago I convened a group of economists, venture capitalists and investment bankers at home; and we had a private discussion about economic stimulus. After about an hour and a half of discussion, the conclusion was that there will be an incredible temptation on the part of Congress and of this government to take some relatively unhelpful steps which may do us damage in the long term.

There is a lot of economic stimulus in the pipe already. But if you are going to take some steps, if you are going to take some steps, encourage short-term consumption, encourage long-term investment.

Yesterday, I brought up a series of amendments in the Committee on Rules, one to return $500 to every household in America, $800 to heads of household, a second one to encourage investment in education and human capital, and a third one to bring the capital gains rate to zero for true risk taking and true long-term investment.

The bill we have before us is the bill that the economists were afraid of, the temptation to do something, and do something wrong. Please vote against the rule and against this bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT), a member of the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, on October 4 the Committee on the Budget principals, with OMB concurring, laid down principles for economic stimulus. We now have before us the Economic Security and Recovery Act, and it breaches all of those principles.

It does little to help the economy recover. It does even less to help those this recession will hurt. This bill consists mostly of corporate tax cuts that were originally intended as Round Two of the President's tax agenda, now relabeled as tax relief for an ailing economy.

This bill bends over backwards to help corporate taxpayers; yet it barely stoops to help unemployed Americans. The total impact of this bill on the budget is $275 billion over 10 years when interest is added; and of this $275 billion total, all of $6 billion at most is made available to assist the victims of this recession, the unemployed. By contrast, there is $21 billion in tax relief for multinational holding companies.

This bill not only ignores the bipartisan principles, it repeats all the mistakes of the first Republican budget. It leaves no margin of error in case this recession is deeper and longer than projected. It makes no room for anything else, other than tax reduction, as if there were no more defense increases coming, no homeland defense, no farm bill, no natural disasters to pay for. It repeals the corporate minimum tax, but assumes that the individual AMT will go on and on.

When we laid down those principles 2 weeks ago, what we tried to do was provide for short-term stimulus and long-term discipline, and this bill is miles off that mark. We started this year with a surplus projected over 10 years of $5.6 trillion. By mid-August that surplus had been cut to $3.4 trillion. By bipartisan revision it now stands at $2.6 trillion. This bill will take it down to $2.3 trillion. That means in less than a year we have cut the surplus by more than 60 percent.

This is another step down a slippery slope that will do little for the economy but wipe out what is left of the surplus.

Mr. LINDER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, one thing that is pretty constant around here is that when we have debate on the rule, no one really talks about the rule. My friend, the gentleman from New York (Mr. RANGEL), I think he said it best. He said he is going to support the rule, because it gives the Democrats an even shot. It gives them an equal amount of debate, and it gives them a straight shot at their bill. I think that is a good thing, and I think that shows the bipartisanship that is existing under this particular rule.

But when you start hearing about all of this money going to these corporations and big businesses, that is where the jobs are. There is a basic difference between the Democrat bill and the Republican bill. The Republican bill believes in the preservation and creation of jobs.

We hear about the amounts going to these big corporations. Let us look at the layoffs. IBM has had 1,500; Ford has had 4,500; General Electric has laid off 35,000 people. I am just talking about the last couple of months. Chrysler has laid off 19,000. It goes on and on. United Airlines, 20,000; American Airlines, 20,000.

These are real people who want their jobs. They do not want a handout; they want their jobs.

Support the Republican bill and turn down the Democrat alternative.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BORSKI).

(Mr. BORSKI asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BORSKI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, any economic stimulus package we should consider should have a major transportation infrastructure component. Unfortunately, the underlying bill, the Republican alternative, does nothing for environmental and transportation infrastructure. We should be providing for infrastructure investment to enhance the security of our rail, environmental infrastructure, highways, transit, aviation, marine transportation, economic development, water resources and public buildings.

Mr. Speaker, let me remind all of my colleagues that every $1 billion invested in transportation infrastructure creates over 40,000 jobs. If we want to put people back to work, if that is the biggest problem in our country, we should be looking to rebuild America first. We should do that by opposing the Republican bill and voting for the Democratic substitute.

REBUILD AMERICA: FINANCING INFRASTRUCTURE RENEWAL AND SECURITY FOR TRANSPORTATION (REBUILD AMERICA FIRST) ACT (FOR INFRASTRUCTURE INVESTMENT AS PART OF THE ECONOMIC STIMULUS PACKAGE INTRODUCED BY REPRESENTATIVES BORSKI, COSTELLO, OBERSTAR, AND OTHER TRANSPORTATION AND INFRASTRUCTURE COMMITTEE MEMBERS)

Provides $50 billion for infrastructure investment to enhance the security of our rail, environmental, highway, transit, aviation, maritime, water resources, and public buildings infrastructure. By leveraging Federal infrastructure investments, the ten-year cost to the Treasury is less than $32 billion.

$50 billion of infrastructure investment would create more than 1.5 million jobs and $90 billion of economic activity. Each $1 billion invested in infrastructure creates approximately 42,000 jobs and $2.1 billion in economic activity.

Priority shall be given to infrastructure investments that focus on enhanced security for our Nation's transportation and environmental infrastructure systems. The bill specifically requires that recipients of these Federal funds (e.g., states, cities, transit authorities, airport authorities, etc.) certify that they will first dedicate these funds to meeting the security needs of their systems.

The bill also requires these funds to be invested in ready-to-go projects. The bill requires funds to be obligated within two years.

Finally, the bill includes a maintenance of effort provision to ensure that recipients continue their current investment levels, particularly with regard to infrastructure security. It also allows recipients an extended period of time to meet their state and local match requirements.

RAIL—$23 BILLION

(Estimated 10-Year Cost to the Treasury—$8.5 Billion)

Provides for the issuance of $15 billion in tax-credit bonds for construction of high-speed rail systems in corridors selected by the Secretary of Transportation (version of H.R. 2329, as introduced).

Provides $3 billion for capital investment for Amtrak.

Provides $500 million in direct grants and grants to provide the credit risk premium for $5 billion in loans and loan guarantees for freight railroad infrastructure projects under Railroad Rehabilitation and Improvement Financing program (RRIF) (version of H.R. 1020, as reported). Include technical corrections to improve RRIF program.

ENVIRONMENTAL INFRASTRUCTURE—$8 BILLION

(Estimated 10-Year Cost to the Treasury—$8 Billion)

Provides $6.5 billion to construct, rehabilitate, and restore the Nation's wastewater and drinking water infrastructure through the existing State Revolving Fund (SRF) programs, including $5 billion for the Clean Water Act SRF and $1.5 billion for the Safe Drinking Water SRF.

Provides $1.5 billion for wet weather overflow grants for planning, design, and construction of treatment works to address combined sewer and sanitary sewer overflows (authorized by P.L. 106–554).

HIGHWAYS—$7.4 BILLION

(Estimated 10-Year Cost to the Treasury—$5 Billion)

Provides $5 billion in additional authority for highway capital investments, distributed to states pursuant to the TEA 21 formula. Funds provided from the Highway Trust Fund.

Provides $2.4 billion of carryover authority for loans, loan guarantees, and lines of credit for highway, transit, intermodal, and high-speed rail projects under the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, as authorized by TEA 21.

TRANSIT—$3 BILLION

(Estimated 10-Year Cost to the Treasury—$3 Billion)

Provides $3 billion in transit formula grants, distributed to states and cities pursuant to TEA 21 formula. Funds provided from the Highway Trust Fund Transit Account and General Fund.

Increases the maximum tax-free transit/vanpool fringe benefit from $65 to $175 per month, equal to the current tax-free benefit for parking (H.R. 318, as introduced).

AVIATION—$3 BILLION

(Estimated 10-Year Cost to the Treasury—$3 Billion)

Provides $2.055 billion for discretionary airport improvement program (AIP) grants to enhance airport security and capacity; and provides $945 million for FAA Facility and Equipment security enhancements including the purchase and installation of explosive detection equipment and the hardening of security at FAA towers, tracons, and en route centers. Funds provided from the Aviation Trust Fund.

MARINE TRANSPORTATION—$2.5 BILLION

(Estimated 10-Year Cost to the Treasury—$600 million)

Provides $500 million to port and terminal operators to enhance port security and efficiency by financing infrastructure investment, updated security enhancements, and port-wide tracking systems.

Provides $100 million to Title XI loan guarantees to finance $2 billion of construction of U.S.-flagged ships used in the domestic commerce of the United States.

ECONOMIC DEVELOPEMENT—$1.3 BILLION

(Estimated 10-Year Cost to the Treasury—$1.3 Billion)

Provides $1.3 billion in grants to economically distressed communities for economic development infrastructure projects, through the Economic Development Administration ($900 million), Delta Regional Authority ($200 million), and Appalachian Regional Commission ($200 million).

WATER RESOURCES—$1.2 BILLION

(Estimated 10-Year Cost to the Treasury—$1.2 Billion)

Provides $1.2 billion for the Army Corps of Engineers to carry out construction, operation, and maintenance activities for authorized civil functions of which not less than $263 million will be available for security purposes at critical infrastructure facilities as identified by the Secretary of the Army.

PUBLIC BUILDINGS—$600 MILLION

(Estimated 10-Year Cost to the Treasury—$600 Million)

Provides $500 million to enhance the security of federal buildings and provide additional funds for the repair and alteration of federal buildings. Funds are deposited in the Federal Buildings Fund. Provides $50 million to the Kennedy Center and $50 million to the Smithsonian Institution to enhance the security of and make other capital improvements to these federal facilities.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the rule, and I also rise in support of President Bush's request to pass the Economic Security and Recovery Act legislation before us today.

In the Committee on Ways and Means, we called in some respected economists, both from the left and right spectrums, and asked their advice. Pretty much the common message we received from the economists was to get the economy moving again was, of course, to reward investment and get some extra spending money out there for consumers.

The legislation before us today accomplishes that goal. Let us look at what is in the bill. This legislation helps low- and moderate-income workers, 34 million low- and moderate-income workers; $300 stimulus payment for singles, $600 for a married couple filing jointly, $500 for head of household. We help the middle class by lowering the 28 percent rate bracket to 25 percent, effective immediately.

The bottom line is we put extra spending money into the economy. If we act quickly, those stimulus payments could be in pocketbooks before Christmas.

This legislation also rewards investment. Let me give an example, one sector of our economy, the technology sector. We have seen because of a reduction of almost 50 percent in investment in the technology sector, a loss of almost 400,000 jobs in computers and telecommunications and other key parts of this technology sector of our economy.

□ 1230

The technology sector tells us, as we talk with them and listen, that along with trade promotion authority this economic stimulus package are the two most important votes that we will be casting to benefit them.

The question is, who benefits when we reward investment in computers and telecommunications? Of course, the workers do, the workers who make computers and telecommunications

equipment. The same as who benefits when we encourage purchases of pickup trucks or bulldozers? The workers.

We reward investment in this legislation by providing for depreciation reform; 30 percent expensing, helping businesses, both big and small, recover the cost of purchasing computers and pickup trucks and manufacturing equipment, causing the hiring of more workers. We help small business recover the cost of purchasing additional capital assets and equipment by raising it from $24,000 to $35,000. We also free up capital with a 5-year carryback in net operating losses.

This legislation deserves bipartisan support. Let us join President Bush. Let us pass this legislation and move quickly.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, how stimulated do we think the U.S. economy will be if the terrorists blow up a couple more airplanes in the sky and nobody gets on airplanes because the U.S. Congress has sat around on its duff for 6 weeks and has not done a single thing about airline safety? When my colleagues get on their airplane this weekend to get home, I can tell them one thing for sure: 90 percent of the bags on the airplane that they get on that go into the belly of that airplane will not be checked for an explosive device. For 42 days, what have we been able to accomplish to do something about that? Nothing.

Now, we tried to put a provision in this bill in the Committee on Rules to make an investment in the machines that are capable of finding these explosive devices. I will ask my colleagues, although we may lose this vote today, I hope my colleagues will go to their leadership and tell them that we should get an airline safety bill up for a vote this week, because I do not think they will be proud going up to your constituents this weekend and say I cared more about the financial security of these corporations than I did about the airline safety of these passengers.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

(Ms. SOLIS asked and was given permission to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, I would just like to say that a few weeks ago, many of us here were supporting legislation to bail out the airline industry, with the hope that we would be able to help those workers that were laid off or displaced. None of that happened.

Now we have an opportunity to do something and our colleagues on the other side of the aisle are not looking at truly what was intended here by an agreement that was made by our leaders, to provide support to dislocated workers, people who lost their jobs. I went home to my district this week and met with workers who were just laid off in the hotel and restaurant industry. Many of them are not eligible to receive unemployment insurance, will not even be able to pay for COBRA or anything, because they are out, out of sight, out of mind, in terms of Members here wanting to see how they can help families, working families, not only in California and Los Angeles, but across the country.

Mr. Speaker, I urge my colleagues to look, look deep into our hearts to see who exactly is going to benefit from the Republican stimulus package. The Republican stimulus package goes to 70 percent of the upper income individuals and corporations in this country. What about the vast number of people who voted for you and myself into office?

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, ask not what you can do for your country, but what your country can do for you. That is the theme of this outrageous bill.

While American pilots and soldiers today are fighting for our safety in Afghanistan, supporters of this bill are fighting for special tax breaks for themselves here safely at home.

How do I explain to a young military family that they do not have adequate housing where their loved one is halfway across the world fighting to defend our safety and our freedom?

This bill is not only unfair to the people of this country, the average working families who get really no benefits from it, it is fiscally irresponsible. Maybe we should oppose this bill and remember the words of John Kennedy who said, you should not ask what your country can do for you, you should ask what you can do for your country. In that spirit, we should soundly reject this outrageous legislation.

Mr. Speaker, ask not what you can do for your country but what your country can do for you. That is the theme of this outrageous bill.

While firefighters and police officers have given their lives in New York, profitable corporations would pay no taxes under this bill.

While American pilots and soldiers are fighting for our safety in Afghanistan today, supporters of this bill are fighting for special tax breaks for themselves here at home.

How do I explain to a young military family living in substandard housing while their loved one is fighting in Afghanistan that we cannot afford to give them better housing, but we can afford to give IBM a $1.4 billion tax break in this bill?

To working families who have lost their jobs because of the attacks of September 11 and have no health care, how do we explain how we can afford to give the wealthiest families in America a multibillion dollar tax break under this bill?

Mr. Speaker, in addition to being blatantly unfair, this bill is fiscally irresponsible. It will lead to huge Federal deficits that will ultimately increase long-term interest rates on homes, cars, and businesses. The billions it puts into the pockets of a few will be paid in higher mortgage and loan rates by millions of hard-working families that can ill afford it.

No one knows what the final costs will be for America's military and security response to terrorists. For sure it will be tens of billions of dollars. To pass massive tax cuts before we know those military and security costs not only is fiscally irresponsible, it will undermine our ability to fund crucial homeland security programs.

In this time of national crisis, American citizens have shown their willingness to serve and sacrifice for their country. Perhaps some of the supporters of this bill misunderstood President Kennedy's inaugural address. In a time of national crisis, in a time of national war, in a time when our service men and women are in harm's way, his words should shame those who would seek selfish gain from this bill. "Ask not what your country can do for you, but what you can do for your country."

Mr. Speaker, it is in that spirit that this bill should be soundly defeated.

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

Mr. Speaker, if the previous question is defeated, I will offer an amendment to the rule. My amendment will provide that immediately after the House passes the economic stimulus bill, it will take up two bills: the airline safety bill introduced by the gentleman from Minnesota (Mr. OBERSTAR) and the unemployed airline industry worker benefits bill introduced by the gentleman from Missouri (Mr. GEPHARDT). My amendment provides that the bills will be considered under an open amendment process so that all Members will be able to express their views and offer amendments that they feel are important to these two bills.

Mr. Speaker, 2 weeks have passed since the other body took up and passed the airline safety bill by a unanimous 100 to 0 vote. It is time for the House to do its work and pass both of these important bills.

Let me make clear that a "no" vote on the previous question will not stop consideration of the stimulus package. A "no" vote would allow the House to get on with the much delayed airline safety and airline industry worker aid bills. On the other hand, a "yes" vote on the previous question will prevent the House from taking up the airline safety bill and the airline worker relief bill.

I urge a "no" vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed immediately before the vote on the previous question.

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

There was no objection.

The text of the amendment is as follows:

ECONOMIC STIMULUS RULE—PREVIOUS QUESTION—H. RES. 270

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3090) to provide tax incentives for economic recovery. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. 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 Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his 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 an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. Immediately after disposition of H.R. 3090, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3110) to improve aviation security, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Immediately after disposition of H.R. 3110, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2955) to provide assistance for employees who are separated from employment as a result of reductions in service by air carriers, and closures of airports, caused by terrorist actions or security measures. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. If the Committee of the Whole rises and reports that it has come to no resolution on H.R. 3090, H.R. 3110, or H.R. 2955, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of that bill.

Mr. LINDER. Mr. Speaker, I yield the balance of our time to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of the previous question and the rule. The idea of claiming that somehow passing the previous question prevents consideration of legislation is preposterous.

As I have been listening to the arguments coming from my colleagues on the other side of the aisle, I am reminded of the very famous statement of the late democratic Senator Paul Tsongas who said, ''The problem with my Democratic Party is that they love employees, but they hate employers.''

The fact of the matter is, we understand, and the American people understand full well, that half of us are members of the investment class. September 11 hit both Wall Street and Main Street, but we have learned in the past several years that Wall Street and Main Street are one and the same. We are in this together. This bill, in fact, addresses the concerns of both investors and consumers.

By speeding up that 25 percent rate and providing rebates to people who did not qualify earlier, we are helping on the consumption side. By dealing with the alternative minimum tax and accelerated cost recovery systems, we are dealing with the issue of job creation. By dealing with capital gains, we are encouraging investment and, Mr. Speaker, we will generate an increase in the flow of revenues to the Federal Treasury, so that we will be able to have the wherewithal to meet the increased demands for security here and the increased demands that we have in the area of national defense.

So we have a very balanced package which I believe deserves our support. Provide a ''yes'' vote for this rule, a ''yes'' vote for the previous question, and then an overwhelming, bipartisan ''yes'' vote for economic security and recovery.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 219, nays 207, not voting 6, as follows:

[Roll No. 400]

YEAS—219

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NAYS—207

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne

Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—6

Bilirakis
Cubin
Gonzalez
Hill
Reyes
Young (FL)

□ 1300

Mr. LANGEVIN and Mr. POMEROY changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 199, not voting 8, as follows:

[Roll No. 401]

AYES—225

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis (CA)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McKeon
Meeks (NY)
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Wexler
Woolsey
Wu
Wynn

NOT VOTING—8

Bilirakis
Burton
Cubin
Gekas
Gonzalez
Hill
Kaptur
Leach

□ 1309

Mr. SCHIFF changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 270, I call up the bill (H.R. 3090) to provide tax incentives for economic recovery, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 270, the bill is considered read for amendment.

The text of H.R. 3090 is as follows:

H.R. 3090

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Security and Recovery Act of 2001''.

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—BUSINESS PROVISIONS

Sec. 101. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2003.

Sec. 102. Temporary increase in expensing under section 179.
Sec. 103. Repeal of alternative minimum tax on corporations.
Sec. 104. Carryback of certain net operating losses allowed for 5 years.
Sec. 105. Recovery period for depreciation of certain leasehold improvements.

TITLE II—INDIVIDUAL PROVISIONS

Sec. 201. Acceleration of 25 percent individual income tax rate.
Sec. 202. Repeal of 5-year holding period requirement for reduced individual capital gains rates.
Sec. 203. Temporary increase in deduction for capital losses of taxpayers other than corporations.
Sec. 204. Temporary expansion of penalty-free retirement plan distributions for health insurance premiums of unemployed individuals.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

Sec. 301. Allowance of nonrefundable personal credits against regular and minimum tax liability.
Sec. 302. Credit for qualified electric vehicles.
Sec. 303. Credit for electricity produced from renewable resources.
Sec. 304. Work opportunity credit.
Sec. 305. Welfare-to-work credit.
Sec. 306. Deduction for clean-fuel vehicles and certain refueling property.
Sec. 307. Taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.
Sec. 308. Qualified zone academy bonds.
Sec. 309. Cover over of tax on distilled spirits.
Sec. 310. Parity in the application of certain limits to mental health benefits.
Sec. 311. Delay in effective date of requirement for approved diesel or kerosene terminals.

Subtitle B—One-Year Extensions

Sec. 321. One-year extension of availability of medical savings accounts.

Subtitle C—Permanent Extensions

Sec. 331. Subpart F exemption for active financing.

Subtitle D—Other Provisions

Sec. 341. Excluded cancellation of indebtedness income of S corporation not to result in adjustment to basis of stock of shareholders.
Sec. 342. Limitation on use of nonaccrual experience method of accounting.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

Sec. 401. Supplemental rebate.
Sec. 402. Special Reed Act transfer in fiscal year 2002.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

Sec. 501. Health care assistance for the unemployed.

TITLE I—BUSINESS PROVISIONS

SEC. 101. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2003.

(a) IN GENERAL.—Section 168 (relating to accelerated cost recovery system) is amended by adding at the end the following new subsection:

''(k) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2003.—

''(1) ADDITIONAL ALLOWANCE.—In the case of any qualified property—

''(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 30 percent of the adjusted basis of the qualified property, and

''(B) the adjusted basis of the qualified property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less or which is water utility property, or

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(ii) the original use of which commences with the taxpayer after September 10, 2001,

''(iii) which is—

''(I) acquired by the taxpayer after September 10, 2001, and before September 11, 2003, but only if no written binding contract for the acquisition was in effect before September 11, 2001, or

''(II) acquired by the taxpayer pursuant to a written binding contract which was entered into after September 10, 2001, and before September 11, 2003, and

''(iv) which is placed in service by the taxpayer before December 31, 2003.

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(II) after application of section 280F(b) (relating to listed property with limited business use).

''(ii) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

''(iii) REPAIRED OR RECONSTRUCTED PROPERTY.—Except as otherwise provided in regulations, the term 'qualified property' shall not include any repaired or reconstructed property.

''(iv) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—The term 'qualified property' shall not include any qualified leasehold improvement property (as defined in section 168(e)(6)).

''(C) SPECIAL RULES RELATING TO ORIGINAL USE.—

''(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (iii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property after September 10, 2001, and before September 11, 2003.

''(ii) SALE-LEASEBACKS.—For purposes of subparagraph (A)(ii), if property—

''(I) is originally placed in service after September 10, 2001, by a person, and

''(II) is sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $4,600.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).''

(b) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 56(a)(1)(A) (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following new clause:

''(iii) ADDITIONAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2003.—The deduction under section 168(k) shall be allowed.''

(2) CONFORMING AMENDMENT.—Clause (i) of section 56(a)(1)(A) is amended by inserting ''or (iii)'' after ''(ii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after September 10, 2001, in taxable years ending after such date.

SEC. 102. TEMPORARY INCREASE IN EXPENSING UNDER SECTION 179.

(a) IN GENERAL.—The table contained in section 179(b)(1) (relating to dollar limitation) is amended to read as follows:

"If the taxable year begins in:	The applicable amount is:
2001	$24,000
2002 or 2003	35,000
2004 or thereafter	25,000.''

(b) TEMPORARY INCREASE IN AMOUNT OF PROPERTY TRIGGERING PHASEOUT OF MAXIMUM BENEFIT.—Paragraph (2) of section 179(b) is amended by inserting before the period ''($325,000 in the case of taxable years beginning during 2002 or 2003)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 103. REPEAL OF ALTERNATIVE MINIMUM TAX ON CORPORATIONS.

(a) IN GENERAL.—So much of section 55 as precedes subsection (b)(2) is amended to read as follows:

"SEC. 55. ALTERNATIVE MINIMUM TAX FOR TAXPAYERS OTHER THAN CORPORATIONS.

''(a) IN GENERAL.—In the case of a taxpayer other than a corporation, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to the excess (if any) of—

''(1) the tentative minimum tax for the taxable year, over

''(2) the regular tax for the taxable year.

''(b) TENTATIVE MINIMUM TAX.—For purposes of this part—

''(1) AMOUNT OF TENTATIVE TAX.—

''(A) IN GENERAL.—The tentative minimum tax for the taxable year is the sum of—

''(i) 26 percent of so much of the taxable excess as does not exceed $175,000, plus

''(ii) 28 percent of so much of the taxable excess as exceeds $175,000.

The amount determined under the preceding sentence shall be reduced by the alternative minimum tax foreign tax credit for the taxable year.

''(B) TAXABLE EXCESS.—For purposes of this subsection, the term 'taxable excess' means so much of the alternative minimum taxable income for the taxable year as exceeds the exemption amount.

''(C) MARRIED INDIVIDUAL FILING SEPARATE RETURN.—In the case of a married individual filing a separate return, clause (i) shall be applied by substituting '$87,500' for '$175,000'

each place it appears. For purposes of the preceding sentence, marital status shall be determined under section 7703.''

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (3) of section 55(a) is amended by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''.

(2) Paragraph (1) of section 55(c) is amended by striking '', the section 936 credit allowable under section 27(b), and the Puerto Rico economic activity credit under section 30A''.

(3)(A) Paragraph (1) of section 55(d) is amended by—

(i) by striking ''FOR TAXPAYERS OTHER THAN CORPORATIONS'' in the heading, and

(ii) by striking ''In the case of a taxpayer other than a corporation, the'' and inserting ''The''.

(B) Section 55(d) is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(C) Subparagraph (A) of section 55(d)(2), as so redesignated in amended by striking ''or (2)''.

(4) Section 55 is amended by striking subsection (e).

(5)(A) The heading for subsection (a) of section 56 is amended to read as follows:

''(a) GENERAL RULES.—''.

(B) Paragraph (1) of section 56(a) is amended by striking subparagraph (D).

(C) Paragraph (6) of section 56(a) is amended—

(i) by striking ''paragraph (2) or subsection (b)(2)'' and inserting ''paragraph (2) or (9)'', and

(ii) by striking ''or (5), or subsection (b)(2)'' and inserting ''(5), or (9)''.

(6)(A) Subsection (b) of section 56 is amended by striking so much of such subsection as precedes paragraph (1) and by redesignating paragraphs (1), (2), and (3) as paragraphs (8), (9), and (10), respectively, of subsection (a).

(B) Paragraph (9) of section 56(a), as so redesignated, is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(7) Section 56 is amended by striking subsections (c) and (g) and by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(8) Subparagraph (E) of section 57(a)(2) is amended—

(A) by striking ''FOR INDEPENDENT PRODUCERS'' in the heading, and

(B) by striking clause (i) and inserting the following new clause:

''(i) IN GENERAL.—This paragraph shall not apply to any taxable year beginning after December 31, 1992.''

(9) Subsection (a) of section 58 is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(10)(A) Section 59 is amended by striking subsections (b) and (f) and by redesignating subsections (c), (d), (e), (g), (h), (i), and (j) as subsections (b), (c), (d), (e), (f), (g), and (h), respectively.

(B) Paragraph (2) of section 59(d), as so redesignated, is amended by striking ''(determined without regard to section 291)''.

(C) Sections 173(b), 174(f)(2), 263(c), 263A(c)(6), 616(e), 617(i), and 1016(a)(20) are each amended by striking ''59(e)'' each place it appears and inserting ''59(d)''.

(11) Subsection (d) of section 11 is amended by striking ''the taxes imposed by subsection (a) and section 55'' and inserting ''the tax imposed by subsection (a)''.

(12) Section 12 is amended by striking paragraph (7).

(13) Paragraph (6) of section 29(b) is amended to read as follows:

''(6) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and section 27. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year.''

(14) Paragraph (3) of section 30(b) is amended to read as follows:

''(3) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27 and 29. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year.''

(15)(A) Paragraph (1) of section 38(c) is amended to read as follows:

''(1) IN GENERAL.—

''(A) CORPORATIONS.—In the case of a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

''(B) TAXPAYERS OTHER THAN CORPORATIONS.—In the case of a taxpayer other than a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over the greater of—

''(i) the tentative minimum tax for the taxable year, or

''(ii) 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

''(C) DEFINITIONS.—For purposes of this paragraph—

''(i) the term 'net income tax' means the sum of the regular tax liability and the tax imposed by section 55, reduced by the credits allowable under subparts A and B of this part, and

''(ii) the term 'net regular tax liability' means the regular tax liability reduced by the sum of the credits allowable under subparts A and B of this part.''

(B) Clause (ii) of section 38(c)(2)(A) is amended to read as follows:

''(ii) for purposes of applying paragraph (1) to such credit—

''(I) the applicable limitation under paragraph (1) (as modified by subclause (II) in the case of a taxpayer other than a corporation) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the empowerment zone employment credit), and

''(II) in the case of a taxpayer other than a corporation, 75 percent of the tentative minimum tax shall be substituted for the tentative minimum tax under subparagraph (B)(i) thereof.''

(C) Paragraph (3) of section 38(c) is amended by striking ''subparagraph (B) of'' each place it appears.

(16)(A) Subclause (I) of section 53(d)(1)(B)(ii) is amended by striking ''subsection (b)(1)'' and inserting ''subsection (a)(8)''.

(B) Clause (iv) of section 53(d)(1)(B) is hereby repealed.

(17)(A) Part VII of subchapter A of chapter 1 is hereby repealed.

(B) The table of parts for subchapter A of chapter 1 is amended by striking the item relating to part VII.

(C) Paragraph (2) of section 26(a) is amended by striking subparagraph (B) and by redesignating the succeeding subparagraphs accordingly.

(D) Subsection (c) of section 30A is amended by striking paragraph (1) and redesignating the succeeding paragraphs accordingly.

(E) Subsection (a) of section 164 is amended by striking paragraph (5).

(F) Subsection (a) of section 275 is amended by striking ''Paragraph (1) shall not apply to the tax imposed by section 59A.''

(G) Paragraph (1) of section 882(a) is amended by striking ''59A,''.

(H) Paragraph (3) of section 936(a) is amended by striking subparagraph (A) and redesignating the succeeding subparagraphs accordingly.

(I) Subsection (a) of section 1561 is amended by adding ''and'' at the end of paragraph (2), by striking '', and'' at the end of paragraph (3) and inserting a period, and by striking paragraph (4).

(J) Subparagraph (A) of section 6425(c)(1) is amended by adding ''plus'' at the end of clause (i), by striking ''plus'' at the end of clause (ii) and inserting ''over'', and by striking clause (iii).

(18) Section 382(l) (relating to limitation on net operating loss carryforwards and certain built-in losses following ownership change) is amended by striking paragraph (7) and by redesignating paragraph (8) as paragraph (7).

(19) Paragraph (2) of section 815(c) (relating to distributions to shareholders from pre-1984 policyholders surplus account) is amended by striking the last sentence.

(20) Section 847 (relating to special estimated tax payments) is amended—

(A) in paragraph (9), by striking the last sentence;

(B) in paragraph (10), by inserting ''and'' at the end of subparagraph (A) and by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(21) Section 848 (relating to capitalization of certain policy acquisition expenses) is amended by striking subsection (i) and by redesignating subsection (j) as subsection (i).

(22) Paragraph (1) of section 882(a) (relating to tax on income of foreign corporations connected with United States business) is amended by striking ''55,''.

(23) Paragraph (1) of section 962(a) (relating to election by individuals to be subject to tax at corporate rates) is amended by striking ''sections 11 and 55'' and inserting ''section 11''.

(24) Subsection (a) of section 1561 (relating to limitations on certain multiple tax benefits in the case of certain controlled corporations) is amended by striking the last sentence.

(25) Subparagraph (A) of section 6425(c)(1) (defining income tax liability), as amended by paragraph (17) is amended to read as follows:

''(A) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, over''.

(26)(A) Paragraph (2) of section 6655(e) is amended—

(i) by striking '', alternative minimum taxable income, and modified alternative minimum taxable income'' each place it appears in subparagraphs (A) and (B)(i), and

(ii) by striking clause (iii) of subparagraph (B).

(B) Subparagraph (A) of section 6655(g)(1) (relating to failure by corporation to pay estimated income tax), as amended by paragraph (17), is amended to read as follows:

''(A) the sum of—

''(i) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever applies, plus

''(iv) the tax imposed by section 887, over''.

(27) The table of sections for part VI of subchapter A of chapter 1 is amended by striking the item relating to section 55 and inserting the following new item:

''Sec. 55. Alternative minimum tax for taxpayers other than corporations.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(d) REFUND OF UNUSED MINIMUM TAX CREDIT.—

(1) IN GENERAL.—In the case of a corporation—

(A) section 53(c) of the Internal Revenue Code of 1986 shall not apply to such corporation's first taxable year beginning after December 31, 2000, and

(B) for purposes of such Code (other than section 53 of such Code), the credit allowed by section 53 of such Code for such first taxable year shall be treated as if it were allowed by subpart C of part IV of subchapter A of chapter 1 of such Code (relating to refundable credits).

(2) SPECIAL RULES RELATING TO CARRYBACKS.—In the case of a carryback of a corporation from a taxable year beginning after December 31, 2000, to a taxable year beginning before January 1, 2001—

(A) the tax imposed by section 55 of such Code shall not be increased or decreased by reason of such a carryback,

(B) tentative minimum tax shall not be increased or decreased by reason of such a carryback for purposes of determining the amount of any credit other than the credit allowed by section 38, and

(C) the amount of such a carryback which is taken into account in determining tentative minimum tax for purposes of section 38(c) shall be the amount of such carryback which is taken into account in determining regular tax liability.

SEC. 104. CARRYBACK OF CERTAIN NET OPERATING LOSSES ALLOWED FOR 5 YEARS.

(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) In the case of a taxpayer which has a net operating loss for any taxable year ending after September 10, 2001, and before September 11, 2004, subparagraph (A)(i) shall be applied by substituting '5' for '2' and subparagraph (F) shall not apply.''.

(b) ELECTION TO DISREGARD 5-YEAR CARRYBACK.—Section 172 (relating to net operating loss deduction) is amended by redesignating subsection (j) as subsection (k) and by inserting after subjection (i) the following new subsection:

''(j) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR CERTAIN NET OPERATING LOSSES.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''.

(c) TEMPORARY SUSPENSION OF 90 PERCENT LIMIT ON CERTAIN NOL CARRYBACKS.—Subparagraph (A) of section 56(c)(1) (relating to general rule defining alternative tax net operating loss deduction), as amended by section 103, is amended to read as follows:

''(A) the amount of such deduction shall not exceed the sum of—

''(i) the lesser of—

''(I) the amount of such deduction attributable to net operating losses (other than the deduction attributable to carrybacks described in clause (ii)(I)), or

''(II) 90 percent of alternate minimum taxable income determined without regard to such deduction, plus

''(ii) the lesser of—

''(I) the amount of such deduction attributable to carrybacks of net operating losses for taxable years ending after September 10, 2001, and before September 11, 2004, or

''(II) alternate minimum taxable income determined without regard to such deduction reduced by the amount determined under clause (i), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years ending after September 10, 2001.

SEC. 105. RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN LEASEHOLD IMPROVEMENTS.

(a) 15-YEAR RECOVERY PERIOD.—Subparagraph (E) of section 168(e)(3) (relating to 15-year property) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) any qualified leasehold improvement property.''.

(b) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—Subsection (e) of section 168 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—

''(A) IN GENERAL.—The term 'qualified leasehold improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such improvement is made under or pursuant to a lease (as defined in subsection (h)(7))—

''(I) by the lessee (or any sublessee) of such portion, or

''(II) by the lessor of such portion,

''(ii) such portion is to be occupied exclusively by the lessee (or any sublessee) of such portion, and

''(iii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator,

''(iii) any structural component benefiting a common area, and

''(iv) the internal structural framework of the building.

''(C) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

''(i) COMMITMENT TO LEASE TREATED AS LEASE.—A commitment to enter into a lease shall be treated as a lease, and the parties to such commitment shall be treated as lessor and lessee, respectively.

''(ii) RELATED PERSONS.—A lease between related persons shall not be considered a lease. For purposes of the preceding sentence, the term 'related persons' means—

''(I) members of an affiliated group (as defined in section 1504), and

''(II) persons having a relationship described in subsection (b) of section 267; except that, for purposes of this clause, the phrase '80 percent or more' shall be substituted for the phrase 'more than 50 percent' each place it appears in such subsection.

''(D) IMPROVEMENTS MADE BY LESSOR.—

''(i) IN GENERAL.—In the case of an improvement made by the person who was the lessor of such improvement when such improvement was placed in service, such improvement shall be qualified leasehold improvement property (if at all) only so long as such improvement is held by such person.

''(ii) EXCEPTION FOR CHANGES IN FORM OF BUSINESS.—Property shall not cease to be qualified leasehold improvement property under clause (i) by reason of—

''(I) death,

''(II) a transaction to which section 381(a) applies, or

''(III) a mere change in the form of conducting the trade or business so long as the property is retained in such trade or business as qualified leasehold improvement property and the taxpayer retains a substantial interest in such trade or business.''

(c) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Paragraph (3) of section 168(b) is amended by adding at the end the following new subparagraph:

''(G) Qualified leasehold improvement property described in subsection (e)(6).''.

(d) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) is amended by adding at the end the following new item:

''(E)(iv) ..... 15''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified leasehold improvement property placed in service after September 10, 2001.

TITLE II—INDIVIDUAL PROVISIONS

SEC. 201. ACCELERATION OF 25 PERCENT INDIVIDUAL INCOME TAX RATE.

(a) IN GENERAL.—The table contained in paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(1) by striking ''27.0%'' and inserting ''25.0%'', and

(2) by striking ''26.0%'' and inserting ''25.0%''.

(b) REDUCTION NOT TO INCREASE MINIMUM TAX.—

(1) Subparagraph (A) of section 55(d)(1) is amended by striking ''($49,000 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($49,000 in the case of taxable years beginning in 2001, $52,200 in the case of taxable years beginning in 2002 or 2003, and $50,700 in the case of taxable years beginning in 2004)''.

(2) Subparagraph (B) of section 55(d)(1) is amended by striking ''($35,750 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($35,750 in the case of taxable years beginning in 2001, $37,350 in the case of taxable years beginning in 2002 or 2003, and $36,600 in the case of taxable years beginning in 2004)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(d) SECTION 15 NOT TO APPLY.—No amendment made by this section shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986 .

SEC. 202. REPEAL OF 5-YEAR HOLDING PERIOD REQUIREMENT FOR REDUCED INDIVIDUAL CAPITAL GAINS RATES.

(a) IN GENERAL.—

(1) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''10 percent'' and inserting ''8 percent''.

(2) The following sections are each amended by striking ''20 percent'' and inserting ''18 percent'':

(A) Section 1(h)(1)(C).

(B) Section 55(b)(3)(C).

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) The second sentence of section 607(h)(6)(A) of the Merchant Marine Act, 1936.

(b) CONFORMING AMENDMENTS.—

(1) Section 311 of the Taxpayer Relief Act of 1997 is amended by striking subsection (e).

(2) Section 1(h) is amended—

(A) by striking paragraphs (2) and (9),

(B) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively, and

(C) by redesignating paragraphs (10), (11), and (12) as paragraphs (8), (9), and (10), respectively.

(3) Paragraph (3) of section 55(b) is amended by striking ''In the case of taxable years beginning after December 31, 2000, rules similar to the rules of section 1(h)(2) shall apply for purposes of subparagraphs (B) and (C).''.

(4) Paragraph (7) of section 57(a) is amended by striking the last sentence and by striking ''42 percent'' and inserting ''28 percent''.

(c) TRANSITIONAL RULES FOR TAXABLE YEARS WHICH INCLUDE OCTOBER 12, 2001.—For purposes of applying section 1(h) of the Internal Revenue Code of 1986 in the case of a taxable year which includes October 12, 2001—

(1) The amount of tax determined under subparagraph (B) of section 1(h)(1) of such Code shall be the sum of—

(A) 8 percent of the lesser of—

(i) the sum of—

(I) the net capital gain taking into account only gain or loss properly taken into account for the portion of the taxable year on or after October 12, (determined without regard to collectibles gain or loss, gain described in section (1)(h)(6)(A)(i) of such Code, and section 1202 gain), and

(II) the qualified 5-year gain properly taken into account for the portion of the taxable year before October 12, 2001, or

(ii) the amount on which a tax is determined under such subparagraph (without regard to this subsection), plus

(B) 10 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A).

(2) The amount of tax determined under subparagraph (C) of section (1)(h)(1) of such Code shall be the sum of—

(A) 18 percent of the lesser of—

(i) the excess (if any) of the amount of net capital gain determined under subparagraph (A)(i) of paragraph (1) of this subsection over the amount on which a tax is determined under subparagraph (A) of paragraph (1) of this subsection, or

(ii) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), plus

(B) 20 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A) of this paragraph.

(3) For purposes of applying section 55(b)(3) of such Code, rules similar to the rules of paragraphs (1) and (2) of this subsection shall apply.

(4) In applying this subsection with respect to any pass-thru entity, the determination of when gains and loss are properly taken into account shall be made at the entity level.

(5) Terms used in this subsection which are also used in section 1(h) of such Code shall have the respective meanings that such terms have in such section.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided by this subsection, the amendments made by this section shall apply to taxable years ending on or after October 12, 2001.

(2) WITHHOLDING.—The amendment made by subsection (a)(2)(C) shall apply to amounts paid after the date of the enactment of this Act.

(3) SMALL BUSINESS STOCK.—The amendments made by subsection (b)(4) shall apply to dispositions on or after October 12, 2001.

SEC. 203. TEMPORARY INCREASE IN DEDUCTION FOR CAPITAL LOSSES OF TAXPAYERS OTHER THAN CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 1211 (relating to limitation on capital losses for taxpayers other than corporations) is amended by adding at the end the following flush sentence:

''Paragraph (1) shall be applied by substituting '$4,000' for '$3,000' and '$2,000' for '$1,500' in the case of taxable years beginning in 2001, and by substituting '$5,000' for '$3,000' and '$2,500' for '$1,500' in the case of taxable years beginning in 2002.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2000.

SEC. 204. TEMPORARY EXPANSION OF PENALTY-FREE RETIREMENT PLAN DISTRIBUTIONS FOR HEALTH INSURANCE PREMIUMS OF UNEMPLOYED INDIVIDUALS.

(a) IN GENERAL.—Subparagraph (D) of section 72(t)(2) is amended by adding at the end the following new clause:

''(iv) SPECIAL RULES FOR INDIVIDUALS RECEIVING UNEMPLOYMENT COMPENSATION AFTER SEPTEMBER 10, 2001, AND BEFORE JANUARY 1, 2003.—In the case of an individual who receives unemployment compensation for 4 consecutive weeks after September 10, 2001, and before January 1, 2003—

''(I) clause (i) shall apply to distributions from all qualified retirement plans (as defined in section 4974(c)), and

''(II) such 4 consecutive weeks shall be substituted for the 12 consecutive weeks referred to in subclause (I) of clause (i).''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions after the date of the enactment of this Act.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

SEC. 301. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''RULE FOR 2000 AND 2001.—'' and inserting ''RULE FOR 2000, 2001, 2002, AND 2003.—'', and

(2) by striking ''during 2000 or 2001,'' and inserting ''during 2000, 2001, 2002, or 2003,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 904(h) is amended by striking ''during 2000 or 2001'' and inserting ''during 2000, 2001, 2002, or 2003''.

(2) The amendments made by sections 201(b), 202(f), and 618(f) of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to taxable years beginning during 2002 and 2003.

(c) TECHNICAL CORRECTION.—Section 24(d)(1)(B) is amended by striking ''amount of credit allowed by this section'' and inserting ''aggregate amount of credits allowed by this subpart.''.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 2001.

(2) The amendment made by subsection (c) shall apply to taxable years beginning after December 31, 2000.

SEC. 302. CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30 is amended—

(1) in subsection (b)(2)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in subparagraphs (A), (B), and (C), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (e), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 303. CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES.

(a) IN GENERAL.—Subparagraphs (A), (B), and (C) of section 45(c)(3) are each amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 304. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 305. WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Subsection (f) of section 51A is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 306. DEDUCTION FOR CLEAN-FUEL VEHICLES AND CERTAIN REFUELING PROPERTY.

(a) IN GENERAL.—Section 179A is amended—

(1) in subsection (b)(1)(B)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in clauses (i), (ii), and (iii), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (f), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 307. TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) is amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 308. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''2000, and 2001'' and inserting ''2000, 2001, 2002, and 2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 309. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 310. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 311. DELAY IN EFFECTIVE DATE OF REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Paragraph (2) of section 1032(f) of the Taxpayer Relief Act of 1997 (Public Law 105–34) is

amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

Subtitle B—One-Year Extensions

SEC. 321. ONE-YEAR EXTENSION OF AVAILABILITY OF MEDICAL SAVINGS ACCOUNTS.

(a) IN GENERAL.—Paragraphs (2) and (3)(B) of section 220(i) (defining cut-off year) are each amended by striking ''2002'' each place it appears and inserting ''2003''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 220(j) is amended by striking ''1998, 1999, or 2001'' each place it appears and inserting ''1998, 1999, 2001, or 2002''.

(2) Subparagraph (A) of section 220(j)(4) is amended by striking ''and 2001'' and inserting ''2001, and 2002''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle C—Permanent Extensions

SEC. 331. SUBPART F EXEMPTION FOR ACTIVE FINANCING.

(a) IN GENERAL.—

(1) Section 953(e)(10) is amended—

(A) by striking '', and before January 1, 2002,'', and

(B) by striking the second sentence.

(2) Section 954(h)(9) is amended by striking '', and before January 1, 2002,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

Subtitle D—Other Provisions

SEC. 341. EXCLUDED CANCELLATION OF INDEBTEDNESS INCOME OF S CORPORATION NOT TO RESULT IN ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS.

(a) IN GENERAL.—Subparagraph (A) of section 108(d)(7) (relating to certain provisions to be applied at corporate level) is amended by inserting before the period '', including by not taking into account under section 1366(a) any amount excluded under subsection (a) of this section''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall apply to taxable years beginning before, on, or after October 12, 2001.

(2) EXCEPTION.—The amendment made by this section shall not apply to any shareholder with respect to any discharge of indebtedness if the position upheld in Gitlitz v. Commissioner (121 S. Ct. 701 (2001)) was taken by such shareholder with respect to such discharge on a return or claim for refund filed before October 12, 2001.

SEC. 342. LIMITATION ON USE OF NONACCRUAL EXPERIENCE METHOD OF ACCOUNTING.

(a) IN GENERAL.—Paragraph (5) of section 448(d) is amended to read as follows:

''(5) SPECIAL RULE FOR CERTAIN SERVICES.—

''(A) IN GENERAL.—In the case of any person using an accrual method of accounting with respect to amounts to be received for the performance of services by such person, such person shall not be required to accrue any portion of such amounts which (on the basis of such person's experience) will not be collected if—

''(i) such services are in fields referred to in paragraph (2)(A), or

''(ii) such person meets the gross receipts test of subsection (c) for all prior taxable years.

''(B) EXCEPTION.—This paragraph shall not apply to any amount if interest is required to be paid on such amount or there is any penalty for failure to timely pay such amount.

''(C) REGULATIONS.—The Secretary shall prescribe regulations to permit taxpayers to determine amounts referred to in subparagraph (A) using computations or formulas which, based on experience, accurately reflect the amount of income that will not be collected by such person. A taxpayer may adopt, or request consent of the Secretary to change to, a computation or formula that clearly reflects the taxpayer's experience. A request under the preceding sentence shall be approved only if such computation or formula clearly reflects the taxpayer's experience.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendments made by this section to change its method of accounting for its first taxable year ending after the date of the enactment of this Act—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account over a period of 4 years (or if less, the number of taxable years that the taxpayer used the method permitted under section 448(d)(5) of such Code as in effect before the date of the enactment of this Act) beginning with such first taxable year.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

SEC. 401. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

''(f) SUPPLEMENTAL REBATE.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before August 16, 2001, filed a return of tax imposed by subtitle A for such taxable year shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

''(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

''(A)(i) $600 in the case of taxpayers to whom section 1(a) applies,

''(ii) $500 in the case of taxpayers to whom section 1(b) applies, and

''(iii) $300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

''(B) the taxpayer's advance refund amount under subsection (e).

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible. No refund or credit shall be made or allowed under this subsection after December 31, 2001.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsections (e) and (f)''.

(2) Subparagraph (B) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsection (e) or (f)''.

(3) Paragraph (3) of section 6428(e) is amended by striking ''December 31, 2001'' and inserting ''the date of the enactment of the Economic Security and Recovery Act of 2001''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 402. SPECIAL REED ACT TRANSFER IN FISCAL YEAR 2002.

(a) REPEAL OF CERTAIN PROVISIONS ADDED BY THE BALANCED BUDGET ACT OF 1997.—

(1) IN GENERAL.—The following provisions of section 903 of the Social Security Act (42 U.S.C. 1103) are repealed:

(A) Paragraph (3) of subsection (a).

(B) The last sentence of subsection (c)(2).

(2) SAVINGS PROVISION.—Any amounts transferred before the date of enactment of this Act under the provision repealed by paragraph (1)(A) shall remain subject to section 903 of the Social Security Act, as last in effect before such date of enactment.

(b) SPECIAL TRANSFER IN FISCAL YEAR 2002.—Section 903 of the Social Security Act is amended by adding at the end the following:

''Special Transfer in Fiscal Year 2002

''(d)(1) The Secretary of the Treasury shall transfer (as of the date determined under paragraph (5)(A)) from the Federal unemployment account to the account of each State in the Unemployment Trust Fund the amount determined with respect to such State under paragraph (2).

''(2) The amount to be transferred under this subsection to a State account shall (as determined by the Secretary of Labor and certified by such Secretary to the Secretary of the Treasury) be equal to—

''(A) the amount which would have been required to have been transferred under this section to such account at the beginning of fiscal year 2002 if section 402(a)(1) of the Economic Security and Recovery Act of 2001 had been enacted before the close of fiscal year 2001, minus

''(B) the amount which was in fact transferred under this section to such account at the beginning of fiscal year 2002.

''(3)(A) Except as provided in paragraph (4), amounts transferred to a State account pursuant to this subsection may be used only in the payment of cash benefits—

''(i) to individuals with respect to their unemployment, and

''(ii) which are allowable under subparagraph (B) or (C).

''(B)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable as regular or additional compensation for individuals eligible for regular compensation under the unemployment compensation law of such State.

''(ii) Any additional compensation under clause (i) may not be taken into account for purposes of any determination relating to the amount of any extended compensation for which an individual might be eligible.

''(C)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable to 1 or more categories of individuals not otherwise eligible for regular compensation under the unemployment compensation law of such State.

''(ii) The benefits paid under this subparagraph to any individual may not, for any period of unemployment, exceed the maximum amount of regular compensation authorized under the unemployment compensation law of such State for that same period, plus any additional benefits (described in subparagraph (B)(i)) which could have been paid with respect to that amount.

''(D) Amounts transferred to a State account under this subsection may be used in the payment of cash benefits to individuals only for weeks of unemployment—

''(i) beginning after the date of enactment of this subsection, and

''(ii) ending on or before March 11, 2003.

''(4) Amounts transferred to a State account under this subsection may be used for the administration of its unemployment compensation law and public employment offices (including in connection with benefits described in paragraph (3) and any recipients thereof), subject to the same conditions as set forth in subsection (c)(2) (excluding subparagraph (B) thereof, and deeming the reference to 'subsections (a) and (b)' in subparagraph (D) thereof to include this subsection).

''(5) Transfers under this subsection—

''(A) shall be made on such date as the Secretary of Labor (in consultation with the Secretary of the Treasury) shall determine, but in no event later than 10 days after the date of enactment of this subsection, and

''(B) may, notwithstanding any other provision of this subsection, be made only to the extent that they do not to exceed—

''(i) the balance in the Federal unemployment account as of the date determined under subparagraph (A), or

''(ii) the total amount that was transferred under this section to the Federal unemployment account at the beginning of fiscal year 2002,

whichever is less.''

(c) LIMITATIONS ON TRANSFERS.—Section 903(b) of the Social Security Act shall apply to transfers under section 903(d) of such Act (as amended by this section). For purposes of the preceding sentence, such section 903(b) shall be deemed to be amended as follows:

(1) By substituting ''the transfer date described in subsection (d)(5)(A)'' for ''October 1 of any fiscal year''.

(2) By substituting ''remain in the Federal unemployment account'' for ''be transferred to the Federal unemployment account as of the beginning of such October 1''.

(3) By substituting ''fiscal year 2002 (after the transfer date described in subsection (d)(5)(A))'' for ''the fiscal year beginning on such October 1''.

(4) By substituting ''under subsection (d)'' for ''as of October 1 of such fiscal year''.

(5) By substituting ''(as of the close of fiscal year 2002)'' for ''(as of the close of such fiscal year)''.

(d) TECHNICAL AMENDMENTS.—(1) Sections 3304(a)(4)(B) and 3306(f)(2) of the Internal Revenue Code of 1986 are amended by inserting ''or 903(d)(4)'' before ''of the Social Security Act''.

(2) Section 303(a)(5) of the Social Security Act is amended in the second proviso by inserting ''or 903(d)(4)'' after ''903(c)(2)''.

(e) REGULATIONS.—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section and the amendments made by this section.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

SEC. 501. HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

Title XX of the Social Security Act (42 U.S.C. 1397–1397f) is amended by adding at the end the following:

''SEC. 2008. GRANTS FOR HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

''(a) FUNDING.—For purposes of section 2003, the amount specified in section 2003(c) for fiscal year 2002 is increased by $3,000,000,000.

''(b) USE OF FUNDS.—Notwithstanding any other provision of this title, to the extent that an amount paid to a State under section 2002 is attributable to funds made available by reason of subsection (a) of this section—

''(1) the State shall use the amount to assist an unemployed individual who is not eligible for Federal health coverage to purchase health care coverage for the individual or any member of the family of the individual who is not so eligible; and

''(2) the amount—

''(A) shall be used to supplement, not supplant, any other Federal, State, or local funds that are used for the provision of health care coverage; and

''(B) may not be included in determining the amount of non-Federal contributions required under any program.

''(c) DEFINITIONS.—In this section:

''(1) UNEMPLOYED INDIVIDUAL.—The term 'unemployed individual' means an individual who—

''(A) is without a job (determined in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed);

''(B) is seeking and available for work; and

''(C) has or had a benefit year (within the meaning of section 205 of the Federal-State Extended Unemployment Compensation Act of 1970) beginning on or after January 1, 2001.

''(2) FEDERAL HEALTH COVERAGE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'Federal health coverage' means coverage under any medical care program described in—

''(i) title XVIII, XIX, or XXI of this Act (other than under section 1928);

''(ii) chapter 55 of title 10, United States Code;

''(iii) chapter 17 of title 38, United States Code;

''(iv) chapter 89 of title 5, United States Code (other than coverage which is comparable to continuation coverage under section 4980B of the Internal Revenue Code of 1986); or

''(v) the Indian Health Care Improvement Act.

''(B) SPECIAL RULE.—Such term does not include coverage under a qualified long-term care insurance contract.''.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 3090, as amended, is as follows:

H.R. 3090

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Security and Recovery Act of 2001''.

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—BUSINESS PROVISIONS

Sec. 101. Special depreciation allowance for certain property acquired after September 10, 2001, and before September 11, 2004.
Sec. 102. Temporary increase in expensing under section 179.
Sec. 103. Repeal of alternative minimum tax on corporations.
Sec. 104. Carryback of certain net operating losses allowed for 5 years.
Sec. 105. Recovery period for depreciation of certain leasehold improvements.

TITLE II—INDIVIDUAL PROVISIONS

Sec. 201. Acceleration of 25 percent individual income tax rate.
Sec. 202. Repeal of 5-year holding period requirement for reduced individual capital gains rates.
Sec. 203. Temporary increase in deduction for capital losses of taxpayers other than corporations.
Sec. 204. Temporary expansion of penalty-free retirement plan distributions for health insurance premiums of unemployed individuals.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

Sec. 301. Allowance of nonrefundable personal credits against regular and minimum tax liability.
Sec. 302. Credit for qualified electric vehicles.
Sec. 303. Credit for electricity produced from renewable resources.
Sec. 304. Work opportunity credit.
Sec. 305. Welfare-to-work credit.
Sec. 306. Deduction for clean-fuel vehicles and certain refueling property.
Sec. 307. Taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.
Sec. 308. Qualified zone academy bonds.
Sec. 309. Cover over of tax on distilled spirits.
Sec. 310. Parity in the application of certain limits to mental health benefits.
Sec. 311. Delay in effective date of requirement for approved diesel or kerosene terminals.

Subtitle B—One-Year Extensions

Sec. 321. One-year extension of availability of medical savings accounts.

Subtitle C—Permanent Extensions

Sec. 331. Subpart F exemption for active financing.

Subtitle D—Other Provisions

Sec. 341. Excluded cancellation of indebtedness income of S corporation not to result in adjustment to basis of stock of shareholders.
Sec. 342. Limitation on use of nonaccrual experience method of accounting.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

Sec. 401. Supplemental rebate.
Sec. 402. Special Reed Act transfer in fiscal year 2002.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

Sec. 501. Health care assistance for the unemployed.

TITLE I—BUSINESS PROVISIONS

SEC. 101. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.

(a) IN GENERAL.—Section 168 (relating to accelerated cost recovery system) is amended by adding at the end the following new subsection:

''(k) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.—

''(1) ADDITIONAL ALLOWANCE.—In the case of any qualified property—

''(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 30 percent of the adjusted basis of the qualified property, and

''(B) the adjusted basis of the qualified property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less or which is water utility property, or

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(ii) the original use of which commences with the taxpayer after September 10, 2001,

''(iii) which is—

''(I) acquired by the taxpayer after September 10, 2001, and before September 11, 2004, but only if no written binding contract for the acquisition was in effect before September 11, 2001, or

''(II) acquired by the taxpayer pursuant to a written binding contract which was entered into after September 10, 2001, and before September 11, 2004, and

''(iv) which is placed in service by the taxpayer before January 1, 2005.

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(II) after application of section 280F(b) (relating to listed property with limited business use).

''(ii) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

''(iii) REPAIRED OR RECONSTRUCTED PROPERTY.—Except as otherwise provided in regulations, the term 'qualified property' shall not include any repaired or reconstructed property.

''(iv) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—The term 'qualified property' shall not include any qualified leasehold improvement property (as defined in section 168(e)(6)).

''(C) SPECIAL RULES RELATING TO ORIGINAL USE.—

''(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (iii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property after September 10, 2001, and before September 11, 2004.

''(ii) SALE-LEASEBACKS.—For purposes of subparagraph (A)(ii), if property—

''(I) is originally placed in service after September 10, 2001, by a person, and

''(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $4,600.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).''

(b) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 56(a)(1)(A) (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following new clause:

''(iii) ADDITIONAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.—The deduction under section 168(k) shall be allowed.''

(2) CONFORMING AMENDMENT.—Clause (i) of section 56(a)(1)(A) is amended by striking ''clause (ii)'' both places it appears and inserting ''clauses (ii) and (iii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after September 10, 2001, in taxable years ending after such date.

SEC. 102. TEMPORARY INCREASE IN EXPENSING UNDER SECTION 179.

(a) IN GENERAL.—The table contained in section 179(b)(1) (relating to dollar limitation) is amended to read as follows:

"If the taxable year begins in:	The applicable amount is:
2001	$24,000
2002 or 2003	$35,000
2004 or thereafter	$25,000.''

(b) TEMPORARY INCREASE IN AMOUNT OF PROPERTY TRIGGERING PHASEOUT OF MAXIMUM BENEFIT.—Paragraph (2) of section 179(b) is amended by inserting before the period ''($325,000 in the case of taxable years beginning during 2002 or 2003)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 103. REPEAL OF ALTERNATIVE MINIMUM TAX ON CORPORATIONS.

(a) IN GENERAL.—So much of section 55 as precedes subsection (b)(2) is amended to read as follows:

"SEC. 55. ALTERNATIVE MINIMUM TAX FOR TAXPAYERS OTHER THAN CORPORATIONS.

''(a) IN GENERAL.—In the case of a taxpayer other than a corporation, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to the excess (if any) of—

''(1) the tentative minimum tax for the taxable year, over

''(2) the regular tax for the taxable year.

''(b) TENTATIVE MINIMUM TAX.—For purposes of this part—

''(1) AMOUNT OF TENTATIVE TAX.—

''(A) IN GENERAL.—The tentative minimum tax for the taxable year is the sum of—

''(i) 26 percent of so much of the taxable excess as does not exceed $175,000, plus

''(ii) 28 percent of so much of the taxable excess as exceeds $175,000.

The amount determined under the preceding sentence shall be reduced by the alternative minimum tax foreign tax credit for the taxable year.

''(B) TAXABLE EXCESS.—For purposes of this subsection, the term 'taxable excess' means so much of the alternative minimum taxable income for the taxable year as exceeds the exemption amount.

''(C) MARRIED INDIVIDUAL FILING SEPARATE RETURN.—In the case of a married individual filing a separate return, clause (i) shall be applied by substituting '$87,500' for '$175,000' each place it appears. For purposes of the preceding sentence, marital status shall be determined under section 7703.''

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (3) of section 55(b) is amended by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''.

(2) Paragraph (1) of section 55(c) is amended by striking '', the section 936 credit allowable under section 27(b), and the Puerto Rico economic activity credit under section 30A''.

(3)(A) Paragraph (1) of section 55(d) is amended by—

(i) by striking ''FOR TAXPAYERS OTHER THAN CORPORATIONS'' in the heading, and

(ii) by striking ''In the case of a taxpayer other than a corporation, the'' and inserting ''The''.

(B) Section 55(d) is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(C) Subparagraph (A) of section 55(d)(2), as so redesignated is amended by striking ''or (2)''.

(4) Section 55 is amended by striking subsection (e).

(5)(A) The designation and heading for subsection (a) of section 56 is amended to read as follows:

''(a) GENERAL RULES.—''.

(B) Paragraph (1) of section 56(a) is amended by striking subparagraph (D).

(C) Paragraph (6) of section 56(a) is amended—

(i) by striking ''paragraph (2) or subsection (b)(2)'' and inserting ''paragraph (2) or (9)'', and

(ii) by striking ''or (5), or subsection (b)(2)'' and inserting ''(5), or (9)''.

(6)(A) Subsection (b) of section 56 is amended by striking so much of such subsection as precedes paragraph (1) and by redesignating paragraphs (1), (2), and (3) as paragraphs (8), (9), and (10), respectively, of subsection (a).

(B) Paragraph (9) of section 56(a), as so redesignated, is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(7) Section 56 is amended by striking subsections (c) and (g) and by redesignating subsections (d) and (e) as subsections (b) and (c), respectively.

(8) Subparagraph (E) of section 57(a)(2) is amended—

(A) by striking ''FOR INDEPENDENT PRODUCERS'' in the heading, and

(B) by striking clause (i) and inserting the following new clause:

''(i) IN GENERAL.—This paragraph shall not apply to any taxable year beginning after December 31, 1992.''

(9) Subsection (a) of section 58 is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(10)(A) Section 59 is amended by striking subsections (b) and (f) and by redesignating subsections (c), (d), (e), (g), (h), (i), and (j) as subsections (b), (c), (d), (e), (f), (g), and (h), respectively.

(B) Paragraph (2) of section 59(d), as so redesignated, is amended by striking ''(determined without regard to section 291)''.

(C) Sections 173(b), 174(f)(2), 263(c), 263A(c)(6), 616(e), 617(i), and 1016(a)(20) are each amended by striking ''59(e)'' each place it appears and inserting ''59(d)''.

(11) Subsection (d) of section 11 is amended by striking ''the taxes imposed by subsection (a) and section 55'' and inserting ''the tax imposed by subsection (a)''.

(12) Section 12 is amended by striking paragraph (7).

(13) Paragraph (6) of section 29(b) is amended to read as follows:

''(6) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and section 27. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year.''

(14) Paragraph (3) of section 30(b) is amended to read as follows:

''(3) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27 and 29. In the case of a taxpayer other than a corporation, such excess shall be further reduced (but not below zero) by the tentative minimum tax for the taxable year.''

(15)(A) Paragraph (1) of section 38(c) is amended to read as follows:

''(1) IN GENERAL.—

''(A) CORPORATIONS.—In the case of a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

''(B) TAXPAYERS OTHER THAN CORPORATIONS.—In the case of a taxpayer other than a corporation, the credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of the taxpayer's net income tax over the greater of—

''(i) the tentative minimum tax for the taxable year, or

''(ii) 25 percent of so much of the taxpayer's net regular tax liability as exceeds $25,000.

''(C) DEFINITIONS.—For purposes of this paragraph—

''(i) the term 'net income tax' means the sum of the regular tax liability and the tax imposed by section 55, reduced by the credits allowable under subparts A and B of this part, and

''(ii) the term 'net regular tax liability' means the regular tax liability reduced by the sum of the credits allowable under subparts A and B of this part.''

(B) Clause (ii) of section 38(c)(2)(A) is amended to read as follows:

''(ii) for purposes of applying paragraph (1) to such credit—

''(I) the applicable limitation under paragraph (1) (as modified by subclause (II) in the case of a taxpayer other than a corporation) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the empowerment zone employment credit), and

''(II) in the case of a taxpayer other than a corporation, 75 percent of the tentative minimum tax shall be substituted for the tentative minimum tax under subparagraph (B)(i) thereof.''

(C) Paragraph (3) of section 38(c) is amended by striking ''subparagraph (B) of'' each place it appears.

(16)(A) Subclause (I) of section 53(d)(1)(B)(ii) is amended by striking ''subsection (b)(1)'' and inserting ''subsection (a)(8)''.

(B) Clause (iv) of section 53(d)(1)(B) is hereby repealed.

(17)(A) Part VII of subchapter A of chapter 1 is hereby repealed.

(B) The table of parts for subchapter A of chapter 1 is amended by striking the item relating to part VII.

(C) Paragraph (2) of section 26(b) is amended by striking subparagraph (B) and by redesignating the succeeding subparagraphs accordingly.

(D) Subsection (c) of section 30A is amended by striking paragraph (1) and redesignating the succeeding paragraphs accordingly.

(E) Subsection (a) of section 164 is amended by striking paragraph (5).

(F) Subsection (a) of section 275 is amended by striking ''Paragraph (1) shall not apply to the tax imposed by section 59A.''

(G) Paragraph (1) of section 882(a) is amended by striking ''59A,''.

(H) Paragraph (3) of section 936(a) is amended by striking subparagraph (A) and redesignating the succeeding subparagraphs accordingly.

(I) Subsection (a) of section 1561 is amended by adding ''and'' at the end of paragraph (2), by striking '', and'' at the end of paragraph (3) and inserting a period, and by striking paragraph (4).

(J) Subparagraph (A) of section 6425(c)(1) is amended by adding ''plus'' at the end of clause (i), by striking ''plus'' at the end of clause (ii) and inserting ''over'', and by striking clause (iii).

(18) Section 382(l) (relating to limitation on net operating loss carryforwards and certain built-in losses following ownership change) is amended by striking paragraph (7) and by redesignating paragraph (8) as paragraph (7).

(19) Paragraph (2) of section 815(c) (relating to distributions to shareholders from pre-1984 policyholders surplus account) is amended by striking the last sentence.

(20) Section 847 (relating to special estimated tax payments) is amended—

(A) in paragraph (9), by striking the last sentence; and

(B) in paragraph (10), by inserting ''and'' at the end of subparagraph (A) and by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(21) Section 848 (relating to capitalization of certain policy acquisition expenses) is amended by striking subsection (i) and by redesignating subsection (j) as subsection (i).

(22) Paragraph (1) of section 882(a) (relating to tax on income of foreign corporations connected with United States business) is amended by striking ''55,''.

(23) Paragraph (1) of section 962(a) (relating to election by individuals to be subject to tax at corporate rates) is amended by striking ''sections 11 and 55'' and inserting ''section 11''.

(24) Subsection (a) of section 1561 (relating to limitations on certain multiple tax benefits in the case of certain controlled corporations) is amended by striking the last sentence.

(25) Subparagraph (A) of section 6425(c)(1) (defining income tax liability), as amended by paragraph (17) is amended to read as follows:

''(A) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, over''.

(26)(A) Paragraph (2) of section 6655(e) is amended—

(i) by striking '', alternative minimum taxable income, and modified alternative minimum taxable income'' each place it appears in subparagraphs (A) and (B)(i), and

(ii) by striking clause (iii) of subparagraph (B).

(B) Subparagraph (A) of section 6655(g)(1) (relating to failure by corporation to pay estimated income tax), is amended to read as follows:

''(A) the sum of—

''(i) the tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever applies, plus

''(ii) the tax imposed by section 887, over''.

(27) The table of sections for part VI of subchapter A of chapter 1 is amended by striking the item relating to section 55 and inserting the following new item:

''Sec. 55. Alternative minimum tax for taxpayers other than corporations.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(d) REFUND OF UNUSED MINIMUM TAX CREDIT.—

(1) IN GENERAL.—In the case of a corporation—

(A) section 53(c) of the Internal Revenue Code of 1986 shall not apply to such corporation's first taxable year beginning after December 31, 2000, and

(B) for purposes of such Code (other than section 53 of such Code), the credit allowed by section 53 of such Code for such first taxable year shall be treated as if it were allowed by subpart C of part IV of subchapter A of chapter 1 of such Code (relating to refundable credits).

(2) SPECIAL RULES RELATING TO CARRYBACKS.—In the case of a carryback of a corporation from a taxable year beginning after December 31, 2000, to a taxable year beginning before January 1, 2001—

(A) the tax imposed by section 55 of such Code shall not be increased or decreased by reason of such a carryback,

(B) tentative minimum tax shall not be increased or decreased by reason of such a carryback for purposes of determining the amount of any credit other than the credit allowed by section 38, and

(C) the amount of such a carryback which is taken into account in determining tentative minimum tax for purposes of section 38(c) shall be the amount of such carryback which is taken into account in determining regular tax liability.

SEC. 104. CARRYBACK OF CERTAIN NET OPERATING LOSSES ALLOWED FOR 5 YEARS.

(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) In the case of a taxpayer which has a net operating loss for any taxable year ending after September 10, 2001, and before September 11, 2004, subparagraph (A)(i) shall be applied by substituting '5' for '2' and subparagraph (F) shall not apply.''.

(b) ELECTION TO DISREGARD 5-YEAR CARRYBACK.—Section 172 (relating to net operating loss deduction) is amended by redesignating subsection (j) as subsection (k) and by inserting after subjection (i) the following new subsection:

''(j) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR CERTAIN NET OPERATING LOSSES.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''.

(c) TEMPORARY SUSPENSION OF 90 PERCENT LIMIT ON CERTAIN NOL CARRYBACKS.—Subparagraph (A) of section 56(b)(1) (relating to general rule defining alternative tax net operating loss deduction), as amended by section 103, is amended to read as follows:

''(A) the amount of such deduction shall not exceed the sum of—

''(i) the lesser of—

''(I) the amount of such deduction attributable to net operating losses (other than the deduction attributable to carrybacks described in clause (ii)(I)), or

''(II) 90 percent of alternate minimum taxable income determined without regard to such deduction, plus

''(ii) the lesser of—

''(I) the amount of such deduction attributable to carrybacks of net operating losses for taxable years ending after September 10, 2001, and before September 11, 2004, or

''(II) alternate minimum taxable income determined without regard to such deduction reduced by the amount determined under clause (i), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years ending after September 10, 2001.

SEC. 105. RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN LEASEHOLD IMPROVEMENTS.

(a) 15-YEAR RECOVERY PERIOD.—Subparagraph (E) of section 168(e)(3) (relating to 15-year property) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) any qualified leasehold improvement property.''.

(b) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—Subsection (e) of section 168 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—

''(A) IN GENERAL.—The term 'qualified leasehold improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such improvement is made under or pursuant to a lease (as defined in subsection (h)(7))—

''(I) by the lessee (or any sublessee) of such portion, or

''(II) by the lessor of such portion,

''(ii) such portion is to be occupied exclusively by the lessee (or any sublessee) of such portion, and

''(iii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator,

''(iii) any structural component benefiting a common area, and

''(iv) the internal structural framework of the building.

''(C) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

''(i) COMMITMENT TO LEASE TREATED AS LEASE.—A commitment to enter into a lease shall be treated as a lease, and the parties to such commitment shall be treated as lessor and lessee, respectively.

''(ii) RELATED PERSONS.—A lease between related persons shall not be considered a lease. For purposes of the preceding sentence, the term 'related persons' means—

''(I) members of an affiliated group (as defined in section 1504), and

''(II) persons having a relationship described in subsection (b) of section 267; except that, for purposes of this clause, the phrase '80 percent or more' shall be substituted for the phrase 'more than 50 percent' each place it appears in such subsection.

''(D) IMPROVEMENTS MADE BY LESSOR.—

''(i) IN GENERAL.—In the case of an improvement made by the person who was the lessor of such improvement when such improvement was placed in service, such improvement shall be qualified leasehold improvement property (if at all) only so long as such improvement is held by such person.

''(ii) EXCEPTION FOR CHANGES IN FORM OF BUSINESS.—Property shall not cease to be qualified leasehold improvement property under clause (i) by reason of—

''(I) death,

''(II) a transaction to which section 381(a) applies, or

''(III) a mere change in the form of conducting the trade or business so long as the property is retained in such trade or business as qualified leasehold improvement property and the taxpayer retains a substantial interest in such trade or business.''

(c) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Paragraph (3) of section 168(b) is amended by adding at the end the following new subparagraph:

''(G) Qualified leasehold improvement property described in subsection (e)(6).''.

(d) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) is amended by adding at the end the following new item:

''(E)(iv) ..... 15''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified leasehold improvement property placed in service after September 10, 2001.

TITLE II—INDIVIDUAL PROVISIONS

SEC. 201. ACCELERATION OF 25 PERCENT INDIVIDUAL INCOME TAX RATE.

(a) IN GENERAL.—The table contained in paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(1) by striking ''27.0%'' and inserting ''25.0%'', and

(2) by striking ''26.0%'' and inserting ''25.0%''.

(b) REDUCTION NOT TO INCREASE MINIMUM TAX.—

(1) Subparagraph (A) of section 55(d)(1) is amended by striking ''($49,000 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($49,000 in the case of taxable years beginning in 2001, $52,200 in the case of taxable years beginning in 2002 or 2003, and $50,700 in the case of taxable years beginning in 2004)''.

(2) Subparagraph (B) of section 55(d)(1) is amended by striking ''($35,750 in the case of taxable years beginning in 2001, 2002, 2003, and 2004)'' and inserting ''($35,750 in the case of taxable years beginning in 2001, $37,350 in the case of taxable years beginning in 2002 or 2003, and $36,600 in the case of taxable years beginning in 2004)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

(d) SECTION 15 NOT TO APPLY.—No amendment made by this section shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986 .

SEC. 202. REPEAL OF 5-YEAR HOLDING PERIOD REQUIREMENT FOR REDUCED INDIVIDUAL CAPITAL GAINS RATES.

(a) IN GENERAL.—

(1) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''10 percent'' and inserting ''8 percent''.

(2) The following sections are each amended by striking ''20 percent'' and inserting ''18 percent'':

(A) Section 1(h)(1)(C).

(B) Section 55(b)(3)(C).

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) The second sentence of section 607(h)(6)(A) of the Merchant Marine Act, 1936.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (e) of section 311 of the Taxpayer Relief Act of 1997 is repealed.

(2) Section 1(h) is amended—

(A) by striking paragraphs (2) and (9),

(B) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively, and

(C) by redesignating paragraphs (10), (11), and (12) as paragraphs (8), (9), and (10), respectively.

(3) Paragraph (3) of section 55(b) is amended by striking ''In the case of taxable years beginning after December 31, 2000, rules similar to the rules of section 1(h)(2) shall apply for purposes of subparagraphs (B) and (C).''.

(4) Paragraph (7) of section 57(a) is amended by striking the last sentence and by striking ''42 percent'' and inserting ''28 percent''.

(c) TRANSITIONAL RULES FOR TAXABLE YEARS WHICH INCLUDE OCTOBER 12, 2001.—For purposes of applying section 1(h) of the Internal Revenue Code of 1986 in the case of a taxable year which includes October 12, 2001—

(1) The amount of tax determined under subparagraph (B) of section 1(h)(1) of such Code shall be the sum of—

(A) 8 percent of the lesser of—

(i) the sum of—

(I) the net capital gain taking into account only gain or loss properly taken into account for the portion of the taxable year on or after October 12, (determined without regard to collectibles gain or loss, gain described in section (1)(h)(6)(A)(i) of such Code, and section 1202 gain), and

(II) the qualified 5-year gain (as defined in section 1(h)(9) of the Internal Revenue Code of 1986, as in effect on the day before the date of the enactment of this Act) properly taken into account for the portion of the taxable year before October 12, 2001, or

(ii) the amount on which a tax is determined under such subparagraph (without regard to this subsection), plus

(B) 10 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A).

(2) The amount of tax determined under subparagraph (C) of section (1)(h)(1) of such Code shall be the sum of—

(A) 18 percent of the lesser of—

(i) the excess (if any) of the amount of net capital gain determined under subparagraph (A)(i)(I) of paragraph (1) of this subsection over the amount on which a tax is determined under subparagraph (A) of paragraph (1) of this subsection, or

(ii) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), plus

(B) 20 percent of the excess (if any) of—

(i) the amount on which a tax is determined under such subparagraph (C) (without regard to this subsection), over

(ii) the amount on which a tax is determined under subparagraph (A) of this paragraph.

(3) For purposes of applying section 55(b)(3) of such Code, rules similar to the rules of paragraphs (1) and (2) of this subsection shall apply.

(4) In applying this subsection with respect to any pass-thru entity, the determination of when gains and loss are properly taken into account shall be made at the entity level.

(5) Terms used in this subsection which are also used in section 1(h) of such Code shall have the respective meanings that such terms have in such section.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided by this subsection, the amendments made by this section shall apply to taxable years ending on or after October 12, 2001.

(2) WITHHOLDING.—The amendment made by subsection (a)(2)(C) shall apply to amounts paid after the date of the enactment of this Act.

(3) ELECTION TO RECOGNIZE GAIN ON ASSESTS HELD ON JANUARY 1, 2001.—The repeal made by subsection (b)(1) shall take effect as if included in section 311 of the Taxpayer Relief Act of 1997, and the Internal Revenue Code of 1986 shall be applied and administered as if subsection (e) of such section 311 had never been enacted.

(4) SMALL BUSINESS STOCK.—The amendments made by subsection (b)(4) shall apply to dispositions on or after October 12, 2001.

SEC. 203. TEMPORARY INCREASE IN DEDUCTION FOR CAPITAL LOSSES OF TAXPAYERS OTHER THAN CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 1211 (relating to limitation on capital losses for taxpayers other than corporations) is amended by adding at the end the following flush sentence:

''Paragraph (1) shall be applied by substituting '$4,000' for '$3,000' and '$2,000' for '$1,500' in the case of taxable years beginning in 2001, and by substituting '$5,000' for '$3,000' and '$2,500' for '$1,500' in the case of taxable years beginning in 2002.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2000.

SEC. 204. TEMPORARY EXPANSION OF PENALTY-FREE RETIREMENT PLAN DISTRIBUTIONS FOR HEALTH INSURANCE PREMIUMS OF UNEMPLOYED INDIVIDUALS.

(a) IN GENERAL.—Subparagraph (D) of section 72(t)(2) is amended by adding at the end the following new clause:

''(iv) SPECIAL RULES FOR INDIVIDUALS RECEIVING UNEMPLOYMENT COMPENSATION AFTER SEPTEMBER 10, 2001, AND BEFORE JANUARY 1, 2003.—In the case of an individual who receives unemployment compensation for 4 consecutive weeks after September 10, 2001, and before January 1, 2003—

''(I) clause (i) shall apply to distributions from all qualified retirement plans (as defined in section 4974(c)), and

''(II) such 4 consecutive weeks shall be substituted for the 12 consecutive weeks referred to in subclause (I) of clause (i).''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions after the date of the enactment of this Act.

TITLE III—EXTENSIONS OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Two-Year Extensions

SEC. 301. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''RULE FOR 2000 AND 2001.—'' and inserting ''RULE FOR 2000, 2001, 2002, AND 2003.—'', and

(2) by striking ''during 2000 or 2001,'' and inserting ''during 2000, 2001, 2002, or 2003,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 904(h) is amended by striking ''during 2000 or 2001'' and inserting ''during 2000, 2001, 2002, or 2003''.

(2) The amendments made by sections 201(b), 202(f), and 618(f) of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to taxable years beginning during 2002 and 2003.

(c) TECHNICAL CORRECTION.—Section 24(d)(1)(B) is amended by striking ''amount of credit allowed by this section'' and inserting ''aggregate amount of credits allowed by this subpart''.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 2001.

(2) The amendment made by subsection (c) shall apply to taxable years beginning after December 31, 2000.

SEC. 302. CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30 is amended—

(1) in subsection (b)(2)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in subparagraphs (A), (B), and (C), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (e), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 280F(a)(1) is amended by adding at the end the following new clause

''(iii) APPLICATION OF SUBPARAGRAPH.—This subparagraph shall apply to property placed in service after August 5, 1997, and before January 1, 2007.''.

(2) Subsection (b) of section 971 of the Taxpayer Relief Act of 1997 is amended by striking ''and before January 1, 2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 303. CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES.

(a) IN GENERAL.—Subparagraphs (A), (B), and (C) of section 45(c)(3) are each amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 304. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 305. WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Subsection (f) of section 51A is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 306. DEDUCTION FOR CLEAN-FUEL VEHICLES AND CERTAIN REFUELING PROPERTY.

(a) IN GENERAL.—Section 179A is amended—

(1) in subsection (b)(1)(B)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2003,'', and

(B) in clauses (i), (ii), and (iii), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2004'', ''2005'', and ''2006'', respectively, and

(2) in subsection (f), by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 307. TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) is amended by striking ''2002'' and inserting ''2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 308. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''2000, and 2001'' and inserting ''2000, 2001, 2002, and 2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 309. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 310. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 is amended by striking ''2001'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 311. DELAY IN EFFECTIVE DATE OF REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Paragraph (2) of section 1032(f) of the Taxpayer Relief Act of 1997 (Public Law 105–34) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2004''.

Subtitle B—One-Year Extensions

SEC. 321. ONE-YEAR EXTENSION OF AVAILABILITY OF MEDICAL SAVINGS ACCOUNTS.

(a) IN GENERAL.—Paragraphs (2) and (3)(B) of section 220(i) (defining cut-off year) are each amended by striking ''2002'' each place it appears and inserting ''2003''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 220(j) is amended by striking ''1998, 1999, or 2001'' each place it appears and inserting ''1998, 1999, 2001, or 2002''.

(2) Subparagraph (A) of section 220(j)(4) is amended by striking ''and 2001'' and inserting ''2001, and 2002''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle C—Permanent Extensions

SEC. 331. SUBPART F EXEMPTION FOR ACTIVE FINANCING.

(a) IN GENERAL.—

(1) Section 953(e)(10) is amended—

(A) by striking '', and before January 1, 2002,'', and

(B) by striking the second sentence.

(2) Section 954(h)(9) is amended by striking '', and before January 1, 2002,''.

(b) LIFE INSURANCE AND ANNUITY CONTRACTS.—

(1) IN GENERAL.—Subparagraph (B) of section 954(i)(4) is amended to read as follows:

''(B) LIFE INSURANCE AND ANNUITY CONTRACTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the amount of the reserve of a qualifying insurance company or qualifying insurance company branch for any life insurance or annuity contract shall be equal to the greater of—

''(I) the net surrender value of such contract (as defined in section 807(e)(1)(A)), or

''(II) the reserve determined under paragraph (5).

''(ii) RULING REQUEST.—The amount of the reserve under clause (i) shall be the foreign statement reserve for the contract (less any catastrophe, deficiency, equalization, or similar reserves), if, pursuant to a ruling request submitted by the taxpayer, the Secretary determines that the factors taken into account in determining the foreign statement reserve provide an appropriate means of measuring income.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

Subtitle D—Other Provisions

SEC. 341. EXCLUDED CANCELLATION OF INDEBTEDNESS INCOME OF S CORPORATION NOT TO RESULT IN ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS.

(a) IN GENERAL.—Subparagraph (A) of section 108(d)(7) (relating to certain provisions to be applied at corporate level) is amended by inserting before the period '', including by not taking into account under section 1366(a) any amount excluded under subsection (a) of this section''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of indebtedness after October 11, 2001, in taxable years ending after such date.

SEC. 342. LIMITATION ON USE OF NONACCRUAL EXPERIENCE METHOD OF ACCOUNTING.

(a) IN GENERAL.—Paragraph (5) of section 448(d) is amended to read as follows:

''(5) SPECIAL RULE FOR CERTAIN SERVICES.—

''(A) IN GENERAL.—In the case of any person using an accrual method of accounting with respect to amounts to be received for the performance of services by such person, such person shall not be required to accrue any portion of such amounts which (on the basis of such person's experience) will not be collected if—

''(i) such services are in fields referred to in paragraph (2)(A), or

''(ii) such person meets the gross receipts test of subsection (c) for all prior taxable years.

''(B) EXCEPTION.—This paragraph shall not apply to any amount if interest is required to be paid on such amount or there is any penalty for failure to timely pay such amount.

''(C) REGULATIONS.—The Secretary shall prescribe regulations to permit taxpayers to determine amounts referred to in subparagraph (A) using computations or formulas which, based on experience, accurately reflect the amount of income that will not be collected by such person. A taxpayer may adopt, or request consent of the Secretary to change to, a computation or formula that clearly reflects the taxpayer's experience. A request under the preceding sentence shall be approved only if such computation or formula clearly reflects the taxpayer's experience.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendments made by this section to change its method of accounting for its first taxable year ending after the date of the enactment of this Act—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account over a period of 4 years (or if less, the number of taxable years that the taxpayer used the method permitted under section 448(d)(5) of such Code as in effect before the date of the enactment of this Act) beginning with such first taxable year.

TITLE IV—SUPPLEMENTAL REBATE; OTHER PROVISIONS

SEC. 401. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

''(f) SUPPLEMENTAL REBATE.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 16, 2001, filed a return of tax imposed by subtitle A for such taxable year shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

''(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

''(A)(i) $600 in the case of taxpayers to whom section 1(a) applies,

''(ii) $500 in the case of taxpayers to whom section 1(b) applies, and

''(iii) $300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

''(B) the taxpayer's advance refund amount under subsection (e).

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsections (e) and (f)''.

(2) Subparagraph (B) of section 6428(d)(1) is amended by striking ''subsection (e)'' and inserting ''subsection (e) or (f)''.

(3) Paragraph (3) of section 6428(e) is amended by striking ''December 31, 2001'' and inserting ''the date of the enactment of the Economic Security and Recovery Act of 2001''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 402. SPECIAL REED ACT TRANSFER IN FISCAL YEAR 2002.

(a) REPEAL OF CERTAIN PROVISIONS ADDED BY THE BALANCED BUDGET ACT OF 1997.—

(1) IN GENERAL.—The following provisions of section 903 of the Social Security Act (42 U.S.C. 1103) are repealed:

(A) Paragraph (3) of subsection (a).

(B) The last sentence of subsection (c)(2).

(2) SAVINGS PROVISION.—Any amounts transferred before the date of enactment of this Act under the provision repealed by paragraph (1)(A) shall remain subject to section 903 of the Social Security Act, as last in effect before such date of enactment.

(b) SPECIAL TRANSFER IN FISCAL YEAR 2002.—Section 903 of the Social Security Act is amended by adding at the end the following:

''Special Transfer in Fiscal Year 2002

''(d)(1) The Secretary of the Treasury shall transfer (as of the date determined under paragraph (5)(A)) from the Federal unemployment account to the account of each State in the Unemployment Trust Fund the amount determined with respect to such State under paragraph (2).

''(2) The amount to be transferred under this subsection to a State account shall (as determined by the Secretary of Labor and certified by such Secretary to the Secretary of the Treasury) be equal to—

''(A) the amount which would have been required to have been transferred under this section to such account at the beginning of fiscal year 2002 if section 402(a)(1) of the Economic Security and Recovery Act of 2001 had been enacted before the close of fiscal year 2001, minus

''(B) the amount which was in fact transferred under this section to such account at the beginning of fiscal year 2002.

''(3)(A) Except as provided in paragraph (4), amounts transferred to a State account pursuant to this subsection may be used only in the payment of cash benefits—

''(i) to individuals with respect to their unemployment, and

''(ii) which are allowable under subparagraph (B) or (C).

''(B)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable as regular or additional compensation for individuals eligible for regular compensation under the unemployment compensation law of such State.

''(ii) Any additional compensation under clause (i) may not be taken into account for purposes of any determination relating to the amount of any extended compensation for which an individual might be eligible.

''(C)(i) At the option of the State, cash benefits under this paragraph may include amounts which shall be payable to 1 or more categories of individuals not otherwise eligible for regular compensation under the unemployment compensation law of such State.

''(ii) The benefits paid under this subparagraph to any individual may not, for any period of unemployment, exceed the maximum amount of regular compensation authorized under the unemployment compensation law of such State for that same period, plus any additional benefits (described in subparagraph (B)(i)) which could have been paid with respect to that amount.

''(D) Amounts transferred to a State account under this subsection may be used in the payment of cash benefits to individuals only for weeks of unemployment—

''(i) beginning after the date of enactment of this subsection, and

''(ii) ending on or before March 11, 2003.

''(4) Amounts transferred to a State account under this subsection may be used for the administration of its unemployment compensation law and public employment offices (including in connection with benefits described in paragraph (3) and any recipients thereof), subject to the same conditions as set forth in subsection (c)(2) (excluding subparagraph (B) thereof, and deeming the reference to 'subsections (a) and (b)' in subparagraph (D) thereof to include this subsection).

''(5) Transfers under this subsection—

''(A) shall be made on such date as the Secretary of Labor (in consultation with the Secretary of the Treasury) shall determine, but in no event later than 10 days after the date of enactment of this subsection, and

''(B) may, notwithstanding any other provision of this subsection, be made only to the extent that they do not to exceed—

''(i) the balance in the Federal unemployment account as of the date determined under subparagraph (A), or

''(ii) the total amount that was transferred under this section to the Federal unemployment account at the beginning of fiscal year 2002,

whichever is less.''

(c) LIMITATIONS ON TRANSFERS.—Section 903(b) of the Social Security Act shall apply to transfers under section 903(d) of such Act (as amended by this section). For purposes of the preceding sentence, such section 903(b) shall be deemed to be amended as follows:

(1) By substituting ''the transfer date described in subsection (d)(5)(A)'' for ''October 1 of any fiscal year''.

(2) By substituting ''remain in the Federal unemployment account'' for ''be transferred to the Federal unemployment account as of the beginning of such October 1''.

(3) By substituting ''fiscal year 2002 (after the transfer date described in subsection (d)(5)(A))'' for ''the fiscal year beginning on such October 1''.

(4) By substituting ''under subsection (d)'' for ''as of October 1 of such fiscal year''.

(5) By substituting ''(as of the close of fiscal year 2002)'' for ''(as of the close of such fiscal year)''.

(d) TECHNICAL AMENDMENTS.—(1) Sections 3304(a)(4)(B) and 3306(f)(2) of the Internal Revenue Code of 1986 are amended by inserting ''or 903(d)(4)'' before ''of the Social Security Act''.

(2) Section 303(a)(5) of the Social Security Act is amended in the second proviso by inserting ''or 903(d)(4)'' after ''903(c)(2)''.

(e) REGULATIONS.—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section and the amendments made by this section.

TITLE V—HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED

SEC. 501. HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

Title XX of the Social Security Act (42 U.S.C. 1397–1397f) is amended by adding at the end the following:

''SEC. 2008. GRANTS FOR HEALTH CARE ASSISTANCE FOR THE UNEMPLOYED.

''(a) FUNDING.—For purposes of section 2003, the amount specified in section 2003(c) for fiscal year 2002 is increased by $3,000,000,000.

''(b) USE OF FUNDS.—Notwithstanding any other provision of this title, to the extent that an amount paid to a State under section 2002 is attributable to funds made available by reason of subsection (a) of this section—

''(1) the State shall use the amount to assist an unemployed individual who is not eligible for Federal health coverage to purchase health care coverage for the individual or any member of the family of the individual who is not so eligible; and

''(2) the amount—

''(A) shall be used to supplement, not supplant, any other Federal, State, or local funds that are used for the provision of health care coverage; and

''(B) may not be included in determining the amount of non-Federal contributions required under any program.

''(c) DEFINITIONS.—In this section:

''(1) UNEMPLOYED INDIVIDUAL.—The term 'unemployed individual' means an individual who—

''(A) is without a job (determined in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed);

''(B) is seeking and available for work; and

''(C) has or had a benefit year (within the meaning of section 205 of the Federal-State Extended Unemployment Compensation Act of 1970) beginning on or after January 1, 2001.

''(2) FEDERAL HEALTH COVERAGE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'Federal health coverage' means coverage under any medical care program described in—

''(i) title XVIII, XIX, or XXI of this Act (other than under section 1928);

''(ii) chapter 55 of title 10, United States Code;

''(iii) chapter 17 of title 38, United States Code;

''(iv) chapter 89 of title 5, United States Code (other than coverage which is comparable to continuation coverage under section 4980B of the Internal Revenue Code of 1986); or

''(v) the Indian Health Care Improvement Act.

''(B) SPECIAL RULE.—Such term does not include coverage under a qualified long-term care insurance contract.''.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 107–252 if offered by the gentleman from New York (Mr. RANGEL), or his designee, which shall be debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from California (Mr. THOMAS).

(Mr. THOMAS asked and was given permission to revise and extend his remarks, and include extraneous material.)

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

Mr. Speaker, much has been said about the desire for bipartisanship, especially about the fact that the administration has been working to try to bring groups together so that we can move forward on a package to stimulate the economy, indeed secure economic security, and recover from what I think everyone will soon agree, if they do not now, is a short-term recession.

I think it is important, then, that if we are going to say that we should listen to the President, that we should listen to the President. My colleagues cannot have it both ways. They cannot say that they want to be with the President, but then do not focus on the statement of administration policy in regard to H.R. 3090.

The first thing I think we should do, Mr. Speaker, is clearly establish where the President is, where this administration is on this bill, the Economic Security and Recovery Act.

I will include the Statement of Administration Policy in the RECORD. It says, Mr. Speaker, in the very first line: ''The Administration strongly supports House passage of H.R. 3090.''

It then goes on to say: ''The Administration is very pleased that the bill includes the main elements that the President has proposed for an economic stimulus package.'' It then goes on to list some of them: ''Tax relief for low to moderate income individuals and families and an acceleration of scheduled tax rate cuts that are in the bill.''

The policy statement goes on to say, ''increased business expensing and repeal of the corporate Alternative Minimum Tax to create jobs and encourage capital investment.'' Let me underscore that. The President is pleased that he asked Congress for and contained in this bill is the repeal of the corporate Alternative Minimum Tax to create jobs and encourage capital investment.

The statement goes on to say: ''The Administration commends the fact that this bill is focused primarily on tax relief.'' The assumption is any bill not focused primarily on tax relief is not one that the administration would support.

It concludes by saying: ''The Administration urges quick action in the Congress to enable an economic stimulus package to take effect as quickly as possible.''

The right remedy, done quickly. The administration supports this package; and I am pleased to say, the House will pass today H.R. 3090, the Economic Security and Recovery Act of 2001.

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 3090—ECONOMIC SECURITY AND RECOVERY ACT OF 2001

(Rep. Thomas (R) California)

The Administration strongly supports House passage of H.R. 3090. The Administration is pleased that the House has started the process of acting on a stimulus package to help get the economy going again following the terrorist attacks of September 11th.

The Administration is very pleased that the bill includes the main elements that the President has proposed for an economic stimulus package: (a) tax relief for low-to-moderate income individuals and families and an acceleration of scheduled tax rate cuts to spur consumer spending, improve economic growth incentives, and restore confidence; and (b) increased business expensing and repeal of the corporate Alternative Minimum Tax to create jobs and encourage capital investment.

The Administration commends the fact that this bill is focused primarily on tax relief, since Congress has already adopted adequate spending measures to address the economic disruption caused by September 11th. Over sixty billion dollars has been committed or proposed since September 11th, including monies for disaster relief, security enhancements, and defense. As part of this amount, the President has announced a Back-to-Work Relief proposal and looks forward to working in a bipartisan fashion with Congress to enact it. This is ample spending to address the direct impact of the terrorist attacks. Stimulus is best accomplished through prompt tax relief to restore consumer confidence, spur capital investment, and thus create new jobs. The Administration opposes alternative proposals that contain large spending and tax increases. Raising taxes on small businesses—which create most new jobs—as well as on families and individuals is ill-advised in any environment, but is particularly troubling in an already slow economy. Additional spending and tax increases will retard economic recovery rather than stimulate it.

The Administration urges quick action in the Congress to enable an economic stimulus package to take effect as quickly as possible. The Administration remains committed to working with the Congress in a bipartisan manner to produce a fiscally responsible end product consistent with the President's principles to help consumers, spur investment, and contribute to the recovery from the terrorist attacks of September 11th.

PAY-AS-YOU-GO SCORING

Any law that would reduce receipts or increase direct spending is subject to the pay-as-you-go requirements of the Balanced Budget and Emergency Deficit Control Act. Accordingly, H.R. 3090, or any substitute amendment in lieu thereof that would reduce revenues or increase direct spending, will be subject to the pay-as-you-go requirement. OMB's scoring estimates are under development. The Administration will work with Congress to ensure that any unintended sequester of spending does not occur under current law or the enactment of any other proposals that meet the President's objectives.

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

□ 1315

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

The gentleman from California, the chairman of the Committee on Ways and Means, referred to bipartisanship in his opening statement. His mentioning the bipartisanship is about as close as he will ever get to it. We had had some preliminary meetings to see whether or not we could support the President as he gave guidelines as to what he wanted in this stimulus package. The fact that a handful of Republicans visited the White House and the President changed his mind is not very, very impressive.

I think, though, that one of the gentlemen who spoke for the rule spelled it out as to the difference between Democrats and Republicans, and that is that Republicans just have a difficult time helping poor folks or helping people not wealthy. They just have a propensity to help faceless multinational corporations. Now, you can call it a bonus, you can call it a credit, you can call it a loan, you can call it what you want; but at the end of the day these firms will be receiving billions of dollars out of monies that basically have been paid into the Social Security and the Medicare Trust Fund. That is not deniable.

The guideline was supposed to be that it was not supposed to be a permanent fix, but they do have permanent tax remedies that they are selecting. It is outrageous to do something like this when the country is going through a crisis. And instead of raising the funds to pay for the war, they are actually giving bonuses to those people who are the beneficiaries of this dilemma we find ourselves in today.

Patriotic people ought to know that it takes more than going to Disneyland to pay for a war. And what we ought to do is take a look at the tax cuts that the President proposed and got passed before he was commander in chief, because certainly we would like to believe that he wanted to support the very same things he campaigned on, and that is a viable Social Security System, Medicare, education, to make certain that we have prescription drugs, and to make certain that we had a Patients' Bill of Rights. All of this does not stop America from moving forward just because we have a lot of bum insane terrorists after us.

This is the time for America to be at its strongest. And we ought to expect those that got strong economically in this country to help to be responsible and pay their fair share, instead of taking care of the people that are displaced, the people that are unemployed, instead of making certain to take care of those that are supposed to be the ones to spur the economy. You can give billions of dollars to the corporate structure; but if no one is buying cars, if no one is buying washing machines, what are they going to invest in? You have to be able to create consumer demand.

What is happening here is that they found out the country was in trouble, and they were able to outrageously just hold the Democrats on the committee in utter contempt, hold the

other body in utter contempt, and just decide that every time they go in a back room they can bring out a bill. Forget the bipartisanship, forget the President's problems, just ram it through. Well, it is not going to be rammed through the Senate.

The President has already had his people call it show business. So what I am saying is if this is a show business bill, let us get the producers, let us get the actors, close down the show and run them out of town.

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

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

I tell the gentleman that he is desperately hanging on to an offhand comment by one member of the administration who has since said a number of different things, and apparently he chooses to ignore the statement by the President that they strongly support House passage of H.R. 3090.

One of the problems, I guess, is that we wind up talking about individuals and benefits to individuals, and then the other side we wind up talking about business or corporations. I do believe there is a kind of an internal rejection on the part of my colleagues on the other side of the aisle, by and large, when we use the term business or corporation. Somehow that has a negative connotation.

I think maybe it might help in this debate if instead of calling them businesses or corporations we would call them job-creating machines. Because if you understand that what these entities do is create jobs, then we might be able to deal with this debate slightly differently, and that would be this: this bill puts about $100 billion into the economy right away over the next 12 months, and it is divided this way:

About 40 cents of every dollar goes to individuals. About $14 billion of it goes to individuals who filed an income tax form, but who possibly did not pay any income taxes at all or even any payroll taxes. They had no tax obligation, but they are going to receive as part of a stimulus, i.e. give them money because they will spend it, about $14 billion. We also accelerate a reduction already on the books for the middle-income folk, and that is about $12 billion. And then there is about an additional $12 billion to assist unemployed and assist in the purchasing of health care of those who are temporarily unemployed. Now, that is about 40 cents out of every dollar.

Sixty cents out of every dollar goes to help the job-creating machines. See, there is an idea that if you can create a job, a real job, people get recurring income from the job. They also get health care very often in the workplace. But then they also wind up paying taxes, and, lo and behold, the job-creating machine pays taxes. So we thought it was appropriate to do 40 cents on the dollar to stimulate the individual spending, but 60 cents to help the job-creating machines.

Now, the spending is a gift. It is a one-time gift. It is a gift that gets spent. The $14 billion to those low-income individuals gets spent in the next 12 months and it costs $14 billion over 10 years. There is no other tax consequence. It gets spent. That is a one-time gift. But if you want a gift that keeps on giving, then you assist the job-creating machines. Because what they do is not provide unemployment, they provide a job, and they provide tax revenue, and the machine itself provides tax revenue. That is a gift that keeps on giving.

So, really, what we ought to be talking about is the fact that this package assists with a government gift, spending, 40 cents out of the dollar; but it also deals with 60 cents out of every dollar helping those machines that create jobs so that we can have a gift that keeps on giving.

And that I think is the fundamental difference between the approach that we take to a stimulus package. Do you want a one-time gift? We do that, 40 cents on the dollar. Do you want a gift that keeps on giving? We do that, 60 cents on the dollar. It seems to me the administration wisely said that this is something that they commend us for doing, but that first and foremost it needs to be passed to be effective. Let us get on with our business.

I would prefer both sides yield back the balance of their time and we can vote, but I know full well that will not occur.

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

Mr. RANGEL. Mr. Speaker, we have to continue to debate this because, for all we know, the administration may change its mind before the debate is over.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MATSUI), a senior member of the committee.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), the ranking member. The gentleman from California, the chairman of the Committee on Ways and Means, protests too much. Obviously, what he does not seem to understand, and this is what the real problem is, is the economy and why we are now suffering a recession. The reason we are having this problem now is because consumer demand is not there.

Obviously, what was going on and what happened after September 11 and since, is there has been a drop in confidence in terms of purchasing in this country. So what we want to do is we want to put money in individuals' pockets so that they will then begin to have more confidence in the economy, spend money, and that will then result in more capital investment by companies, because all of a sudden they will want to make products in order to have it available to the people that are going to be spending money.

So the Democratic alternative, which we will be explaining shortly, will provide for that. It will put money in individuals' pockets so they can spend it, particularly during the holiday season, when about 25 percent of all retail sales occur.

But what the gentleman from California, the chairman of the committee, wants to do is basically give it to corporations, mainly because they want to pay off those people that have been wonderful contributors to them. I just point to this chart here. Fifteen companies in the first year will get $25 billion of this tax cut. The gentleman talked about individuals getting $14 billion over 10 years. That is just a one-shot deal. A one-shot deal.

The reality is this is a permanent tax cut. And what it does, which is so surprising, it eliminates the alternative minimum tax. And then what it does, it retroactively repeals it to 1986, 15 years ago. And that is why these companies will get $25 billion.

I have to tell my colleagues that what is so outrageous about this is this is Social Security money. This is what the corner grocery store owner, this is what perhaps many of the Members' mothers and fathers and grandparents pay in the form of payroll taxes. They think this money is going into the Social Security Trust Fund to protect their retirement benefits. Unfortunately, it is being used for another purpose. It is being used basically for these tax cuts to these major companies and major corporations.

I know that my colleagues think that, well, we are in the middle of an anthrax scare, we have obviously a war going on in Afghanistan, nobody is going to pay any attention. That is why the gentleman perhaps thinks they will get away with this. They may get away with it for a while; but the reality is the American public will find out about this, because this will have nothing to do with stimulating the economy. In fact, it will set us back, because this is not even paid for; and it will result in an increase in long-term interest rates.

Sometime around June of next year we are going to be talking about this vote and this issue. So the reality is that this is taking Social Security payroll tax money to pay for those major big corporate tax cuts. I have never seen, in my 23 years in this institution, such an outrageous piece of legislation as I see in this. Vote ''no'' on this bill and vote for the substitute.

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

Notwithstanding the fact the gentleman impugned the motives of the Members on this side of the aisle, I am sure he was carried away by emotion and did not really intend to do that, and I understand that.

He also said those corporations on the list get $25 billion. The fact of the matter is, he knows that if he had a list of the corporations it would be 23,000 names long and not just the list there.

I told you if we quit talking about corporations and talked about them as job-creating machines, we could look

at this entire argument slightly differently. That list the gentleman held in front of us represents 1,500,000 jobs. Now, that is more jobs than there are people in 15 of these United States. They are job-creating machines; and 1,500,000 people are employed by just that short list that the gentleman provided, let alone the fact there are more than 23,000 corporations that will benefit from the repeal of the alternative minimum tax, which by the way the President requested that we do.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON), the chairman of the Joint Economic Committee.

Mr. SAXTON. Mr. Speaker, I thank the chairman for yielding me this time, and I rise today in strong support of the economic stimulus package needed to address the weakness that is evident in the economy.

Mr. Speaker, it is important for us to point out that we are addressing an economic trend. This situation was not created on September 11, nor was it created on January 1, 2001.

□ 1330

Nor was it created on January 1, 2001. This trend began in the second quarter of the year 2000, barely remaining positive during that quarter of the year. The manufacturing sector has been hit especially hard, and it is to encourage investment in that sector wherein lies the key to turning this economy around.

One bright spot has been in housing and consumer spending, we do not have to worry quite as much about that, but it is a concern as well. Therefore, a logical response is to offset the costs that have been foisted upon our economy by encouraging investment.

As a matter of fact, just last week the Chairman of the Federal Reserve, Alan Greenspan, said, ''My own impression is it is in the investment area where the greatest sensitivity for fiscal stimulus lies.'' Those were Alan Greenspan's words, and in effect that is precisely what this tax package does.

The economic stimulus bill will reduce the costs and benefit the economy in several ways. The bill would reduce the 28 percent personal income tax rate to 25 percent. The bill would reduce capital gains tax rates on many investments, thereby encouraging investment. The bill provides a 30 percent expensing of investment in most forms of depreciable property over a 3-year period. This would increase incentives to invest, precisely what the Chairman of the Fed says we need.

Mr. Speaker, I strongly urge a ''yea'' vote on the bill.

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

Mr. Speaker, I thank God we have an honest person in the House to call it a Republican bill, so that officially shatters the myth of bipartisanship.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I want to pick up the statement of the gentleman from New York (Mr. RANGEL), and the chairman of the committee is not listening at the moment, but the gentleman read the statement of the administration and apparently says that makes it bipartisan. Bipartisanship is not rubber-stamping the position of the other party.

There have been close to zero efforts, certainly within the committee, to reach any bipartisan position on this bill. I think the guidelines should be a short-term stimulus and long-term discipline, and in that respect this bill is woefully unbalanced.

The $20 billion for financial services, we need to continue to reform the international tax system, but tell me what jobs that is going to create. In terms of the corporate AMT credits, I want to say one word. The administration says repeal them. They do not say give in one check all of the credits. If that is the position of the administration, they ought to say so; but tie it to how it is going to create jobs in our States.

The acceleration of the tax cut, a family with $150,000 and four kids will get 15 times what the family of $70,000 in income will receive. Now, how is that going to help stimulate the economy? It is woefully imbalanced in terms of unemployment comp and health care.

Corporations are important in this country. My colleagues give individuals the back of the hand. $5 billion, a few percentage points of what Members allocate here? Maybe $2 billion for those who are unemployed, and maybe some crumbs for those who do not have health insurance.

I want to finish up on fiscal discipline. One Member said this was a package of fiscal discipline when my colleagues do not spend one red dime to pay for it. My colleagues have become the economic radicals. They pay for nothing. Nothing. The other side of the aisle is trying to sell a bill of goods to this country that we can go into debt again, cut into Social Security and Medicare monies, and someday they will be replaced. We have heard that song before.

Mr. Speaker, this is a woefully unbalanced, fiscally reckless package that does not have even the patina, even a fig leaf of bipartisanship. Members are getting us off on the wrong foot. Let us vote this down and start over again.

Mr. THOMAS. Mr. Speaker, I yield 30 seconds to the gentleman from Louisiana (Mr. MCCRERY), just to indicate to all that no good deed goes unpunished.

Mr. MCCRERY. Mr. Speaker, in response to the claims that there is no bipartisanship present in this bill, that is not so. The chairman, I, and other Members on the Republican side took into account in drafting this bill that is on the floor today the Democrat ideas for net operating losses to be carried back. That was a Democrat proposal. We included it in the bill.

We included in the bill the provision to provide a rebate of taxes to taxpayers who did not get a check under the previous tax cut. That was a Democrat proposal. Both of those are in the bill. I reject categorically the claims that no Democrat ideas are included in this bill. This is a bipartisan compilation of ideas.

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

Mr. Speaker, that shows the depth of arrogance on the Republican side of this aisle. To really think that bipartisanship is their interpretation of democratic ideas is the epitome of arrogance. So that means that any time we want to have a bipartisan bill, all we have to do is go to the Democratic Campaign Committee and wonder what these rascals are thinking about and include it in a bill and come to the floor and claim that it is bipartisan. Shame on my colleagues.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, everyone in this country has been impacted by what happened on September 11; but I think we all agree that our first priority needs to be for the victims, their families, the businesses that were put out of business and lost opportunity, and the workers that no longer have jobs as a result of what happened on September 11.

It also happens to help our country by giving these unemployed workers benefits because we know they will spend the money. They will help economic growth. So from the humanitarian point of view, the fairness point of view, and the economic point of view, our priority must be to get the unemployed worker additional resources.

The bill before Members would cost over $200 billion over a 5-year period, and virtually none of that money goes to the people who have lost their jobs as a result of September 11.

The unemployment insurance provisions in the bill are inadequate. It allows the States to draw down on their own money a little bit faster, but there is no guarantee that even one dime of that money will be spent on increased unemployment insurance benefits for the unemployed worker, for the States can use the money as they see fit in their unemployment insurance system.

In order for the States to provide more benefits, the legislatures would have to meet. Many State legislatures are not scheduled to meet. New laws would have to be passed. It is for that reason that our Congressional Budget Office estimates that as little as $700 million will get out under the underlying bill to unemployed workers.

Mr. Speaker, individual corporations will receive more money in tax breaks than all the workers in this country will receive in increased unemployment insurance benefits. That is not fair. We can do better. The substitute that will be offered by the gentleman

from New York (Mr. RANGEL), the amendment that I offered in committee, allows us to provide real help to the uninsured by expending those who are eligible to include part-time workers and using the most recent wage quarter, to provide additional benefits for those people who are unemployed today, so we can increase the benefits and increase the number of weeks that they are eligible to receive benefits.

The substitute does this all at Federal cost so we do not impose any new burdens on the States, and we make these provisions temporary, as we should, in any bill that is aimed at the direct impact of September 11. It is a 1-year bill only. It is the right thing to do.

So if Members share my concern for the people who are unemployed as a result of what happened on September 11, Members will have a chance to voice that concern by voting for the substitute of the gentleman from New York (Mr. RANGEL) that provides relief for the unemployed. I urge Members to support the substitute and reject the underlying bill.

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

Mr. Speaker, existing law put out almost $28 billion in unemployment payment. Frankly, it is beginning to take my breath away the degree to which the bill is being, I hope, knowingly misrepresented. Otherwise, it indicates that the gentleman has no understanding of the bill.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON) who is the chairman of the Subcommittee on Health of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of this legislation. I think it both secures current jobs, will lay the groundwork for bringing people back into jobs they had recently, and will open up new job opportunities through all of the provisions that stimulate growth in the economy. But it is also a bill that is about people, the help that they need right now through the unemployment compensation system and help with their health benefits.

This is an immediate stimulus bill, and under our provisions within 10 days States will get $9 billion back. They will not be able to spend it on just anything. They will be able to spend it to pay or increase unemployment benefits. They will know whether their people need double benefits in the short term. They can use it to extend benefits instead for those who have exhausted their benefits, or they can use it for better employment services.

Some States will know exactly where their unemployment problems are and where they have openings, and they can use this money to provide customized training to move people from unemployment into employment. This is $9 billion within 10 days to help people who are unemployed get jobs, get better benefits, get the help that they need.

Secondly, it is $3 billion more that again can go out very rapidly right to the community themselves through our community services block grant dollars where it is most sensitive to local need, and anyone who is unemployed will thereby be eligible for health insurance.

But it will not just be subsidies for COBRA, which are the most expensive health insurance plans, often with premiums of $350 a month, unaffordable to people unemployed, but unaffordable even with subsidies. This will give States the money to help uninsured people enter CHIP, enter the State Employee Benefit Program or however States want to do it. It needs no new legislation. It helps people now, and that is what a stimulus bill should do.

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

Mr. Speaker, the chairman of the committee would like us to believe that those who disagree with the gentleman and his bill are either stupid or do not understand the bill. The gentleman from California (Mr. THOMAS) said that the gentleman from Maryland (Mr. CARDIN) misrepresented the bill, but he never had enough time to share with us what part of the bill he misrepresented.

Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I remember last January how excited I was when President Bush stood right here and told us he did not believe that a tax code should pick winners and losers.

The gentlewoman from Connecticut (Mrs. JOHNSON) said there are real benefits for real people. She said they will be eligible for them. The money will be put out there, and they might get them.

Mr. Speaker, if I came out here with a bill that guaranteed that everybody get unemployment insurance and health care coverage when they were laid off, and I also wanted to give $25 billion to the governors of this country to distribute to whatever corporations they wanted to, Members would laugh me off this floor.

My colleagues give the guarantees to the corporations, and then Members put the workers out there sort of to hope that the governors have the money or the legislature gets in session.

□ 1345

Everybody here who has been a member of a State legislature knows that you cannot get these unemployment benefits out without changes in State law. For anybody to say that this is an immediate benefit is simply missing the entire point.

We spent already out here, we gave $15 billion to the airline industry. What did we get? We got 75,000 people laid off. We were told, with very solemn faces, we will get to the problems of the workers. What do we get here as the solemn promise to the workers? $9 billion. If you look at the State of Texas, they have not got enough money in their unemployment insurance to cover workers for 3 months. I know why the President ran for President. He wanted to get out of Texas before a problem ever got there.

But what we have is this bill now, and this is our promise. Now we are giving $151 billion. If you take the same figures from the last bill, I guess we will get another 750,000 people unemployed. You are giving this money back, this $25 billion goes back to the corporations that have done well. They had to pay the AMT because they were doing so well they were not paying any taxes whatsoever. If I said I was going to give 15 years of taxes back to people making $25,000 a year, you would say he has lost his mind. They live in this country, they deserve to pay for it, but no, not if you are a big corporation.

And big corporations are not job-creating machines. They are money-making machines for stockholders. Incidentally they may produce some service but there they are, and we give them all this money back, and if there is not a stock dividend that goes to all the companies that get this, I will be very, very surprised.

Vote against this. It is not fair. There is no tax equity in it. There is no guarantee for workers. It is all for people at the top on the list of 15 corporations.

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

I appreciate the admonition by my ranking member from New York, because I do want to give specific citation to the two particular areas that I was concerned about, both in the Democratic substitute and in the underlying bill. The gentleman from Maryland and the gentleman from Washington repeated the argument that legislatures must pass laws in dealing with the unemployment money available to them. That is simply not so. The bill provides three different ways that States can assist: One, they can go ahead and provide regular pay or increased unemployment benefits; they can provide extended benefits; or they can furnish unemployment services and support to health.

The second concern I had was the misrepresentation that the gentleman made of the Democratic substitute. The gentleman said that it was all Federal money, that it was money that went from the Federal Government on unemployment insurance to States. If anyone wants to take the time to read the bill and look at the Congressional Budget Office scoring sheet, what it says is it has zero cost over 10 years because it comes from the unemployment insurance fund. Why is it a zero cost over 10 years? Because they assume the States will pay back that amount over 10 years. They give it with one hand

and say it is Federal money and require the States to pay it back over the next 10.

Those are two misrepresentations of the underlying bill and of the substitute. Those are the points that I made and I gave the particulars.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), a valued member of the committee.

Mr. CAMP. I thank the gentleman for yielding time.

Mr. Speaker, even before September 11, our economy was hurting. The stock market was weak, investments were declining and exports had begun to fall. And, very importantly, there had been a decrease in consumer spending. Since then, we have seen a significant impact on our economy. Both job creators and individuals are facing difficult times. In addition, in the third quarter of this year, U.S. employers announced almost 600,000 job cuts, about 50 percent more than the previous two quarters. This includes almost 200,000 job reductions since September 11. Already this year, companies have announced more job cuts than they did during the entire 1990–1991 recession. We must take action to create jobs and improve the economy. This package not only helps to stimulate individual spending but also assists job creators.

H.R. 3090 addresses the human impact of the economy and the September 11 attacks. It accelerates the reduction of income taxes passed last spring; it sends supplemental rebate checks to those who did not receive a full rebate under our last tax cuts; it gives relief to individuals from the onerous AMT; and in a provision requested by Democrat and Republican governors, allows the States, like Michigan, to have the flexibility to supplement unemployment and health benefits, thereby tailoring relief in the way it is most needed.

This bill helps job creators because it extends important tax credits for employers making it easier to hire people transitioning to work from dependence, so important for those just beginning to climb the economic ladder. It extends the ability of individuals to contribute to medical savings accounts to continue to provide for their health care.

Let me just say something about the repeal of the alternative minimum tax. This outdated law requires corporations to compute their taxes twice. It hurts employers mostly who invest and depreciate heavily, precisely the kind of company we need to help get back on their feet. In some cases it requires employers to give an interest-free loan to the government. And because it requires employers to estimate and prepay their tax liability, it is the opposite of what we need in a declining economy. Vote for this bill.

Mr. RANGEL. Mr. Speaker, we are beginning to understand it now, that is, that if you want to create jobs and avoid layoffs, give billions of dollars of tax bonuses to the corporations but exclude airline industries, because if you give them $15 billion, they will fire some 75,000. It is getting a little clearer.

Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, first let me thank my chairman for at least giving me the specifics. The Congressional Budget Office agrees with me and disagrees with him. The Congressional Budget Office points out very clearly that very little of this money is going to get out because it requires a change of policy at the State level that requires the legislatures to meet.

Number two, FUTA taxes, which is the money that we are advancing to the States, are Federal tax receipts and are Federal funds. We are even thinking about reducing or eliminating that tax. It is a Federal tax and it is Federal money.

Mr. RANGEL. Mr. Speaker, I yield 3½ minutes to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, this is probably the most shameless tax bill that I have seen come before the House since I have been a Member of Congress. Today we are asked to vote for this $99 billion tax giveaway in an effort to stimulate the economy under the flag of patriotism and, in the words of the chairman of the committee, so our country remains free. That is a quote from his presentation before the Committee on Ways and Means.

I will indicate that there are some portions of the bill that will stimulate the economy, the additional rebate checks, the depreciation schedule changes that will encourage businesses to invest, but these are short term. These are sunsetted. My major concern is with three major portions of the bill. I think the Washington Post was correct when in a recent editorial they termed this a stimulus charade. Mr. Speaker, this is a charade. They go on to say that the only thing that is going to be stimulated is campaign contributions to those who support this product.

Mr. Speaker, after the World Trade Center towers were struck by the terrorists and the buildings collapsed, we were informed by the news media that certain individuals got into the shops of the basement and they were looting the shops amid this horrific tragedy. The Nation, including all of us here, were shocked, that at a time of national disaster, looters would take over and steal Rolex watches and whatever else was available.

What we are doing today, Mr. Speaker, by passing this bill is in essence the same thing. The treasury is being looted today. This cost, $99 billion, will drain the treasury and throw this country into a $48 billion deficit. My major opposition to the bill is threefold: The capital gains reductions, costing $10 billion, we are told by all economists will not help in the short run, will not stimulate anything. That is wrong. Moving up the 28 percent tax cut bracket will affect 25 percent of the highest income earners in the country. Are these the folks that are going to run out to Kmart to buy their pumpkin costumes for Halloween? Clearly not. That costs $50 billion. And, lastly, making retroactive the repeal of the AMT.

The gentleman from California (Mr. THOMAS), the chairman of the committee, is correct. This is the gift that keeps giving. We give Ford and we give General Motors and we give the other corporations hundreds and hundreds of millions of dollars, and next year the gift will come back in the form of not jobs, campaign contributions.

I just want to talk about one of the job-creating machines on the chart. Let us use Texaco. For the last 2, 3 years, this oil company has been gouging the American public through the gas prices and over this period they have made record profits. So we are going to give them $572 million in one check, and what kind of jobs are they going to create? None. That is for the bottom line. That is for the stockholders.

Mr. Speaker, the question is very clear today. Those who vote for the bill can be looters or those of us who oppose it can be fiscally responsible and take care of the security of our great Nation.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume. I tell the gentleman I appreciate the partially accurate quote. Everyone knows the phrase ''freedom isn't free,'' and what I did say was that we are free in part because we are strong and that for us to remain free, we need to remain strong. I do not think anyone does not believe that one of the reasons we have been able to remain free is because we have been strong. Perhaps the gentleman does not remember the comment made during World War II that America was the arsenal of democracy. To be and remain free, you must be strong. And to be strong, you need a healthy economy. That is exactly what I said.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from California (Mr. HERGER), chairman of the Subcommittee on Human Resources.

Mr. HERGER. Mr. Speaker, H.R. 3090, the economic stimulus package, includes significant new funds to support unemployed workers and their families between jobs. This legislation provides $9 billion in surplus Federal unemployment funds to every State. States can use this new money for regular or extended unemployment benefits and services to get workers back on the job. These funds alone would allow States to pay unemployment benefits to an estimated 2 to 3 million workers.

Mr. Speaker, this legislation also creates a new $3 billion block grant to States to provide health care coverage for unemployed workers and their families. Together, this legislation provides $12 billion in immediate help for

unemployed workers as well as the flexibility for States to target that assistance to those who need it most.

Mr. Speaker, this funding and flexibility is a much better approach than the Democrat substitute. The Democrat substitute mandates new benefits and benefit programs even in States where unemployment rates have not risen. Mr. Speaker, that is not targeted, it is too expensive, and it will result in permanent increases in unemployment spending and taxes. Higher taxes is the last thing we need under the current circumstances, but that is exactly what the Democrat substitute offers for the long run.

Mr. Speaker, I urge Members to support H.R. 3090 and oppose the Democrat substitute.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS), a member of the committee.

Mr. LEWIS of Georgia. Mr. Speaker, this so-called economic stimulus package is a sham. It is a shame. It is a disgrace. It is a stimulus charade.

A couple of weeks ago, the Washington Post published a great editorial about this bill. It said, ''It's the wrong thing to do, a hijacking of the current crisis, economic and otherwise, on behalf of an agenda that long preceded the crisis and has little to do with easing it. These are tax cuts far more likely to stimulate increased campaign contributions than increased economic activity.''

□ 1400

The Washington Post got it right. This so-called economic stimulus package does very little, if anything, to stimulate the economy; and it will hurt us in the long run.

This bill, this proposal, does not help a woman, a mother, who lost her husband one week at the World Trade Center, and the next week she lost her job. This proposal is not fair, it is not right, it is not just. It fails to meet the basic human needs of our citizens who are hurting. This bill is business as usual, politics as usual. We have seen these tax cuts before.

Since September 11, the American people have been concerned about their safety and the security of their families. That is what we should be focused on, not passing tax cuts for big corporations. It is the same tired old list of tax cuts. They have nothing to do with stimulating the economy or helping us to recover from September 11.

This is not the time for irresponsible tax cuts that we cannot afford. We should be considering a comprehensive economic stimulus package that addresses the problem. It must help people who have lost their jobs and health care. It must help low-income Americans who are struggling very hard to make ends meet. We should be considering reasonable temporary breaks for businesses that will encourage them to spend money right here and now. We should be investing in infrastructure projects that create jobs and help us prepare for the future. But any package, any proposal, must be paid for over time so we can get our economy back on track.

Mr. Speaker, this bill is not the answer. It is a Republican bill. It is partisan. It is a charade. We need to be working together to pass legislation that truly helps the American people and gets this country back on its feet.

Mr. Speaker, I urge all of my colleagues to have the courage, raw courage, to stand up, be counted and vote against this bill.

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

Mr. Speaker, I would remind my friend from Georgia that one of the very first things we did the day after the World Trade Center tragedy was to move special legislation for every one of those individuals who lost a loved one or other economic circumstances, and that currently is over on the Senate side and will be brought back. We did respond immediately to those individuals involved in the World Trade Center.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight, who probably knows more about the job-creating machines called corporations or businesses than most of us because he dedicated a significant portion of his life to making sure that people have really good jobs.

Mr. HOUGHTON. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, there are many features of this bill. You can argue about any one of them. There is too much money, it is the wrong target, it favors one group over another, it is not sufficient short-term impact. But when I try to sort this all out, the basic conclusion is this bill is going to stimulate, and that is what we want. In other words, we want to put money into the hands of individuals and of job creators, to invest and to save and to spend.

Right now, as we try to catch our balance as a country, one of the features of the bill is a thing called a temporary extension of net operating loss carry-back. That is quite a mouthful, but let me try to tell you what it means and how it works.

It means that a company, when it makes money in the past and loses money now, can claim a cash credit for the money lost, really deducting it from the previous profits. In other words, it can still get a refund soon for the money it lost, and the present law says you can go back 2 years; but many times that pool is not large enough, so this law suggests that it goes back 5 years.

This means a lot. There was a story of a company this morning that lost $8.8 billion in the first quarter. It has made money in the past. It has fallen off the cliff. This will be a tremendous help in order to keep some of the people employed.

So if you file in March, on the 15th of March, for the previous recorded profits or losses for the year 2001, and then you file a carry-back form by May 1, or 45 days later, you will get a cash check from the IRS. That means a great deal. The cost to the Government the first year is $4.7 billion. The cost over a 5-year period is $3.7 billion.

Now, I am not wise enough to know what is exactly right and what is the right proportion, but I do know that this moves us in the right direction; and, therefore, I support it.

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

Mr. Speaker, if my friend from New York has found the net operating loss provisions to be the redeeming factor in the so-called Republican bill, he should feel comfortable in voting for the substitute, because it is there as well.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, we cannot lose sight of our long-term fiscal health, so that when the war is over, we will be a strong country that can meet the needs that existed before September 11.

Some of the best economic minds in the country, such as Alan Greenspan and Robert Rubin, said that any economic response to the attacks needs to be cautious, targeted and temporary.

I want to quote from 1917 when Congress was considering how to pay for World War I, when the chairman of the Committee on Ways and Means, Claude Kitchin, said, ''Your children and mine had nothing to do with bringing on this war. It would be unjust and cruel and cowardly to shift upon them the burden.''

Our leaders in World War I and World War II knew that we had to pay for those wars and that we could not risk our economic security. Further raising the national debt in the long term makes us vulnerable.

Guess what? That is just exactly what the terrorists want, and we cannot let this happen. The fact of the matter is that this bill is not paid for. It is not temporary and targeted to people who need it the most, those who would spend the money today and tomorrow. At a cost of $159 billion over 10 years, it threatens the economic future of the country.

Prior to September 11, the debate in Washington was about Medicare and Social Security, education, the environment and energy issues. When we have met this crisis, we will still have to address these issues.

Others will talk about the tax provisions of this bill. I want to discuss the unmet needs. During the debate on the airline bill, we were told that Congress would help airline employees, especially those who lost health care coverage. We were assured that we would bring an appropriate legislative response to the floor as soon as possible.

This is not that bill. Since September 11, 500,000 Americans have lost jobs,

150,000 in aviation, 120,000 in tourism and hospitality.

We need a real unemployment compensation program. We have a huge problem in Florida with the Unemployment Compensation Trust Fund. The solvency has declined to where it may fall below the statutory trigger of 4 percent of the State's payroll. Guess what? That means they would have to raise the tax.

I do not believe that the States can afford a tax increase and the added burden of providing additional benefits for the unemployed. That is why giving the money to the States for unemployment compensation is not viable.

We also need to address the health care for the jobless, whether it is true Medicaid or COBRA, which allows people to continue their employer-provided health benefits. I believe we need a temporary Federal program, rather than trying to run it through the States. We cannot add to the 40 million people in this country who are already uninsured.

Since September 11, do you know what? We have worked in a bipartisan spirit on many issues, such as the war powers authority, airline relief and the $40 billion package and recovery bill that we did. I support bipartisanship, but I do not want to make a mockery of bipartisanship when told to me I have to support something.

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

Mr. Speaker, in her exuberance, the gentlewoman from Florida indicated that World War II was fought without deficit spending. I believe if she will check the record, there was significant deficit spending, because our job was to win the war and not necessarily balance the budget. In fact, up until the 1980s, that was the single largest addition to the national debt, that is, the deficit funding of World War II.

I know in her exuberance the gentlewoman carried over from World War I to World War II, and she does not intend the record to reflect we actually fought World War II with a balanced budget, because the facts simply do not prove that to be the case.

Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Missouri (Mr. HULSHOF), a member of the committee.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, we face many challenges in the wake of the terrorist attacks since September 11. We have responded as far as allocating additional resources to address some of our military needs, our intelligence needs, in fact some monies for airline security; and we have more to do. But one of the most difficult challenges we are trying to face today is the state of the national economy.

As was stated before, our economy was in distress before September 11, but it has worsened since. A recent Wall Street Journal analysis says in the last 6 weeks, we have taken a $100 billion hit to the economy, not counting the tens of billions of dollars for the disaster assistance and rebuilding Lower Manhattan or rebuilding the Pentagon. One part of the solution I think is what we are considering today.

Some say we should not even respond in a fiscal year. I reject that. Should we let the business cycle run its course? Should we allow a faltering economy to topple into recession, like those magnificent towers in Lower Manhattan?

I believe fiscal stimulus is as essential as the expedited disaster relief for the clean-up efforts in Lower Manhattan and Northern Virginia. I think this is a balanced approach. We addressed the human impact of the attacks. Hundreds of thousands of individuals who are in dire financial straits through no fault of their own are offered a helping hand by rate acceleration, by payments to individuals.

We accepted, I would say to the gentleman from New York (Mr. RANGEL), your idea of a tax rebate or income supplement to those who pay income tax, payroll taxes, but did not share in the tax rebates of this last tax bill. We add supplemental health insurance as well as unemployment benefits.

But let me say something to my colleague from Missouri, from south St. Louis, who spoke earlier. The United Auto Workers at the GM plant in Wentzville, Missouri, in my district, do not want a check from the Government. Those workers on the assembly line want to do what they do best, and that is to build these prototypes, these state-of-the-art minivans.

They want to do what they know how to do best. They want to continue to turn out these state-of-the-art minivans on the assembly plants that I had the good fortune to visit 2 months ago.

So it is a good balance, Mr. Speaker, that we are putting money in the pockets of those consumers to go out and buy the minivans. But we are also focusing on some business incentives, the 30 percent expensing, the 5-year carryback losses that the gentleman from New York (Mr. HOUGHTON) talked about.

I want to talk about something that my friend from Wisconsin on the committee talked about as far as capital gains. In 1997 this body passed in a very bipartisan effort a reduction in the capital gains tax rate of an 18 percent and an 8 percent capital gains tax rate. What we did at that time, of course, was we created this very complicated 5-year holdover or carryover of these types of assets. All we do is simply eliminate that 5-year carry-back.

For those people saying it is not an economic stimulus, look at the chart. In fiscal year 2003, we are going to raise tax revenues by $1.45 billion in that year alone, just because of this simplification. I urge all my colleagues to vote for this plan.

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

Mr. Speaker, I am fascinated by this new description of bipartisanship. The gentleman just said he picked out the Democratic tax provisions, and so therefore by including that in the Republican package, it is bipartisanship. So anytime we agree with anything that you do, that automatically is charged to us, and it is bipartisan. Absolutely unbelievable.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a member of the committee.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, today in Los Angeles, the Los Angeles International Airport will lose more than $1 million, as it has since September 11. Half of that loss is due to the fact that it had to increase security and half of that loss is due to lost revenues. Today in Los Angeles, our hazardous material crew within the Los Angeles Police Department is operating in cruisers, regular cruiser vehicles, where it has to put all of its equipment in the front and back seats of its vehicle and the trunk because it does not have the appropriate vehicles to carry all of its equipment to safeguard, to be the frontline defense against anthrax and all hazardous materials, biological or chemical.

And today, Mr. Speaker, the Mayor of my city, along with just about every other Mayor in this country, is meeting with the Bush administration to figure out what we do about security.

□ 1415

Today, I say to my colleagues, what are we doing? We are talking about giving away $159 billion over the next 10 years, and what will that do to address the concerns that those mayors are talking to the Bush administration about today? Not a thing. Not a thing. I say to my colleagues, we owe it to the American people to provide them security. I say to my colleagues, we owe it to the American people to provide the confidence to buy again, to fly again. I say to my colleagues, we owe it to the American workers to tell them we will do everything possible to get them back to work, because that is all they want. They do not want a handout, they just want their jobs back. They just want to work.

We owe it to the American people to tell them, if you are a senior, we are not going to use your Social Security, and if you are not yet retired, we are not going to raid your Social Security Trust Fund. How are we paying for this $159 billion? Through the Social Security and Medicare Trust Funds.

I say to my colleagues, we owe it to the American people to tell them we are going to get them to work today. One of the first things that are most important on the minds of the American people are security, safety, and economic security as well. We can do that. We can do it in a bipartisan fashion. This bill does not do it.

First things first. Security for America, economic security as well, and truth to the American people. We will not use your Social Security and Medicare Trust Funds to pay for something which will bankrupt us in the future. Our kids do not deserve to have to pay for this today. Let us take care of this war, let us take care of this effort to combat terrorism, and let us do it without going on our children's dime.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from California (Mr. THOMAS) has 5 minutes remaining; the gentleman from New York (Mr. RANGEL) has ½ minute remaining.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from Texas (Mr. SAM JOHNSON).

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, the tragedy of September 11 is going to live forever in the hearts and minds of those who value peace and prosperity. Now more than ever people want economic security as well as personal security, and one way to give Americans peace of mind during these trying times is to give people more confidence about their bank accounts, about retirement plans and, ultimately, about our national economy. Cutting taxes and helping businesses is a surefire way to do that.

Under this plan, the average family of four would see their disposable annual income increased by $940 a year. But economic stimulus bill is not just for people. If we are going to help our economy, we must help our businesses, from Wall Street to Main Street. Corporate AMT relief, also known as the Alternative Minimum Tax, will give businesses a fresh infusion of cash into the market. In short, it is going to help people and companies expand and encourage them to hire more people.

We know the AMT is a parallel tax system meant to prevent companies from zeroing out their tax liability and forces them to calculate their taxes a second time without the benefit of deductions such as depreciation. The problem is that corporations and individuals fall into AMT and never get back out. AMT is a cyclical tax. When the cycle is down, the AMT kicks in and requires payment of taxes at 20 percent, even though they have lost money. It makes recessionary times worse, because it takes money away from businesses that should be retaining workers or investing.

The payment of taxes under AMT amounts to an interest-free loan to the United States Government. There are companies that fell into AMT during the recession of 1991 and 1992 that have not used up yet all of their credits. During that recession, roughly 50 percent of American businesses in America were caught by AMT. When companies are in AMT, they cannot use their additional targeted tax benefits either. The corporate tax breaks that Congress might consider must take this into account. Depreciation and other incentives to invest are of no use to companies in AMT.

It is time to renew our Constitution. This is a war effort and free enterprise must prevail.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I noted that two speakers on the Committee on Ways and Means have again gotten up and said something about invading the Social Security Trust Fund. Even when the Democrats had control of the House of Representatives and were awash in deficit spending, and that was even over and above spending all of the Social Security surplus, not once was the trust fund invaded. It cannot be invaded by law because, by law, there are Treasury bills that are put into the trust fund and they remain there until they are needed to be cashed in in order to pay benefits. Nobody has invaded the trust fund, period, not from the beginning of the system when it was first put in place. So let us put that aside. We can argue as to the value of Treasury bills when it is a debt by the government to the government, but that stays intact.

We can talk also for a moment about the Democrat alternative. We have heard a lot about bipartisanship. No one called me from the other side to ask me what I would like to see in this bill; even though the gentleman from New York (Mr. RANGEL) and I are very close friends, he never asked for my advice. So I think that there is a little bit of politics as usual, I know, and we can certainly operate this House in that fashion. We have from the beginning of time.

But I think we need to be sure that we actually talk straight politics, particularly when members of the Committee on Ways and Means get up and talk about doing something to the Social Security Trust Fund, which simply is not accurate and it has not been done.

The distinction between the two bills, ours, which we call the bipartisan bill, which the gentleman from New York disputes the use of those words, but I call it that because we will have Democrat votes on this bill, it simply emphasizes the creation of jobs, not the creation of benefits. We teach people to fish; we want people to go back to work. The good American workers do not want a handout, they want their jobs preserved. They want job creation. That is what the bipartisan tax bill does.

The SPEAKER pro tempore. The gentleman from New York (Mr. RANGEL) has 30 seconds remaining; the gentleman from California (Mr. THOMAS) has 30 seconds remaining.

Mr. RANGEL. Mr. Speaker, I yield the remainder of the time to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, America needs a stimulus package. That is why the House and Senate Budget Committees worked in a bipartisan manner to put forth principles to stimulate the economy. The package, it said, should be short-term, give a quick boost to the economy, and not sacrifice our long-term fiscal stability.

The Republican package here today fails on all three scores. It is not a stimulus package; it is a shameless package which gives $10.4 billion in ill-timed capital gains cuts. It gives $53.6 billion tax cuts to the wealthiest Americans and, are we ready for this? It gives a $24 billion retroactive to 1986 tax cut on the Alternative Minimum Tax, and 86 percent of this benefit goes to the wealthiest Americans.

Vote ''no'' on the shameless Republican bill.

Mr. THOMAS. Mr. Speaker, I yield myself the remaining time.

Well, I guess the gentlewoman was not present for most of the debate, because she just repeated all of the syllabuses that had been laid in front of us on which we have been spending the entire hour indicating that it is simply not so.

The Alternative Minimum Tax elimination requested by the President is not retroactive. It is a 1 percent stimulus for the economy: $100 billion over the first 12 months, 1 percent, and it costs $160 billion over 10. Even former Secretary of the Treasury Bob Rubin could not say this was inflationary.

It is the right medicine at the right time and we need to put the right vote up, that is an ''aye'', on H.R. 3090.

Mrs. CHRISTENSEN. Mr. Speaker, I want to state my strong opposition to H.R. 3090, the so-called economic stimulus bill that was passed out of the Ways and Means committee, and my support for the Democratic substitute.

There is no one who questions the dire need this country has for a meaningful economic stimulus package. Anyone, those who are our economic experts and ordinary people just using their God-given common sense, can see that H.R. 3090, the Republican Bill, is only a package of hand outs to the few top income earners who not only do not need the help being offered, but will do nothing to provide the immediate and temporary measures that this country and our constituents need.

The leadership of this House, who are bringing this travesty of a bill before us, is not even in sync with the President who is of their own party. This goes to show how off the mark and far afield they are; and they are clearly out of touch with the rest of the country.

One member put it just right—the supporters of this bill are looters. I have experienced looting in my district. It was after an especially devastating hurricane. Then the people in our community had fears that there would not be enough food, or other necessities to take care of us in the midst of the wasteland they saw around them. It was not condoned but it was understood.

This—the repeal of the corporate alternative minimum tax, the permanent reduction in capital gains and other measures costing $274 billion which is not paid for—is looting of a different and the worst kind. The leadership here, is taking advantage of a disaster caused by terrorists and the people's fears to raid the treasury—the people's money to give it away to the wealthiest among us. This big spender give-away, will undermine our opportunity to help those Americans who are most in need and for whom this disaster does not affect only their pocketbooks, but their very existence, and mortgage the lives of future generations in the process.

This country has experienced a tragic event of immeasurable and far-reaching impact. If we pass this bill—H.R. 3090, instead of the Democratic substitute, not only will we be undermining the safety-nets needed by many in our country, and social security and Medicare, but we will be saying to all of the countless compassionate and selfless Americans that their stellar example of the past few weeks, is not appreciated.

Instead of continuing the oneness, generosity and sense of community that their response has revived, the Republican Bill will reach out and help not all of us, but only a very small few. And instead of bringing us together it will re-separate us—the haves and the have-nots, the rich from those of us with low or moderate incomes, and begin to again broaden the divide, which we have just begun to close, and in the process diminish us all.

Colleagues, reject H.R. 3090, and support the real stimulus bill, which helps everyone, and will begin to bring our country back.

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 3090, the Economic Security and Recovery Act and the Democratic substitute and in support of the motion to recommit.

In the past six weeks, we have enjoyed unprecedented bipartisan cooperation as we have worked together to respond to the events of September 11. I am concerned, however, that by considering this legislation and its substitute today, Congress is quickly returning to business-as-usual partisan politics.

At this time, it is important that we step back and take a fresh look at the processes currently underway in Congress to address all of our nation's needs. I am concerned that the piecemeal approach Congress is taking puts the cart before the horse. In particular, the stimulus bill and the substitute being voted on today both fail to effectively balance our nation's priorities.

Mr. Speaker, out nation is at war. Never, in the history of this country, during a time of war, have we cut taxes or spent our precious resources on items unrelated to achieving our wartime objectives. Simply, our objective today must be winning the war against terrorism without jeopardizing the economy. This objective cannot be achieved by either the Republican or Democrat plans, rather it is best achieved through a comprehensive and bipartisan approach.

We have critical needs both domestically and globally to defeat terrorism and to protect the safety and security of the American people. Congress will be required in the coming days and weeks to prioritize its efforts to strengthen domestic security, fight the war on terrorism, provide assistance to dislocated workers and stimulate our economy. These needs will then have to be balanced with our obligation to protect against long-term fiscal harm.

Winning the war against terrorism and providing for the safety and security of the American people will require significant resources. We should not enact further tax cuts or spending proposals unrelated to meeting these challenges until we have a better understanding of how much funding the various agencies will need which are involved in domestic security, law enforcement, intelligence, military and other activities in the fight against terrorism will need.

Making this determination will require close operation between the administration and the appropriate committees in the House and Senate.

The motion to recommit will allow each of these committees, and their executive branch counterparts, to take recommendations, pass legislation and adequately fund our defense and domestic security needs. Moreover, by providing resources to meet these two priorities, we will provide a direct, short-term economic boost both by creating jobs to implement security measures and through restoring consumer confidence by providing reassurance to the American people.

The motion to recommit also responds to the immediate economic downturn without damaging the economy over the long-term. It stimulates the economy in a focused, limited and temporary manner. Most importantly, however, the motion to recommit requires us to enact out-year offsets to ensure that we pay for the cost of short-term stimulus.

Finally, the motion to recommit addresses the personal hardships experienced by thousands of Americans who lost their jobs as a result of the events of September 11. It will extend the coverage period and expand unemployment compensation to individuals previously ineligible to receive compensation.

Mr. Speaker, the motion to recommit represents the priorities of the American people—winning the war against terrorism and protecting the safety and security of every American. I urge all of my colleagues to vote against H.R. 3090 and its substitute and to vote for the motion to recommit so this Congress' committees may quickly begin their work to identify and provide for all of our national needs.

Mr. BENTSEN. Mr. Speaker, the September 11, 2001 attacks came at the worst possible time for this economy. The stock market was sagging, corporate investment was declining and all our economic benchmarks indicated that we were teetering on a recession. The September 11th attacks seemed to seal this economy's fate. Mr. Speaker, we can pull ourselves from the grips of recession and grow this economy, however, the legislation before us today, H.R. 3090, contains non of the elements necessary to get this economy moving.

A successful stimulus package could include elements such as speeding up and expanding the newly-established 10 percent income tax rate, which is slated to be fully effective in 2008 or immediately increasing the child tax credit to $1000 per child, which is already scheduled to occur by 2010 or extending tax provisions that expire this year, such as the Work Opportunity Tax Credit and Qualified Zone Academy Bonds. Mr. Speaker, we must craft a fiscally-balanced plan that puts money back in the economy today by not only dealing with the immediate economic impact of the current crisis, but also does no harm to the nation's fiscal health or long-term economic recovery.

Mr. Speaker, any true stimulus package must concentrate its benefit on consumers. Consumer spending accounts for two-thirds of our Gross Domestic Product (GDP). We must focus our efforts on getting Americans back to work by helping those who are the economic victims of the September 11th attacks and putting money back into today's economy by enhancing the economic security of America's families and promoting consumer spending.

Mr. Speaker, H.R. 3090 is not directed to promoting consumer spending and endangers our long-term fiscal health. The bulk of the benefit of this package will go to businesses not consumers. Specifically, in 2002 alone, the business tax provisions of H.R. 3090 are projected to consume 70 percent, or $70.1 billion, of the $99.5 billion in stimulus. More broadly, in the year 2002 and 2003, the critical period for recovery, individual taxpayers will realize less than $49 billion of tax benefit or less than one-quarter of one percentage point of the GDP, while $112 billion of the benefit will be conferred to businesses.

Mr. Speaker, this misdirected effort has little chance of providing direct economic stimulus and relief and has little hope of stimulating consumer demand because it does not focus on the low and middle-income families most likely to spend the money. Businesses make investments based upon demand, and in a period of slack demand, we cannot expect business to make capital investments. As such, any stimulus effect would be limited. The size of H.R. 3090 is well over the $75 billion the President requested to stimulate the economy. Further, this bloated measure which carries a projected price-tag of $260 billion over ten years, undermines our efforts to protect the Social Security and Medicare trust funds and threatens to return us to the ''bad old days'' of deficit spending.

Mr. Speaker, time is of the essence, we must take meaningful steps to protect those who lost their jobs and may lose their health insurance as a result of the Sept. 11 attacks as well as the states, on which much of this economic burden is borne. Mr. Speaker, today American workers are at the frontline of our war on terrorism and, in far too many cases, were the unwitting victims of the economic dislocation following the attacks. In fact, it was recently reported by the Department of Labor that the joblessness rate reached a nine-year high. H.R. 3090 provides a mere $9 billion to the states from the Federal Unemployment Accounts. This patently inadequate figure does little to help displaced workers, and puts that responsibility squarely on the already over-extended states. Further, as the cosponsor of airline worker relief legislation that would assist displaced workers with COBRA continuation costs, I believe that H.R. 3090 represents a missed opportunity.

The challenge before us is how to inspire Americans to go out and spend in an environment where far too many Americans live with the impending doom that their jobs will disappear. Additionally, we must act to boost consumer confidence in the safety of our air travel infrastructure. Our efforts to stabilize the airline industry, in the wake of September 11th, are undermined by this body's failure to bring legislation to the floor that addresses airline security. Congress cannot expect consumers to feel confident at the mall or on a

plane at a time when consumers are overwhelmed by lingering uncertainty as to their economic and physical security.

Moreover, Mr. Speaker, the provisions of H.R. 3090 relating to individual taxpayers are insufficient. Under this measure, those who received a partial rebate under the tax package passed last spring would be eligible to receive a ''top up'' to full $300 per individual, or $600 per couple. Additionally, H.R. 3090 would accelerate the phase-in of the reduction to the highest tax bracket, the new 25 percent tax bracket, which was scheduled to take full effect in 2006 under existing law, not the new 10 percent bracket which would effect lower-income families, who spend the greatest percentage of their income on consumer goods and services.

As a senior member of the House Budget Committee, I was heartened by the unanimity of opinion among House and Senate Budget leaders, on a bipartisan basis, as well as the President, that any economic stimulus package must be temporary, and designed to create an immediate, short-term impact, without jeopardizing our long-term economic security. Mr. Speaker, H.R. 3090 misses the mark on every count.

Ms. JACKSON LEE of Texas. Mr. Speaker, the bill before us today, H.R. 3090 fails to provide the necessary immediate stimulus that this Nation needs in this time of national crisis. What we need is responsive and immediate stimulus that helps all Americans.

In the aftermath of the terrorist attacks on America on September 11, 2001 more than 500,000 people are losing their jobs. Nearly 150,000 jobs in the aviation industry and 120,000 hospitality and tourism jobs are now lost. What is worse, the plan before us today puts working American families on notice that they will be served last and least in our new economy.

Responsive and meaningful stimulus would target businesses hurt by the current recession. This plan does not. Responsive and meaningful stimulus would help all Americans with tax breaks, and not just distribute billions to large corporations by permanently eliminating the AMT—how is this a short-term stimulus—especially since the refund will date back to 1986. Let's face the facts the economic slowdown that began prior to the September 11, 2001 attacks was worsened by those attacks. The plan before us departs from proven recession—fighting tactics that recognize that extending unemployment benefits and healthcare are crucial to economic stimulus. The unemployment and health insurance benefits provided for under this plan are inadequate and misguided, transferring funds from Federal to State unemployment funds which could allow States to reduce benefits overall. This is wrong.

Finally, this bill costs $274 billion over ten years—driving the government, once again, into deficit spending. This will require the government to borrow from payroll taxes dedicated to Social Security and Medicare all for the sake of tax breaks for the wealthiest Americans.

Mr. Speaker, America needs help now. We must provide it, but this plan is simply not the answer.

Finally, the American public needs responsible legislators who will effectively deal with the threat of terrorism. In this special interest Republican tax give away there is not one dollar provided for American security—to fight anthrax, smallpox, help health facilities, postal workers, for airline security and to combat the horror of terrorism.

Mr. Speaker, this bill should be resoundly defeated and the Democratic substitute that helps secure America passed.

Mr. COYNE. Mr. Speaker, I rise today in opposition to this deeply flawed bill.

The country needs an economic stimulus package that will effectively spur economic activity in the short term while doing no damage to our nation's economic prospects in the long run. Experts have indicated that such a package should be $50 billion to $100 billion in size. The country also needs Congress to provide additional assistance to the many households that are suffering as a result of the layoffs that have taken place in recent weeks. Fortunately, assistance to laid-off workers and their families constitutes one of the best economic stimuli possible—so we could ideally address both problems with one initiative.

Unfortunately, the majority on the House Ways and Means Committee has not put together such legislation. Rather than provide extended unemployment insurance benefits and COBRA premium support to laid-off workers, the legislation before us provides an inadequate level of funding to states to help them deal with the crisis. In fact, the funding included in this bill for helping unemployed workers is too small by an order of magnitude. Instead, this bill, allocates the vast majority of its $160 billion in ''economic stimulus'' to tax cuts for corporations and upper-income households. I believe that such a plan is both unfair and ineffective and is, consequently, unwise.

The package is unfair because it doesn't do enough to help the tens of thousands of people who have lost their jobs in recent weeks—or those who may lose their jobs in the coming weeks. In past recessions, Congress has extended unemployment benefits to help the people who are out of work. The block grants contained in this bill will not do much to help the unemployed. Neither will the provisions dealing with health insurance benefits. The stimulus package that we eventually enact should extend unemployment benefits for at least an additional 13 weeks and provide enough federal support for health insurance premiums under COBRA that the families of those workers can afford to continue their health insurance coverage.

The bill is also unfair because it doesn't provide most of its tax relief to families that need help the most. Much of the relief it provides would go to corporations. The single largest component of this stimulus package that affects individual taxpayers is the acceleration of the already enacted reduction of the existing 28 percent tax rate to 25 percent, which would cut taxes owned by $12 billion in 2002 and by $53 billion over the next ten years. This provision, however, would do nothing to help the 75 percent of taxpayers who don't have enough income to pay taxes in the 28 percent bracket.

The package is ineffective for a number of reasons. First, it doesn't get assistance to the people who need it—the people who, incidentally, are also most likely to turn around and pump that money back into the economy. A number of economic studies have shown that low- and middle-income families are more likely to spend most or all of any additional income. As income increases, households are more likely to save increasingly large percentages of any additional income. Consequently, if our goal is to get as much stimulative effect as possible out of the stimulus package—and it is—the most effective package would target its tax breaks to low- and middle-income families.

Second, the corporate tax breaks in the bill will not be particularly effective at stimulating the economy. In fact, they may actually hurt the economy. The bill, for example, would make permanent an existing tax provision allows multinational corporations to defer taxation of income earned overseas until the money is repatriated. Not only would this provision not stimulate the economy, but it could actually have an adverse effect by encouraging companies to keep money abroad for longer periods of time. Similarly, the capital gains tax cut would encourage investors to sell stocks in the short term, driving the already depressed stock market prices even lower. Such a change at this time would probably hurt, rather than help, the economy.

Third, this legislation would be ineffective because it would require state action to authorize and carry out the states' responsibilities under this bill—and it is my understanding many state legislatures are not in session, and won't be in session in the critical coming months. Given the lag time that exists before economic stimulus measures take effect, such provisions could condemn the country to unnecessary additional months of recession. I believe that such an approach is not optimal.

Fourth, and finally, this legislation could be downright harmful to the economy. In order to promote the fiscal responsibility that is essential for the long-term health of our economy, the stimulus package should be temporary, and it should be paid for in subsequent years—ideally, as soon as the recession has ended. It is essential for the federal government to pay down the national debt over the next ten years in order for it to be in a position to maintain the Social Security and Medicare programs as their caseloads double in the coming decades. In order to achieve that end, the federal government must for most of that time continue to run surpluses. The stimulus package before us today makes it much more difficult for us to continue running surpluses. Consistently smaller surpluses, or even worse the return of deficits, would leave the federal government in a weaker financial posture in the future when it has to deal with dramatically increased costs in the Social Security and Medicare programs. If the cost of the stimulus package is not offset in the out-years, the public debt will be higher, government borrowing will be greater, and interest rates faced by families and businesses will be higher—choking off future economic growth. We should not take such an approach.

That is why I support the Democratic alternative, which provides adequate assistance to families in need, channels its economic stimulus to the households most likely to pump that money back into the economy, provides important investments to protect our infrastructure and produce future economic growth, and holds Social Security and Medicare harmless over the next ten years. I urge my colleagues to reject this legislation and support the substitute. Let's enact legislation that will fairly and effectively stimulate our economy.

Mrs. MEEK of Florida. Mr. Speaker, I seek unanimous consent to revise and extend my remarks.

Mr. Speaker, I rise in strong opposition to H.R. 3090 and in support of the Rangel Substitute. Our people deserve far better than the Committee's sorry product. Both the bill and the process that produced it are fundamentally flawed. While Chairman THOMAS may have labored mightily, he has brought forth a mouse. He's produced a bill for K Street lobbyists, not Main Street!

Low and moderate income people in my community of Miami—the skycaps, the food service workers, the airplane mechanics, the flight attendants, the bellhops, the bus and taxi drivers—all of the average working men and women who make Miami hum and who I am so privileged to represent: These people have borne the brunt of the layoffs in the travel and tourism industry resulting from the September 11th attacks.

Their needs and concerns should be the primary focus of any economic stimulus program. Yet while this bill has plenty in it for the executives who wear pinstripe suits, it has little for working men and women. Why, in this bill, will we not speak and act on behalf of working people?

Many elements of the bill are simply recycled proposals from a failed Republican economic plan that had been offered and rejected, even by a number of Republican members of the House, long before the events of September 11th. Since September 11th, more than 100,000 airline employees have lost their jobs. Many thousands more workers in industries directly and indirectly affected by the disruption of the airline industry and in other fields also have been laid off. Where is their relief?

Small businesses also have been hit very hard by the September 11th attacks. Many of them lost key customers who constituted the lion's share of their business, as well as key suppliers who enabled them to do business.

The September 11th attacks have radically altered business prospects throughout our country. No community has been spared. While even places thousands of miles from the destruction of September 11th have been severely affected, tourist dependent communities that rely upon the airlines and the hotel industry, like my home town of Miami, have been particularly hard hit. H.R. 3090 does not even attempt to address their needs.

It is highly discouraging that Chairman THOMAS and the Republican Leadership have seen fit to schedule this bill for floor action today without making the necessary efforts to consider and include Democratic proposals for restoring vitality to our economy.

What America needs and wants is an effective, bipartisan economic recovery package to stimulate our economy and address the needs of working Americans after the horrific events of September 11, 2001. H.R. 3090 is not that bipartisan bill. We need payroll tax relief and other remedies that will help restore our economy for the long haul while providing adequate relief to those who lost their jobs and/or their benefits as a result of the economic slowdown.

The Thomas bill does not provide economic stimulus' along the lines recommended by Federal Reserve Chairman Greenspan. Instead of temporary tax cuts, many of the Committee tax provisions are permanent and provide little or nothing in terms of stimulus within the next 15 months.

The Committee bill is not directly related to economic stimulus and relief. The proposal's tax cuts do not maximize consumer demand by focusing on those low- and middle-income households most likely to spend the money. The lion's share of individual tax cuts in the Committee bill goes to the wealthy, and many of the business tax cuts go to businesses that are least in need of relief. The Committee bill includes permanent tax cuts that have nothing to do with the terrorist attack or its economic aftermath. Rather, the bill provides special interests with tax cuts they have wanted for years.

The Committee bill will cost nearly $160 billion over the next ten years and is not paid for through offsets. The bill ignores the need for out-year offsets to make up over time for the cost of near-term economic stimulus. This is not fiscally responsible. Our economic stimulus package should be focused and be paid for through short- and long-term revenue offsets.

The Committee bill fails to guarantee any unemployed worker increased or extended unemployment compensation. There is not even anything in the legislation that would prevent states from using the Reed Act money to replace state funding for unemployment benefits—meaning the net result could be no new assistance for displaced workers.

The Committee bill does not protect newly unemployed individuals and their families and other affected by the terrorist attacks from the very real danger that they will lose their health insurance and join the ranks of the nearly 40 million uninsured Americans.

The most effective and efficient manner by which to provide quick, short-term assistance with health insurance coverage is to build on existing programs, namely a subsidy for COBRA coverage for those who are eligible and a temporary expansion of Medicaid and CHIP for those who are not.

Mr. Speaker, unfortunately, it seems clear that our economy has not yet hit bottom. Many more hard working Americans, through no fault of their own, soon will lose their jobs. All of these workers desperately need our help and they need it now.

Mr. Speaker, the human costs of this economic downturn for many of our fellow Americans are truly staggering. Airline and airport workers, transit workers, employees who work for airline suppliers such as service employees and plane manufactures, all face common problems and challenges. Their mortgages, rents, and utilities still must be paid. Food must be placed on the table. Children must be clothed. Health care costs must be covered.

While some will get by through depleting their savings, the vast majority of those who have lost their jobs have little or no savings to deplete. All of these workers need a strong, flexible and lasting safety net, the kind that only the Federal government can provide.

Just like those workers who qualify for help under the Trade Adjustment Assistance Program, workers who lost their jobs because of the September 11th attacks need extended unemployment and job training benefits.

Displaced workers especially need COBRA continuation coverage, that is, they need to have their COBRA health insurance premiums paid for in full for up to 78 weeks, or until they are re-employed with health insurance coverage, whichever is earlier. Those without COBRA coverage need coverage under Medicaid.

Mr. Speaker, this Congress acted quickly and responsibly to meet some of the challenges posed by the September 11th attacks. We authorized the use of United States Armed Forces against those responsible for the attacks against the United States.

We unanimously passed the $40 billion Emergency Supplemental Appropriations bill to finance some of the tremendous costs of fighting terrorism and of helping and rebuilding the communities devastated by these horrendous attacks. We provided cash assistance and loan guarantees to the airline industry.

Now it is our workers' turn. They have already waited far too long. All of these hard working, innocent displaced workers and their families desperately need our help. We must hear and answer their pleas. We cannot rest until we have met their needs.

Mr. Speaker, the American people are depending on Members of Congress to cooperate and work with each other on a bipartisan economic stimulus plan. They expect and should get no less. We can and must do better than H.R. 3090. I urge my colleagues: reject the Thomas bill and support the Democratic Substitute.

Mr. NUSSLE. Mr. Speaker, I rise today to express my support of H.R. 3090, the Economic Security and Recovery Act of 2001. I would also use this opportunity to address some important budgetary issues raised by this bill and other legislation enacted in the wake of the recent terrorist attacks.

As reported from the Committee on Ways and Means—on which I am proud to serve—the Economic Security Act would, among other things, provide an additional tax rebate, accelerate the shift to a 25-percent tax rate, repeal the corporate minimum tax, and extend various expiring tax provisions.

As you know, the Congressional Budget Resolution—H. Con. Res. 83—established a revenue floor and directed the Ways and Means and Finance Committees to report a 10-year tax cut of $1.4 trillion. Earlier this year, the Ways and Means Committee reported, and the President signed, a reconciliation bill that reduced taxes by the amount envisioned by the budget resolution.

As reported by the Committee on Ways and Means, this bill would reduce projected revenue by an additional $99 billion in fiscal year 2002 and by about $195 billion over 5 years. Additionally, a provision to increase health care coverage for unemployed workers would increase outlays by $3 billion in the current fiscal year.

Clearly this bill was not envisioned under the budgetary framework of the budget resolution. The bill would reduce Federal revenue below the revenue floor specified in the resolution. This would violate section 311(a) of the Budget Act, which prohibits the consideration of measures that would cause revenue to be less than the levels permitted in the budget resolution. Similarly, the refundable tax provisions and the new spending element of the bill would breach the 302(a) allocation of new budget authority that was provided to the Committee on Ways and Means pursuant to H. Con. Res. 83.

Yet there are obviously times when it is appropriate to set aside budget constraints for the greater good. Perhaps the most important is during war or military conflict, when the nation's resources must be available to protect the nation itself. Another is during times of recession when it may be necessary to consider various initiatives to help sustain the economy.

This year, we face both. On September 11, we entered into a new era when terrorists attacked the World Trade Center in New York City and the Pentagon in Arlington, Virginia. After these attacks, we committed to providing whatever resources are necessary to wage a war on terrorism. On September 18, the President signed a supplemental appropriations bill that provide $40 billion to respond to these attacks. On September 22, the President signed a bill providing economic assistance to an already beleaguered aviation industry.

The terrorist attacks, in turn, exacerbated an economic slowdown that was already under way. In August, the Congressional Budget Office revised its economic forecast to reflect virtually no growth in the first half of this year. This was reflected in both lower GDP growth and higher unemployment rates. The terrorist attacks of September 11 dealt a further blow to the economy by depressing markets and rattling consumer confidence.

While the Congressional Budget Act and the Balanced Budget Act both envisioned a process in which Congress could suspend various budget rules, there is simply not enough time to go through this process if the President is to have the resources to wage this war and if the economic incentives are to be helpful.

The Budget Committee has moved swiftly to increase the discretionary spending limits to accommodate any additional spending. It will also take any necessary steps to ensure that the tax bill does not inadvertently trigger a sequester, which would clearly be counterproductive if the goal is to stimulate the economy.

This bill clearly provides some important benefits at a time of economic weakness. I believe that this a good though not perfect package. It does manage to get money out the door to taxpayers. It also has a number of provisions that will provide incentives for Iowa businesses to create jobs, spur innovation, and invest in our government's future.

I urge Members to support this bill both in the interest of reducing taxes and supporting the economy. Still we should be under no illusion where this bill, the supplemental and airline security bills will leave us. Next year we may well find that the double digit surpluses that were projected as recently as May have all but evaporated.

Although a departure from the budget resolution we adopted in May can be justified as a necessary response to the extraordinary circumstances facing our country, our long-term framework should continue to be a balanced budget. We should then work to pay off as much Federal debt as possible and accumulate sufficient resources to strengthen and reform Social Security and Medicare.

This will require the Congress, working together with the President, to begin to make some very tough decisions. I hope in the next few months to begin a dialogue with Members on both sides of the aisle on developing a framework for making some of these decisions.

Mr. RUSH. Mr. Speaker, I rise against this so called stimulus bill that is before us today. H.R. 3090 purports to help our economy, but fails to provide assistance to the thousands of hardworking American workers who lost their jobs as a result of the September 11 tragedy.

Now, I may not be an economist but there is something fundamentally wrong with a bill that provides 86% of tax benefits to corporate special interests, while providing nothing to middle income workers who are the backbone of this country's industrial might.

This bill is lacking in many ways. First it fails to provide a minimum wage increase for the American workers. Second, it does not provide adequate health coverage to displaced workers. Third, it places an additional burden on many states, including my own home state of Illinois, which is still reeling from the devastating losses suffered by United Airlines post September 11.

Mr. Speaker, the bill before us today is a Sham, it is nothing more than corporate welfare. If we are going to use precious resources, let us give to those most in need—American workers. Corporate and individual tax cuts will do little to stimulate the economy.

We must not return to the partisan politics that existed before September 11. I urge my colleagues on both sides of the aisle to support the Democratic substitute, which provides assistance to those most in need and provides temporary fiscal stimulus to restart the economy.

Mr. UNDERWOOD. Mr. Speaker, I rise in strong opposition to the rule and to the majority's so-called stimulus package, H.R. 3090. The primary reason I speak against both the rule and the bill is the failure once more on the part of the majority to include the concerns of the insular areas especially my home island of Guam.

When we talk about a stimulus package for the nation, we are informed that a possible rise in the nation's unemployment rate to 6% is a sure sign of impending economic crisis. The very rise to the number is designed to bring chills of concern to all of membership of this body. Mr. Speaker and Members of the House, the people of Guam are suffering an unemployment rate triple that amount, totaling 18% of the workforce of my people. Moreover, as a result of the terrorist attacks and the resulting decline in tourism (especially international tourism), hundreds of workers are being laid off and hundreds more are having their hours cut off. We must take clear, positive and strong steps to include the territories in any stimulus package. We must be directly responsive to the concerns of our fellow Americans who live in the insular areas.

I introduced and amendment to H.R. 3090 to the Rules Committee yesterday. The amendment was not made in order. This amendment would have provided assistance to the territories, brought relief to the people of Guam and ease their heavy burden. My amendment would have ensured the participation of the territories in the nation's unemployment programs, made territories eligible for any future national emergency grants, lifted the caps for Medicaid, increased the matching waiver for federal programs and would treat Guam the same as any other U.S. jurisdiction in taxing foreign investors.

This amendment would have provided Guam's unemployed (which is almost one out of every five workers) something to hang onto while the economy recovers. The measure would have eased the stress our local government is facing in budgeting health care for the indigent, accessing needed federal program and in making sure that Guam is eligible for federal emergency grants.

The Government of Guam is anticipating a 15–20% revenue shortfall caused by the ongoing Asian economic malaise and compounded by the hesitancy to travel as a result of the terrorist attacks. Guam is dependent upon international tourists for her livelihood. We are dependent upon the Asian economies for our survival and we are dependent upon your goodwill and understanding to give us the tools to develop economic self-sufficiency.

Guam is a crucial part of the current struggle against the terrorists. Guam is a part of the air bridge to bring justice to Osama bin Laden. Guam is the major Pacific point in the bridge from the West Coast to our bombers based in the Indian Ocean. The President said we should bring justice to the terrorists. As we bring justice to the terrorists, lets bring justice and fairness to the people of Guam, to our fellow Americans who live closest to the action.

The package as presented does not include us; it turns a blind eye to the needs of the territories; to the needs of Guam.

Mr. NADLER. Mr. Speaker, Christmas has come early for the special interests this year. This so-called stimulus package is nothing more than the eternal wish list of big business wrapped up in a nice, neat, little bow.

When the President put together his mammoth tax cut for the rich earlier this year, businesses were told to wait their turn. They would get their huge tax cut, but it couldn't be in the same package or it would shatter the illusion that the first one was for working families.

So, we all knew this big tax cut was coming. But frankly, I'm shocked that the Republican Leadership would trot it out so soon, under the guise of ''economic stimulus.'' Quite simply, there is virtually no economic value to this package.

The key to economic stimulus is to put money in the pockets of people who will spend it immediately. At Democrats' insistence, there is at least a small amount of money going to those who are hardest hit by these economic times. But the overwhelming majority of cuts in this bill are skewed to the very rich, who are more likely to put savings in the bank than to spend it. By some estimates a whopping 75% of the benefits of this package would go to the top 10% of wage earners. This is not just dramatically unfair, it economically foolish.

Not surprisingly, the portions of this bill that are aimed at lower income workers are temporary. But, the special breaks to big business, like capital gains reductions and repeal of the corporate Alternative Minimum Tax are permanent. This bill even has the gall to provide for refunds to any business that has paid the corporate AMT since 1986. That's not economic stimulus, that is corporate give-away

In addition, these provisions will simply worsen our long-term economic outlook, upon which current investment decisions are made. Rather than provide an immediate boost, these tax cuts are more likely to hinder spending in the short-term and plunge us deeper into recession. That's a pretty big price to pay for pacifying the special interests.

And, the flaws in this bill are not just limited to what's in it. It is equally poor policy because of what's missing. Any responsible stimulus package would include new direct spending on the pressing needs of the nation. This would create jobs while shoring up the infrastructure critical to our future economic growth. For example, in this new world of heightened security at the airports, we must invest in high-speed rail to accommodate travel between short distances. But, as usual, this bill simply

relies on the old gospel of the Republican Party—that tax cuts are the solution to any problem.

This corporate wish list may settle some old debts in the potential arena, but it will do nothing to nurse our ailing economy back to health. It is special interest pandering at its worst and should be defeated.

Mr. KIND. Mr. Speaker, I rise today in opposition to H.R. 3090, the Economic Security and Recovery Act. While our nation is still tending to the wounds inflicted upon us on September 11th, it may be necessary to provide an economic stimulus package that jump starts our currently sagging fiscal system and helps our country recover. I do not believe, however, this is the time for Congress to use this economic slump and the war against terrorism as an excuse to revisit previous agendas in a budget-busting frenzy.

It is fiscally irresponsible to put our country back into deficit spending to ensure that the House Leadership secures its priority tax cuts for their large campaign contributors. These tax cuts will not have the desired affect of boosting our economy; rather they will threaten the fiscal discipline that prompted much of the 1990's economic boom, because H.R. 3090 is paid for by taking funds directly out of the Social Security surplus rather than finding responsible offsets in the budget. The cost over ten years, including added interest to national debt, is a hefty $274 billion. Again, it would be taken out of the Social Security trust fund after virtually everyone in this Congress promised not to do so.

The goal of a stimulus package should be to give the economy a quick jolt while minimizing the damage to the long-term budget. In order to achieve this fine balance, the legislative package we pass today should provide an immediate but temporary, short-term injection of resources that will put money into the pockets of families and business that need it and will spend it.

Unfortunately, H.R. 3090 includes an acceleration of income tax cuts that would put $39 billion in the pockets of the richest quarter of taxpayers in the years 2003 to 2005, when the downtown presumably will be over. This is not an economic stimulus. This is a policy that reflects the supply-side faith that cutting taxes is always a good thing, never mind the cost. It will also take $5 billion out of state budgets every year since states base their corporate tax rates on the federal tax code.

Furthermore, a return to deficit spending will increase long-term interest rates, and will put a drag on any kind of economic recovery. The higher cost of borrowing increases the costs to families and firms, making economic revival less likely. Even the president acknowledged this when he said he wanted a stimulus package between $60 billion and $75 billion because he was ''mindful of the effect on long-term interest rates.'' Unless the administration weighs in against these tax cuts, the baby-boom budget crunch may get even nastier and make it impossible for our country to deal with the impending baby-boom retirement by keeping Social Security and Medicare solvent for that huge influx of recipients.

H.R. 3090 will not provide the average American the extra cash to put into our financial system. This is not the time to pursue our individual agendas but it is the time for a fiscally responsible short-term package that pushes our economy forward and provides relief for families in need.

I urge my colleagues to oppose H.R. 3090 and support the motion to recommit. The rush to cut corporate taxes to stimulate economic recovery is at best a questionable economic prescription and at worst one that could do more harm than good. The motion to recommit is simple and straightforward in its instructions to reduce the tax cut provisions of the bill in an amount necessary to fund the additional appropriations that are needed to fix the war on terrorism and protect the safety of the American public; to provide that the legislation is temporary and fully paid for in the budget over the next ten years to avoid deficit spending; and to provide immediate relief to workers who lost their jobs and health coverage and to businesses affected by the economic circumstances.

That is what a sensible and fiscally responsible stimulus bill should look like.

Mr. DINGELL. Mr. Speaker, health insurance coverage is a critical component of any economic stimulus package. Uninsured Americans have greater problems obtaining needed medical care. They are also less likely to get needed care. It is simply good medicine to ensure that families can keep their health insurance coverage.

It is also, however, good economics. The uninsured pay more out-of-pocket for health care, reducing their consumer spending. If families have health insurance, more of their resources are freed up to meet other critical needs such as paying their mortgage or utility bills.

Half of Americans who file for bankruptcy protection do so because of high medical expenses. An increase in the number of uninsured workers will lead more Americans into bankruptcy.

We know that the number of uninsured will very likely increase during this economic downturn. That is why any responsible economic stimulus package must include meaningful provisions to prevent the number of families without health insurance coverage from increasing.

The Democratic substitute does just that. This package provides a federal subsidy to allow workers and their families to remain covered under their former employer's policy for twelve months. Without this subsidy, bearing the full freight of their health insurance costs—on average $7,053 for family coverage—will prove too much for many families already struggling to make ends meet.

The Democratic substitute also allows states the option of extending Medicaid coverage to those uninsured workers and their families who are ineligible for COBRA coverage. For workers in firms with fewer than twenty employees or for workers in firms that go out of business, this provision is particularly important as COBRA coverage is not available to them. By building on Medicaid, we are building on an insurance program that we know works and that states can use quickly and easily to ensure workers and their families have health coverage.

A responsible stimulus package should recognize the importance of health insurance to good health and a good economy. The Democratic substitute will see that American families remain insured during this economic downturn. This package is the right approach for our economy, our workers, and their families.

Mr. BLUMENAUER. Mr. Speaker, the economic stimulus package brought to the House floor today is an embarrassment. It is 50 percent larger than the stimulus that the President and the Treasury Secretary asked for. It is a series of tax cuts and big refund checks to corporations that will be paid for with dollars from the Social Security Trust Fund. It is not paid for over time, but adds to the federal deficit for years to come.

The Republican leadership has used the occasion of America's present economic emergency to lead a stampede toward the public trough. Every pet tax cut on lobbyists' wish lists found its way into this bill, which has nothing to do with economic stimulus but a great deal to do with unjust enrichment. A handful of America's largest corporations will receive refund checks totaling nearly $6 billion of business taxes paid since 1986. There is absolutely no assurance that those tax dollars will be invested in job creation or other economic growth.

By contrast, the Democratic alternative provides the bulk of its tax relief to individuals and families that are likely to spend their tax savings on household needs, adding to economic activity and providing a true stimulus. It extends health care and other benefits to laid-off workers. It includes real investments in America's communities and security. Most importantly, it maintains fiscal responsibility by paying for itself over time—simply by delaying the Bush Administration tax cut for households earning over $350,000 per year.

The SPEAKER pro tempore. All time for general debate has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. RANGEL:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Fiscal Stimulus and Worker Relief Act of 2001''.

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—TAX PROVISIONS

Subtitle A—Supplemental Rebate

Sec. 101. Supplemental rebate.

Subtitle B—Extensions of Certain Expiring Provisions

Sec. 111. Allowance of nonrefundable personal credits against regular and minimum tax liability.
Sec. 112. Credit for qualified electric vehicles.
Sec. 113. Credit for electricity produced from renewable resources.
Sec. 114. Work Opportunity Credit.
Sec. 115. Welfare-to-Work credit.
Sec. 116. Deduction for clean-fuel vehicles and certain refueling property.

Sec. 117. Taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.
Sec. 118. Qualified zone academy bonds.
Sec. 119. Cover over of tax on distilled spirits.
Sec. 120. Parity in the application of certain limits to mental health benefits.
Sec. 121. Delay in effective date of requirement for approved diesel or kerosene terminals.

Subtitle C—Other Provisions

Sec. 131. Alternative minimum tax relief with respect to incentive stock options exercised during 2000.
Sec. 132. Carryback for 2001 and 2002 net operating losses allowed for 5 years.
Sec. 133. Temporary increase in expensing under section 179.
Sec. 134. Temporary waiver of 90 percent AMT limitations.
Sec. 135. Expansion of incentives for public schools.

TITLE II—WORKER RELIEF

Subtitle A—Temporary Unemployment Compensation

Sec. 201. Short title.
Sec. 202. Federal-State agreements.
Sec. 203. Temporary Supplemental Unemployment Compensation Account.
Sec. 204. Payments to States having agreements under this subtitle.
Sec. 205. Financing provisions.
Sec. 206. Fraud and overpayments.
Sec. 207. Definitions.
Sec. 208. Applicability.

Subtitle B—Premium Assistance For COBRA Continuation Coverage

Sec. 211. Premium assistance for COBRA continuation coverage.

Subtitle C—Additional Assistance for Temporary Health Insurance Coverage

Sec. 221. Optional temporary medicaid coverage for certain uninsured employees.
Sec. 222. Optional temporary coverage for unsubsidized portion of COBRA continuation premiums.

TITLE III—FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND

Sec. 301. Freeze of top individual income tax rate and domestic security trust fund.

TITLE I—TAX PROVISIONS

Subtitle A—Supplemental Rebate

SEC. 101. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

''(f) SUPPLEMENTAL REBATE.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 12, 2001, filed a return of tax imposed by subtitle A for such taxable year shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

''(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

''(A)(i) $600 in the case of taxpayers to whom section 1(a) applies,

''(ii) $500 in the case of taxpayers to whom section 1(b) applies, and

''(iii) $300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

''(B) the taxpayer's advance refund amount under subsection (e).

''(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, to the maximum extent practicable, refund or credit such overpayment before December 31, 2001.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.''

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 6428(d) is amended by adding at the end the following new subparagraph:

''(C) COORDINATION WITH SUPPLEMENTAL REBATE.—No credit shall be allowed under subsection (a) to any individual who is entitled to a supplemental rebate amount under subsection (f).''

(2) Paragraph (3) of section 6428(e) is amended by striking ''December 31, 2001'' and inserting ''the date of the enactment of the Fiscal Stimulus and Worker Relief Act of 2001''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle B—Extensions of Certain Expiring Provisions

SEC. 111. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''RULE FOR 2000 AND 2001.—'' and inserting ''RULE FOR 2000, 2001, AND 2002.—'', and

(2) by striking ''during 2000 or 2001,'' and inserting ''during 2000, 2001, or 2002,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 904(h) is amended by striking ''during 2000 or 2001'' and inserting ''during 2000, 2001, or 2002''.

(2) The amendments made by sections 201(b), 202(f), and 618(f) of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to taxable years beginning during 2002.

(c) TECHNICAL CORRECTION.—Section 24(d)(1)(B) is amended by striking ''amount of credit allowed by this section'' and inserting ''aggregate amount of credits allowed by this subpart.''.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 2001.

(2) The amendment made by subsection (c) shall apply to taxable years beginning after December 31, 2000.

SEC. 112. CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30 is amended—

(1) in subsection (b)(2)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2002,'', and

(B) in subparagraphs (A), (B), and (C), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2003'', ''2004'', and ''2005'', respectively, and

(2) in subsection (e), by striking ''December 31, 2004'' and inserting ''December 31, 2005''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 113. CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES.

(a) IN GENERAL.—Subparagraphs (A), (B), and (C) of section 45(c)(3) are each amended by striking ''2002'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 114. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 115. WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Subsection (f) of section 51A is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2001.

SEC. 116. DEDUCTION FOR CLEAN-FUEL VEHICLES AND CERTAIN REFUELING PROPERTY.

(a) IN GENERAL.—Section 179A is amended—

(1) in subsection (b)(1)(B)—

(A) by striking ''December 31, 2001,'' and inserting ''December 31, 2002,'', and

(B) in clauses (i), (ii), and (iii), by striking ''2002'', ''2003'', and ''2004'', respectively, and inserting ''2003'', ''2004'', and ''2005'', respectively, and

(2) in subsection (f), by striking ''December 31, 2004'' and inserting ''December 31, 2005''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 117. TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) is amended by striking ''2002'' and inserting ''2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 118. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''2000, and 2001'' and inserting ''2000, 2001, and 2002''.

(b) EXTENSION OF CARRYOVER OF UNUSED LIMITATION FROM 1998.—Paragraph (4) of section 1397E(e) is amended by striking ''3 years for carryforwards from 1998 or 1999'' and inserting ''4 years for carryforwards from 1998 and 3 years for carryforwards from 1999''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 119. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2003''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 120. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 is amended by striking ''2001'' and inserting ''2002''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning after December 31, 2001.

SEC. 121. DELAY IN EFFECTIVE DATE OF REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Paragraph (2) of section 1032(f) of the Taxpayer Relief Act of 1997 (Public Law 105–34) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2003''.

Subtitle C—Other Provisions

SEC. 131. ALTERNATIVE MINIMUM TAX RELIEF WITH RESPECT TO INCENTIVE STOCK OPTIONS EXERCISED DURING 2000.

In the case of an incentive stock option (as defined in section 422 of the Internal Revenue Code of 1986) exercised during calendar

year 2000 or 2001, the amount taken into account under section 56(b)(3) of such Code by reason of such exercise shall not exceed the amount that would have been taken into account if, on the date of such exercise, the fair market value of the stock acquired pursuant to such option had been—

(1) its fair market value as of—

(A) April 15, 2001, in the case of options exercised during 2000, and

(B) December 31, 2001, in the case of options exercised during 2001, or

(2) if such stock is sold or exchanged on or before the applicable date under paragraph (1), the amount realized on such sale or exchange.

SEC. 132. CARRYBACK FOR 2001 AND 2002 NET OPERATING LOSSES ALLOWED FOR 5 YEARS.

(a) IN GENERAL.—Paragraph (1) of section 172(b) (relating to years to which loss may be carried) is amended by adding at the end the following new subparagraph:

''(H) In the case of a taxpayer which has a net operating loss for any taxable year beginning in 2001 or 2002, subparagraph (A)(i) shall be applied by substituting '5' for '2' and subparagraph (F) shall not apply.''.

(b) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR NET OPERATING LOSS ARISING IN 2001 OR 2002.— Section 172 of such Code (relating to net operating loss deduction) is amended by redesignating subsection (j) as subsection (k) and by inserting after subjection (i) the following new subsection:

''(j) ELECTION TO DISREGARD 5-YEAR CARRYBACK FOR NET OPERATING LOSS ARISING IN 2001 OR 2002.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(H) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(H). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.''.

(c) SUSPENSION OF 90 PERCENT AMT LIMIT ON 2001 AND 2002 NOL CARRYBACKS.—Subparagraph (A) of section 56(d)(1) (relating to general rule defining alternative tax net operating loss deduction) is amended to read as follows:

''(A) the amount of such deduction shall not exceed the sum of—

''(i) the lesser of—

''(I) the amount of such deduction attributable to net operating losses (other than the deduction attributable to carrybacks of net operating losses for taxable years beginning in 2001 or 2002), or

''(II) 90 percent of alternate minimum taxable income determined without regard to such deduction, plus

''(ii) the lesser of—

''(I) the amount of such deduction attributable to carrybacks of net operating losses for taxable years beginning in 2001 or 2002, or

''(II) alternate minimum taxable income determined without regard to such deduction reduced by the amount determined under clause (i), and''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to net operating losses for taxable years beginning after 2000.

SEC. 133. TEMPORARY INCREASE IN EXPENSING UNDER SECTION 179.

(a) IN GENERAL.—The table contained in section 179(b)(1) (relating to dollar limitation) is amended to read as follows:

"If the taxable year begins in:	The applicable amount is:
2001 or 2002	$50,000
2003 or thereafter	25,000.''

(b) TEMPORARY INCREASE IN AMOUNT OF PROPERTY TRIGGERING PHASEOUT OF MAXIMUM BENEFIT.—Paragraph (2) of section 179(b) of such Code is amended by inserting before the period ''($400,000 in the case of taxable years beginning during 2001 or 2002)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 134. TEMPORARY WAIVER OF 90 PERCENT AMT LIMITATIONS.

Subparagraph (A) of section 56(b)(1) of the Internal Revenue Code of 1986 and paragraph (2) of section 59(a) of such Code shall not apply in determining alternative minimum tax liability for taxable years beginning in 2001 or 2002.

SEC. 135. EXPANSION OF INCENTIVES FOR PUBLIC SCHOOLS.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following new subchapter:

"Subchapter Y—Public School Modernization Provisions

''Sec. 1400K. Credit to holders of qualified public school modernization bonds.

''Sec. 1400L. Qualified school construction bonds.

''Sec. 1400M. Qualified zone academy bonds.

"SEC. 1400K. CREDIT TO HOLDERS OF QUALIFIED PUBLIC SCHOOL MODERNIZATION BONDS.

''(a) ALLOWANCE OF CREDIT.—In the case of a taxpayer who holds a qualified public school modernization bond on a credit allowance date of such bond which occurs during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to credit allowance dates during such year on which the taxpayer holds such bond.

''(b) AMOUNT OF CREDIT.—

''(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a qualified public school modernization bond is 25 percent of the annual credit determined with respect to such bond.

''(2) ANNUAL CREDIT.—The annual credit determined with respect to any qualified public school modernization bond is the product of—

''(A) the applicable credit rate, multiplied by

''(B) the outstanding face amount of the bond.

''(3) APPLICABLE CREDIT RATE.—For purposes of paragraph (1), the applicable credit rate with respect to an issue is the rate equal to an average market yield (as of the day before the date of issuance of the issue) on outstanding long-term corporate debt obligations (determined under regulations prescribed by the Secretary).

''(4) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed.

''(c) LIMITATION BASED ON AMOUNT OF TAX.—

''(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under part IV of subchapter A (other than subpart C thereof, relating to refundable credits).

''(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.

''(d) QUALIFIED PUBLIC SCHOOL MODERNIZATION BOND; CREDIT ALLOWANCE DATE.—For purposes of this section—

''(1) QUALIFIED PUBLIC SCHOOL MODERNIZATION BOND.—The term 'qualified public school modernization bond' means—

''(A) a qualified zone academy bond, and

''(B) a qualified school construction bond.

''(2) CREDIT ALLOWANCE DATE.—The term 'credit allowance date' means—

''(A) March 15,

''(B) June 15,

''(C) September 15, and

''(D) December 15.

Such term includes the last day on which the bond is outstanding.

''(e) OTHER DEFINITIONS.—For purposes of this subchapter—

''(1) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given to such term by section 14101 of the Elementary and Secondary Education Act of 1965. Such term includes the local educational agency that serves the District of Columbia but does not include any other State agency.

''(2) BOND.—The term 'bond' includes any obligation.

''(3) STATE.—The term 'State' includes the District of Columbia and any possession of the United States.

''(4) PUBLIC SCHOOL FACILITY.—The term 'public school facility' shall not include—

''(A) any stadium or other facility primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public, or

''(B) any facility which is not owned by a State or local government or any agency or instrumentality of a State or local government.

''(f) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this section (determined without regard to subsection (c)) and the amount so included shall be treated as interest income.

''(g) RECAPTURE OF PORTION OF CREDIT WHERE CESSATION OF COMPLIANCE.—

''(1) IN GENERAL.—If any bond which when issued purported to be a qualified public school modernization bond ceases to be a qualified public school modernization bond, the issuer shall pay to the United States (at the time required by the Secretary) an amount equal to the sum of—

''(A) the aggregate of the credits allowable under this section with respect to such bond (determined without regard to subsection (c)) for taxable years ending during the calendar year in which such cessation occurs and the 2 preceding calendar years, and

''(B) interest at the underpayment rate under section 6621 on the amount determined under subparagraph (A) for each calendar year for the period beginning on the first day of such calendar year.

''(2) FAILURE TO PAY.—If the issuer fails to timely pay the amount required by paragraph (1) with respect to such bond, the tax imposed by this chapter on each holder of any such bond which is part of such issue shall be increased (for the taxable year of the holder in which such cessation occurs) by the aggregate decrease in the credits allowed under this section to such holder for taxable years beginning in such 3 calendar years

which would have resulted solely from denying any credit under this section with respect to such issue for such taxable years.

''(3) SPECIAL RULES.—

''(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (2) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

''(B) NO CREDITS AGAINST TAX.—Any increase in tax under paragraph (2) shall not be treated as a tax imposed by this chapter for purposes of determining —

''(i) the amount of any credit allowable under this part, or

''(ii) the amount of the tax imposed by section 55.

''(h) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any qualified public school modernization bond is held by a regulated investment company, the credit determined under subsection (a) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

''(i) CREDITS MAY BE STRIPPED.—Under regulations prescribed by the Secretary—

''(1) IN GENERAL.—There may be a separation (including at issuance) of the ownership of a qualified public school modernization bond and the entitlement to the credit under this section with respect to such bond. In case of any such separation, the credit under this section shall be allowed to the person who on the credit allowance date holds the instrument evidencing the entitlement to the credit and not to the holder of the bond.

''(2) CERTAIN RULES TO APPLY.—In the case of a separation described in paragraph (1), the rules of section 1286 shall apply to the qualified public school modernization bond as if it were a stripped bond and to the credit under this section as if it were a stripped coupon.

''(j) TREATMENT FOR ESTIMATED TAX PURPOSES.—Solely for purposes of sections 6654 and 6655, the credit allowed by this section to a taxpayer by reason of holding a qualified public school modernization bonds on a credit allowance date shall be treated as if it were a payment of estimated tax made by the taxpayer on such date.

''(k) CREDIT MAY BE TRANSFERRED.—Nothing in any law or rule of law shall be construed to limit the transferability of the credit allowed by this section through sale and repurchase agreements.

''(k) REPORTING.—Issuers of qualified public school modernization bonds shall submit reports similar to the reports required under section 149(e).

''(l) PENALTY ON CONTRACTORS FAILING TO PAY PREVAILING WAGE.—

''(1) IN GENERAL.—If the Secretary of Labor certifies to the Secretary that any contractor on any project funded by any qualified public school modernization bond has failed, during any portion of such contractor's taxable year, to pay prevailing wages as would be required under section 439 of the General Education Provisions Act if such funding were an applicable program under such section, the tax imposed by chapter 1 on such contractor for such taxable year shall be increased by 100 percent of the amount involved in such failure. The preceding sentence shall not apply to the extent the Secretary of Labor determines that such failure is due to reasonable cause and not willful neglect.

''(2) AMOUNT INVOLVED.—For purposes of paragraph (1), the amount involved with respect to any failure is the excess of the amount of wages such contractor would be so required to pay under such section over the amount of wages paid.

''(3) NO CREDITS AGAINST TAX.—The tax imposed by this section shall not be treated as a tax imposed by this chapter for purposes of determining—

''(A) the amount of any credit allowable under this chapter, or

''(B) the amount of the minimum tax imposed by section 55.

''(m) TERMINATION.—This section shall not apply to any bond issued after September 30, 2006.

"SEC. 1400L. QUALIFIED SCHOOL CONSTRUCTION BONDS.

''(a) QUALIFIED SCHOOL CONSTRUCTION BOND.—For purposes of this subchapter, the term 'qualified school construction bond' means any bond issued as part of an issue if—

''(1) 95 percent or more of the proceeds of such issue are to be used for the construction, rehabilitation, or repair of a public school facility or for the acquisition of land on which such a facility is to be constructed with part of the proceeds of such issue,

''(2) the bond is issued by a State or local government within the jurisdiction of which such school is located,

''(3) the issuer designates such bond for purposes of this section, and

''(4) the term of each bond which is part of such issue does not exceed 15 years.

''(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) by any issuer shall not exceed the sum of—

''(1) the limitation amount allocated under subsection (d) for such calendar year to such issuer, and

''(2) if such issuer is a large local educational agency (as defined in subsection (e)(4)) or is issuing on behalf of such an agency, the limitation amount allocated under subsection (e) for such calendar year to such agency.

''(c) NATIONAL LIMITATION ON AMOUNT OF BONDS DESIGNATED.—There is a national qualified school construction bond limitation for each calendar year. Such limitation is—

''(1) $11,000,000,000 for 2002, and

''(2) except as provided in subsection (f), zero after 2002.

''(d) 60 PERCENT OF LIMITATION ALLOCATED AMONG STATES.—

''(1) IN GENERAL.—60 percent of the limitation applicable under subsection (c) for any calendar year shall be allocated by the Secretary among the States in proportion to the respective numbers of children in each State who have attained age 5 but not age 18 for the most recent fiscal year ending before such calendar year. The limitation amount allocated to a State under the preceding sentence shall be allocated by the State to issuers within such State.

''(2) MINIMUM ALLOCATIONS TO STATES.—

''(A) IN GENERAL.—The Secretary shall adjust the allocations under this subsection for any calendar year for each State to the extent necessary to ensure that the sum of—

''(i) the amount allocated to such State under this subsection for such year, and

''(ii) the aggregate amounts allocated under subsection (e) to large local educational agencies in such State for such year,

is not less than an amount equal to such State's minimum percentage of the amount to be allocated under paragraph (1) for the calendar year.

''(B) MINIMUM PERCENTAGE.—A State's minimum percentage for any calendar year is the minimum percentage described in section 1124(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6334(d)) for such State for the most recent fiscal year ending before such calendar year.

''(3) ALLOCATIONS TO CERTAIN POSSESSIONS.—The amount to be allocated under paragraph (1) to any possession of the United States other than Puerto Rico shall be the amount which would have been allocated if all allocations under paragraph (1) were made on the basis of respective populations of individuals below the poverty line (as defined by the Office of Management and Budget). In making other allocations, the amount to be allocated under paragraph (1) shall be reduced by the aggregate amount allocated under this paragraph to possessions of the United States.

''(4) ALLOCATIONS FOR INDIAN SCHOOLS.—In addition to the amounts otherwise allocated under this subsection, $200,000,000 for calendar year 2002, and $200,000,000 for calendar year 2003, shall be allocated by the Secretary of the Interior for purposes of the construction, rehabilitation, and repair of schools funded by the Bureau of Indian Affairs. In the case of amounts allocated under the preceding sentence, Indian tribal governments (as defined in section 7871) shall be treated as qualified issuers for purposes of this subchapter.

''(e) 40 PERCENT OF LIMITATION ALLOCATED AMONG LARGEST SCHOOL DISTRICTS.—

''(1) IN GENERAL.—40 percent of the limitation applicable under subsection (c) for any calendar year shall be allocated under paragraph (2) by the Secretary among local educational agencies which are large local educational agencies for such year.

''(2) ALLOCATION FORMULA.—The amount to be allocated under paragraph (1) for any calendar year shall be allocated among large local educational agencies in proportion to the respective amounts each such agency received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year ending before such calendar year.

''(3) ALLOCATION OF UNUSED LIMITATION TO STATE.—The amount allocated under this subsection to a large local educational agency for any calendar year may be reallocated by such agency to the State in which such agency is located for such calendar year. Any amount reallocated to a State under the preceding sentence may be allocated as provided in subsection (d)(1).

''(4) LARGE LOCAL EDUCATIONAL AGENCY.—For purposes of this section, the term 'large local educational agency' means, with respect to a calendar year, any local educational agency if such agency is—

''(A) among the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, or

''(B) 1 of not more than 25 local educational agencies (other than those described in subparagraph (A)) that the Secretary of Education determines (based on the most recent data available satisfactory to the Secretary) are in particular need of assistance, based on a low level of resources for school construction, a high level of enrollment growth, or such other factors as the Secretary deems appropriate.

''(f) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year—

''(1) the amount allocated under subsection (d) to any State, exceeds

''(2) the amount of bonds issued during such year which are designated under subsection (a) pursuant to such allocation,

the limitation amount under such subsection for such State for the following calendar

year shall be increased by the amount of such excess. A similar rule shall apply to the amounts allocated under subsection (d)(4) or (e).

''(g) SPECIAL RULES RELATING TO ARBITRAGE.—

''(1) IN GENERAL.—A bond shall not be treated as failing to meet the requirement of subsection (a)(1) solely by reason of the fact that the proceeds of the issue of which such bond is a part are invested for a temporary period (but not more than 36 months) until such proceeds are needed for the purpose for which such issue was issued.

''(2) BINDING COMMITMENT REQUIREMENT.—Paragraph (1) shall apply to an issue only if, as of the date of issuance, there is a reasonable expectation that—

''(A) at least 10 percent of the proceeds of the issue will be spent within the 6-month period beginning on such date for the purpose for which such issue was issued, and

''(B) the remaining proceeds of the issue will be spent with due diligence for such purpose.

''(3) EARNINGS ON PROCEEDS.—Any earnings on proceeds during the temporary period shall be treated as proceeds of the issue for purposes of applying subsection (a)(1) and paragraph (1) of this subsection.

''SEC. 1400M. QUALIFIED ZONE ACADEMY BONDS.

''(a) QUALIFIED ZONE ACADEMY BOND.—For purposes of this subchapter—

''(1) IN GENERAL.—The term 'qualified zone academy bond' means any bond issued as part of an issue if—

''(A) 95 percent or more of the proceeds of such issue are to be used for a qualified purpose with respect to a qualified zone academy established by a local educational agency,

''(B) the bond is issued by a State or local government within the jurisdiction of which such academy is located,

''(C) the issuer—

''(i) designates such bond for purposes of this section,

''(ii) certifies that it has written assurances that the private business contribution requirement of paragraph (2) will be met with respect to such academy, and

''(iii) certifies that it has the written approval of the local educational agency for such bond issuance, and

''(D) the term of each bond which is part of such issue does not exceed 15 years.

Rules similar to the rules of section 1400L(g) shall apply for purposes of paragraph (1).

''(2) PRIVATE BUSINESS CONTRIBUTION REQUIREMENT.—

''(A) IN GENERAL.—For purposes of paragraph (1), the private business contribution requirement of this paragraph is met with respect to any issue if the local educational agency that established the qualified zone academy has written commitments from private entities to make qualified contributions having a present value (as of the date of issuance of the issue) of not less than 10 percent of the proceeds of the issue.

''(B) QUALIFIED CONTRIBUTIONS.—For purposes of subparagraph (A), the term 'qualified contribution' means any contribution (of a type and quality acceptable to the local educational agency) of—

''(i) equipment for use in the qualified zone academy (including state-of-the-art technology and vocational equipment),

''(ii) technical assistance in developing curriculum or in training teachers in order to promote appropriate market driven technology in the classroom,

''(iii) services of employees as volunteer mentors,

''(iv) internships, field trips, or other educational opportunities outside the academy for students, or

''(v) any other property or service specified by the local educational agency.

''(3) QUALIFIED ZONE ACADEMY.—The term 'qualified zone academy' means any public school (or academic program within a public school) which is established by and operated under the supervision of a local educational agency to provide education or training below the postsecondary level if—

''(A) such public school or program (as the case may be) is designed in cooperation with business to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and the increasingly complex workforce,

''(B) students in such public school or program (as the case may be) will be subject to the same academic standards and assessments as other students educated by the local educational agency,

''(C) the comprehensive education plan of such public school or program is approved by the local educational agency, and

''(D)(i) such public school is located in an empowerment zone or enterprise community (including any such zone or community designated after the date of the enactment of this section), or

''(ii) there is a reasonable expectation (as of the date of issuance of the bonds) that at least 35 percent of the students attending such school or participating in such program (as the case may be) will be eligible for free or reduced-cost lunches under the school lunch program established under the National School Lunch Act.

''(4) QUALIFIED PURPOSE.—The term 'qualified purpose' means, with respect to any qualified zone academy—

''(A) constructing, rehabilitating, or repairing the public school facility in which the academy is established,

''(B) acquiring the land on which such facility is to be constructed with part of the proceeds of such issue,

''(C) providing equipment for use at such academy,

''(D) developing course materials for education to be provided at such academy, and

''(E) training teachers and other school personnel in such academy.

''(b) LIMITATIONS ON AMOUNT OF BONDS DESIGNATED.—

''(1) IN GENERAL.—There is a national zone academy bond limitation for each calendar year. Such limitation is—

''(A) $400,000,000 for 1998,

''(B) $400,000,000 for 1999,

''(C) $400,000,000 for 2000,

''(D) $400,000,000 for 2001,

''(E) $1,400,000,000 for 2002, and

''(F) except as provided in paragraph (3), zero after 2002.

''(2) ALLOCATION OF LIMITATION.—

''(A) ALLOCATION AMONG STATES.—

''(i) 1998, 1999, 2000, AND 2001 LIMITATIONS.—The national zone academy bond limitations for calendar years 1998, 1999, 2000, and 2001 shall be allocated by the Secretary among the States on the basis of their respective populations of individuals below the poverty line (as defined by the Office of Management and Budget).

''(ii) LIMITATION AFTER 2001.—The national zone academy bond limitation for any calendar year after 2001 shall be allocated by the Secretary among the States in proportion to the respective amounts each such State received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year ending before such calendar year.

''(B) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—The limitation amount allocated to a State under subparagraph (A) shall be allocated by the State to qualified zone academies within such State.

''(C) DESIGNATION SUBJECT TO LIMITATION AMOUNT.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) with respect to any qualified zone academy shall not exceed the limitation amount allocated to such academy under subparagraph (B) for such calendar year.

''(3) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year—

''(A) the limitation amount under this subsection for any State, exceeds

''(B) the amount of bonds issued during such year which are designated under subsection (a) (or the corresponding provisions of prior law) with respect to qualified zone academies within such State,

the limitation amount under this subsection for such State for the following calendar year shall be increased by the amount of such excess.''

(b) REPORTING.—Subsection (d) of section 6049 (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

''(8) REPORTING OF CREDIT ON QUALIFIED PUBLIC SCHOOL MODERNIZATION BONDS.—

''(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 1400K(f) and such amounts shall be treated as paid on the credit allowance date (as defined in section 1400K(d)(2)).

''(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A) of this paragraph, subsection (b)(4) of this section shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i).

''(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.''

(c) CONFORMING AMENDMENTS.—

(1) Subchapter U of chapter 1 is amended by striking part IV, by redesignating part V as part IV, and by redesignating section 1397F as section 1397E.

(2) The table of subchapters for chapter 1 is amended by adding at the end the following new item:

''Subchapter Y. Public school modernization provisions.''

(3) The table of parts of subchapter U of chapter 1 is amended by striking the last 2 items and inserting the following item:

''Part IV. Regulations.''

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to obligations issued after December 31, 2001.

(2) REPEAL OF RESTRICTION ON ZONE ACADEMY BOND HOLDERS.—In the case of bonds to which section 1397E of the Internal Revenue Code of 1986 (as in effect before the date of the enactment of this Act) applies, the limitation of such section to eligible taxpayers (as defined in subsection (d)(6) of such section) shall not apply after the date of the enactment of this Act.

TITLE II—WORKER RELIEF

Subtitle A—Temporary Unemployment Compensation

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Temporary Unemployment Compensation Act of 2001''.

SEC. 202. FEDERAL-STATE AGREEMENTS.

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an

agreement under this subtitle with the Secretary of Labor (hereinafter in this subtitle referred to as the ''Secretary''). Any State which is a party to an agreement under this subtitle may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—

(1) IN GENERAL.—Any agreement under subsection (a) shall provide that the State agency of the State will make—

(A) payments of regular compensation to individuals in amounts and to the extent that they would be determined if the State law were applied with the modifications described in paragraph (2), and

(B) payments of temporary supplemental unemployment compensation to individuals who—

(i) have exhausted all rights to regular compensation under the State law,

(ii) do not, with respect to a week, have any rights to compensation (excluding extended compensation) under the State law of any other State (whether one that has entered into an agreement under this subtitle or otherwise) nor compensation under any other Federal law (other than under the Federal-State Extended Unemployment Compensation Act of 1970), and are not paid or entitled to be paid any additional compensation under any State or Federal law, and

(iii) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(2) MODIFICATIONS DESCRIBED.—The modifications described in this paragraph are as follows:

(A) An individual shall be eligible for regular compensation if the individual would be so eligible, determined by applying—

(i) the base period that would otherwise apply under the State law if this subtitle had not been enacted, or

(ii) a base period ending at the close of the calendar quarter most recently completed before the date of the individual's application for benefits,

whichever results in the greater amount.

(B) An individual shall not be denied regular compensation under the State law's provisions relating to availability for work, active search for work, or refusal to accept work, solely by virtue of the fact that such individual is seeking, or available for, only part-time (and not full-time) work.

(C)(i) Subject to clause (ii), the amount of regular compensation (including dependents' allowances) payable for any week shall be equal to the amount determined under the State law (before the application of this subparagraph), plus an additional—

(I) 25 percent, or

(II) $65,

whichever is greater.

(ii) In no event may the total amount determined under clause (i) with respect to any individual exceed the average weekly insured wages of that individual in that calendar quarter of the base period in which such individual's insured wages were the highest (or one such quarter if his wages were the same for more than one such quarter).

(c) NONREDUCTION RULE.—Under the agreement, subsection (b)(2)(C) shall not apply (or shall cease to apply) with respect to a State upon a determination by the Secretary that the method governing the computation of regular compensation under the State law of that State has been modified in a way such that—

(1) the average weekly amount of regular compensation which will be payable during the period of the agreement (determined disregarding the modifications described in subsection (b)(2)) will be less than

(2) the average weekly amount of regular compensation which would otherwise have been payable during such period under the State law, as in effect on September 11, 2001.

(d) COORDINATION RULES.—

(1) REGULAR COMPENSATION PAYABLE UNDER A FEDERAL LAW.—The modifications described in subsection (b)(2) shall also apply in determining the amount of benefits payable under any Federal law to the extent that those benefits are determined by reference to regular compensation payable under the State law of the State involved.

(2) TSUC TO SERVE AS SECOND-TIER BENEFITS.—Notwithstanding any other provision of law, extended benefits shall not be payable to any individual for any week for which temporary supplemental unemployment compensation is payable to such individual.

(e) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1)(B)(i), an individual shall be considered to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period, or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(f) WEEKLY BENEFIT AMOUNT, TERMS AND CONDITIONS, ETC. RELATING TO TSUC.—For purposes of any agreement under this subtitle—

(1) the amount of temporary supplemental unemployment compensation which shall be payable to an individual for any week of total unemployment shall be equal to the amount of regular compensation (including dependents' allowances) payable to such individual under the State law for a week for total unemployment during such individual's benefit year,

(2) the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for temporary supplemental unemployment compensation and the payment thereof, except where inconsistent with the provisions of this subtitle or with the regulations or operating instructions of the Secretary promulgated to carry out this subtitle, and

(3) the maximum amount of temporary supplemental unemployment compensation payable to any individual for whom a temporary supplemental unemployment compensation account is established under section 203 shall not exceed the amount established in such account for such individual.

SEC. 203. TEMPORARY SUPPLEMENTAL UNEMPLOYMENT COMPENSATION ACCOUNT.

(a) IN GENERAL.—Any agreement under this subtitle shall provide that the State will establish, for each eligible individual who files an application for temporary supplemental unemployment compensation, a temporary supplemental unemployment compensation account.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the product obtained by multiplying an individual's weekly benefit amount by the applicable factor under paragraph (3).

(2) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment in such individual's benefit year.

(3) APPLICABLE FACTOR.—

(A) GENERAL RULE.—The applicable factor under this paragraph is 13, unless the individual's benefit year begins or ends during a period of high unemployment within such individual's State, in which case the applicable factor is 26.

(B) PERIOD OF HIGH UNEMPLOYMENT.—For purposes of this paragraph, a period of high unemployment within a State shall begin and end, if at all, in a way (to be set forth in the State's agreement under this subtitle) similar to the way in which an extended benefit period would under section 203 of the Federal-State Extended Unemployment Compensation Act of 1970, subject to the following:

(i) To determine if there is a State ''on'' or ''off'' indicator, apply section 203(f) of such Act, but—

(I) substitute ''5 percent'' for ''6.5 percent'' in paragraph (1)(A)(i) thereof, and

(II) disregard paragraph (1)(A)(ii) thereof and the last sentence of paragraph (1) thereof.

(ii) To determine the beginning and ending dates of a period of high unemployment within a State, apply section 203(a) and (b) of such Act, except that—

(I) in applying such section 203(a), deem paragraphs (1) and (2) thereof to be amended by striking ''the third week after'', and

(II) in applying such section 203(b), deem paragraph (1)(A) thereof amended by striking ''thirteen'' and inserting ''twenty-six'' and paragraph (1)(B) thereof amended by striking ''fourteenth'' and inserting ''twenty-seventh''.

(4) RULE OF CONSTRUCTION.—For purposes of any computation under paragraph (1) (and any determination of amount under section 202(f)(1)), the modification described in section 202(b)(2)(C) (relating to increased benefits) shall be deemed to have been in effect with respect to the entirety of the benefit year involved.

(c) ELIGIBILITY PERIOD.—An individual whose applicable factor under subsection (b)(3) is 26 shall be eligible for temporary supplemental unemployment compensation for each week of total unemployment in his benefit year which begins in the State's period of high unemployment and, if his benefit year ends within such period, any such weeks thereafter which begin in such period of high unemployment, not to exceed a total of 26 weeks.

SEC. 204. PAYMENTS TO STATES HAVING AGREEMENTS UNDER THIS SUBTITLE.

(a) GENERAL RULE.—There shall be paid to each State which has entered into an agreement under this subtitle an amount equal to—

(1) 100 percent of any regular compensation made payable to individuals by such State by virtue of the modifications which are described in section 202(b)(2) and deemed to be in effect with respect to such State pursuant to section 202(b)(1)(A),

(2) 100 percent of any regular compensation—

(A) which is paid to individuals by such State by reason of the fact that its State law contains provisions comparable to the modifications described in section 202(b)(2)(A)–(B), but only

(B) to the extent that those amounts would, if such amounts were instead payable by virtue of the State law's being deemed to be so modified pursuant to section 202(b)(1)(A), have been reimbursable under paragraph (1), and

(3) 100 percent of the temporary supplemental unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) DETERMINATION OF AMOUNT.—Sums under subsection (a) payable to any State by reason of such State having an agreement under this subtitle shall be payable, either in advance or by way of reimbursement (as may

be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this subtitle for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(c) ADMINISTRATIVE EXPENSES, ETC.—There is hereby appropriated out of the employment security administration account of the Unemployment Trust Fund (as established by section 901(a) of the Social Security Act) $500,000,000 to reimburse States for the costs of the administration of agreements under this subtitle (including any improvements in technology in connection therewith) and to provide reemployment services to unemployment compensation claimants in States having agreements under this subtitle. Each State's share of the amount appropriated by the preceding sentence shall be determined by the Secretary according to the factors described in section 302(a) of the Social Security Act and certified by the Secretary to the Secretary of the Treasury.

SEC. 205. FINANCING PROVISIONS.

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act), and the Federal unemployment account (as established by section 904(g) of the Social Security Act), of the Unemployment Trust Fund shall be used, in accordance with subsection (b), for the making of payments (described in section 204(a)) to States having agreements entered into under this subtitle.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums described in section 204(a) which are payable to such State under this subtitle. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification by transfers from the extended unemployment compensation account (or, to the extent that there are insufficient funds in that account, from the Federal unemployment account) to the account of such State in the Unemployment Trust Fund.

SEC. 206. FRAUD AND OVERPAYMENTS.

(a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received any regular compensation or temporary supplemental unemployment compensation under this subtitle to which he was not entitled, such individual—

(1) shall be ineligible for any further benefits under this subtitle in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation, and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received any regular compensation or temporary supplemental unemployment compensation under this subtitle to which they were not entitled, the State shall require such individuals to repay those benefits to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such benefits was without fault on the part of any such individual, and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any regular compensation or temporary supplemental unemployment compensation payable to such individual under this subtitle or from any unemployment compensation payable to such individual under any Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the regular compensation or temporary supplemental unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

SEC. 207. DEFINITIONS.

For purposes of this subtitle:

(1) IN GENERAL.—The terms ''compensation'', ''regular compensation'', ''extended compensation'', ''additional compensation'', ''benefit year'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970, subject to paragraph (2).

(2) STATE LAW AND REGULAR COMPENSATION.—In the case of a State entering into an agreement under this subtitle—

(A) ''State law'' shall be considered to refer to the State law of such State, applied in conformance with the modifications described in section 202(b)(2), subject to section 202(c), and

(B) ''regular compensation'' shall be considered to refer to such compensation, determined under its State law (applied in the manner described in subparagraph (A)),

except as otherwise provided or where the context clearly indicates otherwise.

SEC. 208. APPLICABILITY.

(a) IN GENERAL.—An agreement entered into under this subtitle shall apply to weeks of unemployment—

(1) beginning after the date on which such agreement is entered into, and

(2) ending before January 1, 2003.

(b) SPECIFIC RULES.—Under such an agreement—

(1) the modification described in section 202(b)(2)(A) (relating to alternative base periods) shall not apply except in the case of initial claims filed after September 11, 2001,

(2) the modifications described in section 202(b)(2)(B)–(C) (relating to part-time employment and increased benefits, respectively) shall apply to weeks of unemployment (described in subsection (a)), irrespective of the date on which an individual's claim for benefits is filed, and

(3) the payments described in section 202(b)(1)(B) (relating to temporary supplemental unemployment compensation) shall not apply except in the case of individuals exhausting their rights to regular compensation (as described in clause (i) thereof) after September 11, 2001.

Subtitle B—PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE

SEC. 211. PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Labor, shall establish a program under which premium assistance for COBRA continuation coverage shall be provided for qualified individuals under this section.

(2) QUALIFIED INDIVIDUALS.—For purposes of this section, a qualified individual is an individual who—

(A) establishes that the individual—

(i) on or after July 1, 2001, and before the end of the 1-year period beginning on the date of the enactment of this Act, became entitled to elect COBRA continuation coverage; and

(ii) has elected such coverage; and

(B) enrolls in the premium assistance program under this section by not later than the end of such 1-year period.

(b) LIMITATION OF PERIOD OF PREMIUM ASSISTANCE.—Premium assistance provided under this subsection shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer covered under COBRA continuation coverage; or

(2) 12 months after the date the individual is first enrolled in the premium assistance program established under this section.

(c) PAYMENT, AND CREDITING OF ASSISTANCE.—

(1) AMOUNT OF ASSISTANCE.—Premium assistance provided under this section shall be equal to 75 percent of the amount of the premium required for the COBRA continuation coverage.

(2) PROVISION OF ASSISTANCE.—Premium assistance provided under this section shall be provided through the establishment of direct payment arrangements with the administrator of the group health plan (or other entity) that provides or administers the COBRA continuation coverage. It shall be a fiduciary duty of such administrator (or other entity) to enter into such arrangements under this section.

(3) PREMIUMS PAYABLE BY QUALIFIED INDIVIDUAL REDUCED BY AMOUNT OF ASSISTANCE.—Premium assistance provided under this section shall be credited by such administrator (or other entity) against the premium otherwise owed by the individual involved for such coverage.

(d) CHANGE IN COBRA NOTICE.—

(1) GENERAL NOTICE.—

(A) IN GENERAL.—In the case of notices provided under section 4980B(f)(6) of the Internal Revenue Code of 1986 with respect to individuals who, on or after July 1, 2001, and before the end of the 1-year period beginning on the date of the enactment of this Act, become entitled to elect COBRA continuation coverage, such notices shall include an additional notification to the recipient of the availability of premium assistance for such coverage under this section.

(B) ALTERNATIVE NOTICE.—In the case of COBRA continuation coverage to which the notice provision under section 4980B(f)(6) of the Internal Revenue Code of 1986 does not apply, the Secretary of the Treasury shall, in coordination with administrators of the group health plans (or other entities) that

provide or administer the COBRA continuation coverage involved, assure provision of such notice.

(C) FORM.—The requirement of the additional notification under this paragraph may be met by amendment of existing notice forms or by inclusion of a separate document with the notice otherwise required.

(2) SPECIFIC REQUIREMENTS.—Each additional notification under paragraph (1) shall include—

(A) the forms necessary for establishing eligibility under subsection (a)(2)(A) and enrollment under subsection (a)(2)(B) in connection with the coverage with respect to each covered employee or other qualified beneficiary;

(B) the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with the premium assistance; and

(C) the following statement displayed in a prominent manner:

''You may be eligible to receive assistance with payment of 75 percent of your COBRA continuation coverage premiums for a duration of not to exceed 12 months.''.

(3) NOTICE RELATING TO RETROACTIVE COVERAGE.—In the case of such notices previously transmitted before the date of the enactment of this Act in the case of an individual described in paragraph (1) who has elected (or is still eligible to elect) COBRA continuation coverage as of the date of the enactment of this Act, the administrator of the group health plan (or other entity) involved or the Secretary of the Treasury (in the case described in the paragraph (1)(B)) shall provide (within 60 days after the date of the enactment of this Act) for the additional notification required to be provided under paragraph (1).

(4) MODEL NOTICES.—The Secretary shall prescribe models for the additional notification required under this subsection.

(f) OBLIGATION OF FUNDS.—This section constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment of premium assistance under this section.

(g) PROMPT ISSUANCE OF GUIDANCE.—The Secretary of the Treasury, in consultation with the Secretary of Labor, shall issue guidance under this section not later than 30 days after the date of the enactment of this Act.

(h) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''administrator'' has the meaning given such term in section 3(16) of the Employee Retirement Income Security Act of 1974.

(2) COBRA CONTINUATION COVERAGE.—The term ''COBRA continuation coverage'' means continuation coverage provided pursuant to title XXII of the Public Health Service Act, section 4980B of the Internal Revenue Code of 1986 (other than subsection (f)(1) of such section insofar as it relates to pediatric vaccines), part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (other than under section 609), section 8905a of title 5, United States Code, or under a State program that provides continuation coverage comparable to such continuation coverage.

(3) GROUP HEALTH PLAN.—The term ''group health plan'' has the meaning given such term in section 9832(a) of the Internal Revenue Code of 1986.

(4) STATE.—The term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subtitle C—Additional Assistance for Temporary Health Insurance Coverage

SEC. 221. OPTIONAL TEMPORARY MEDICAID COVERAGE FOR CERTAIN UNINSURED EMPLOYEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, with respect to any month before the ending month, a State may elect to provide, under its medicaid program under title XIX of the Social Security Act, medical assistance in the case of an individual—

(1)(A) who has become totally or partially separated from employment on or after July 1, 2001, and before the end of such ending month; or

(B) whose hours of employment have been reduced on or after July 1, 2001, and before the end of such ending month;

(2) who is not eligible for COBRA continuation coverage; and

(3) who is uninsured.

(b) LIMITATION OF PERIOD OF COVERAGE.—Assistance under this section shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer uninsured; or

(2) 12 months after the date the individual is first determined to be eligible for medical assistance under this section.

(c) SPECIAL RULES.—In the case of medical assistance provided under this section—

(1) the Federal medical assistance percentage under section 1905(b) of the Social Security Act shall be the enhanced FMAP (as defined in section 2105(b) of such Act);

(2) a State may elect to apply alternative income, asset, and resource limitations and the provisions of section 1916(g) of such Act, except that in no case shall a State cover individuals with higher family income without covering individuals with a lower family income;

(3) such medical assistance shall not be provided for periods before the date the individual becomes uninsured;

(4) a State may elect to make eligible for such assistance a spouse or children of an individual eligible for medical assistance under paragraph (1), if such spouse or children are uninsured;

(5) individuals eligible for medical assistance under this section shall be deemed to be described in the list of individuals described in the matter preceding paragraph (1) of section 1905(a) of such Act; and

(6) the Secretary of Health and Human Services shall not count, for purposes of section 1108(f) of the Social Security Act, such amount of payments under this section as bears a reasonable relationship to the average national proportion of payments made under this section for the 50 States and the District of Columbia to the payments otherwise made under title XIX for such States and District.

(d) DEFINITIONS.—For purposes of this subtitle:

(1) UNINSURED.—The term ''uninsured'' means, with respect to an individual, that the individual is not covered under—

(A) a group health plan (as defined in section 2791(a) of the Public Health Service Act),

(B) health insurance coverage (as defined in section 2791(b)(1) of the Public Health Service Act), or

(C) a program under title XVIII, XIX, or XXI of the Social Security Act, other than under such title XIX pursuant to this section.

For purposes of this paragraph, such coverage under subparagraph (A) or (B) shall not include coverage consisting solely of coverage of excepted benefits (as defined in section 2791(c) of the Public Health Service Act).

(2) COBRA CONTINUATION COVERAGE.—The term ''COBRA continuation coverage'' means coverage under a group health plan provided by an employer pursuant to title XXII of the Public Health Service Act, section 4980B of the Internal Revenue Code of 1986, part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974, or section 8905a of title 5, United States Code.

(3) STATE.—The term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act.

(4) ENDING MONTH.—The term ''ending month'' means the last month that begins before the date that is 1 year after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—This section shall take effect upon its enactment, whether or not regulations implementing this section are issued.

(f) LIMITATION ON ELECTION.—A State may not elect to provide coverage under this section unless the State elects to provide coverage under section 222.

SEC. 222. OPTIONAL TEMPORARY COVERAGE FOR UNSUBSIDIZED PORTION OF COBRA CONTINUATION PREMIUMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, with respect to COBRA continuation coverage provided for any month through the ending month, a State may elect to provide payment of the unsubsidized portion of the premium for COBRA continuation coverage in the case of any individual—

(1)(A) who has become totally or partially separated from employment on or after July 1, 2001, and before the end of the ending month; or

(B) whose hours of employment have been reduced on or after July 1, 2001, and before the end of such ending month; and

(2) who is eligible for, and has elected coverage under, COBRA continuation coverage.

(b) LIMITATION OF PERIOD OF COVERAGE.—Premium assistance under this section shall end with respect to an individual on the earlier of—

(1) the date the individual is no longer covered under COBRA continuation coverage; or

(2) 12 months after the date the individual is first determined to be eligible for premium assistance under this section.

(c) FINANCIAL PAYMENT TO STATES.—A State providing premium assistance under this section shall be entitled to payment under section 1903(a) of the Social Security Act with respect to such assistance (and administrative expenses relating to such assistance) in the same manner as such State is entitled to payment with respect to medical assistance (and such administrative expenses) under such section, except that, for purposes of this subsection, any reference to the Federal medical assistance percentage shall be deemed a reference to the enhanced FMAP (as defined in section 2105(b) of such Act). The provisions of subsection (c)(6) of section 221 shall apply with respect to this section in the same manner as it applies under such section.

(d) UNSUBSIDIZED PORTION OF PREMIUM FOR COBRA CONTINUATION COVERAGE.—For purposes of this section, the term 'unsubsidized portion of premium for COBRA continuation coverage' means that portion of the premium for COBRA continuation coverage for which there is no financial assistance available under 211.

(e) EFFECTIVE DATE.—This section shall take effect upon its enactment, whether or not regulations implementing this section are issued.

(f) LIMITATION ON ELECTION.—A State may not elect to provide coverage under this section unless the State elects to provide coverage under section 221.

TITLE III—FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND

SEC. 301. FREEZE OF TOP INDIVIDUAL INCOME TAX RATE AND DOMESTIC SECURITY TRUST FUND.

(a) FREEZE OF TOP INDIVIDUAL INCOME TAX RATE.—Paragraph (2) of section 1(i) (relating to reductions in rates after June 30, 2001) is amended—

(A) by striking ''37.6'' and inserting ''38.6'', and

(B) by striking ''35.0'' and inserting ''38.6''.

(b) DOMESTIC SECURITY TRUST FUND.—Subchapter A of chapter 98 (relating to trust fund code) is amended by adding at the end the following new section:

''SEC. 9511. DOMESTIC SECURITY TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Domestic Security Trust Fund', consisting of such amounts as may be transferred or credited to the Trust Fund as provided in this section and section 9602(b).

''(b) TRANSFERS TO FUND.—There are hereby transferred from the General Fund of the Treasury to the Domestic Security Trust Fund so much of the additional amounts received in the Treasury by reason of the amendment made by section 301(a) of the Fiscal Stimulus and Worker Relief Act of 2001 (relating to freeze in top individual income tax rate) as does not exceed the sum of—

''(1) $32,000,000,000, plus

''(2) the amount determined by the Secretary to be necessary to pay the interest on any repayable advance made to the Trust Fund.

''(c) EXPENDITURES.—Amounts in the Domestic Security Trust Fund shall be available, as provided by appropriation Acts, for purposes of making the following expenditures to the extent such expenditures are hereafter authorized by law:

''(1) $7,000,000,000 for domestic economic development programs.

''(2) $25,000,000,000 for programs to significantly enhance safety and security of transportation systems, facilities, and environmental protection, including the emergency management systems and emergency response training.

''(d) REPAYABLE ADVANCES.—

''(1) IN GENERAL.—If amounts in the Trust Fund are not sufficient for the purposes of subsection (c), the Secretary shall transfer from the General Fund of the Treasury to the Trust Fund such additional amounts as may be necessary for such purposes. Such amounts shall be transferred as repayable advances.

''(2) REPAYMENT OF ADVANCES.—

''(A) IN GENERAL.—Advances made to the Trust Fund shall be repaid, and interest on such advances shall be paid, to the General Fund of the Treasury when the Secretary determines that moneys are available for such purposes in the Trust Fund.

''(B) RATE OF INTEREST.—Interest on advances made to the Trust Fund shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 is amended by adding at the end the following new item:

''Sec. 9511. Domestic security trust fund.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

The SPEAKER pro tempore. Pursuant to House Resolution 270, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, as I was saying at the close of the other debate, instead of supporting the shameless Republican package, we should support the Democratic stimulus package put forth here today. It honors the principles of bipartisanship in that it is short term, provides a quick boost to the economy, and does not, does not sacrifice our long-term fiscal stability.

It is paid for, Mr. Speaker. It is paid for.

What it does is there are many good ideas that are being brought to the table, including a one-time rebate for people who were left out of the last rebate because they only pay payroll taxes. It gives new resources to help unemployed workers get access to health insurance and unemployment benefits, and funds to help small business and increase infrastructure investments to create jobs.

We must pass a bill that includes a proper balance between spending and tax cuts and must target tax cuts that are included to low-income families with the greatest need.

I urge my colleagues to support the Democratic stimulus package which is, as I say, a stimulus in every respect, and to reject the Republican shameless package on the floor today.

The SPEAKER pro tempore. Does the gentleman from California (Mr. THOMAS) seek to control the time in opposition to the amendment?

Mr. THOMAS. I do, Mr. Speaker.

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

I guess if I were adopting the tactics of our colleagues, I could begin by saying we just saw this bill last night. It was not offered in committee. I cannot believe that they would create a bill without allowing us to work with them in a bipartisan way. I cannot believe they would generate a purely partisan document. But indeed, all of those are the facts.

I guess I could spend a lot of time talking about the Democratic stimulus, but sometimes it is better to let others speak for us.

The newly-elected spokesperson for the Democratic minority called this the Democratic stimulus package. Perhaps we should find out what neutral third parties believe it is. In today's Washington Post in an editorial it says, ''The Democrats have an implausible alternative. It was written mainly for show.'' And then, the well-respected economic columnist Robert J. Samuelson I believe hit the nail on the head when he said, instead of stimulus, we have a vehicle for pet agendas. ''Democrats propose a hodgepodge of tax rebates for low-income families, expanded government health insurance, and spending, from schools to construction. This is income redistribution posing as stimulus.'' More accurate words were never spoken.

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

Mr. RANGEL. Mr. Speaker, it just shows, I would say to the gentleman, that we have more confidence in people spending than we do in corporations that are not doing well in creating new jobs.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. STARK), a senior member of the committee.

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. Mr. Speaker, I thank the gentleman for yielding me this time.

I would point out to the gentleman on the other side, those with the least experience with corporations, those who have had their elbows furthest in the trough all of their lives, seem to know most about what corporations can do. I am always curious to see how this wisdom from these people who have never held a job outside the public sector is going to create jobs.

But in this stimulus bill, one of the shameless things that the Republicans do, in contravention to the statement of the gentleman from California (Mr. THOMAS) on September 21st, is fail to provide meaningful help with health insurance. He said, and I am quoting, ''That every American who was laid off should have the ability to get assistance on their health insurance if they are laid off. The way we do that is to go back to the bipartisan legislation which provided a window of opportunity, and it is true that under current law they have to pay the full cost, and that is what we are going to do, is mitigate that cost.''

□ 1430

The fact is that the gentleman from California (Mr. THOMAS) did not perform as he said. They do not mitigate the cost for COBRA in this bill. If a lick and a promise is mitigation, that is fine. But under the substitute of the gentleman from New York (Mr. RANGEL), we would provide 75 percent of the COBRA premium, equal to roughly $450 a month in 2002, as opposed to approximately a $90 contribution under the Republican bill.

The Republican bill does nothing to help those people who would qualify for Medicaid in the States because it specifically prohibits their money from being used for anybody who qualifies for a Federal benefit. Our bill would provide that people who are not fortunate enough to be eligible for COBRA and the new subsidy under our substitute, could get Medicaid assistance from the States.

Yes, our package of health care subsidies to these 7.8 million unemployed is $25 billion. That is a lot of money. But I just ask the Members, and this is the choice when we vote, would Members rather give the $25 billion to the unemployed to help them for a year to get decent health care in this country? I particularly ask those who all get free health care from the Federal Government every time they stub their toe, would they rather help the unemployed while they sit with their fat, free health benefits, or would Members rather give the $25 billion to their friends in the big corporations who we may hear from in pillow talk or from campaign contributions?

Do Members want to go home and say, That is what I have done. I am a Republican, and I am proud I gave $25 billion back to some of the richest corporations with no strings attached, and a piddling little $3 billion to the people who have been laid off to protect their health care benefits? That is shameless.

Mr. Speaker, I urge my colleagues to oppose the Republican so-called ''economic stimulus package'' presented to us today. Their plan will do little to stimulate the economy and even less to aid displaced workers who have lost both their incomes and their health insurance. Their bill lavishes billions of dollars on special interests, while short-changing recently laid-off American workers and others hurt by the terrorist attacks on September 11.

Their bill offers 14 large U.S. corporations more than $6.3 billion in tax breaks in one provision alone. That is more than double the $3 billion they provide in block grants to the States as their so-called solution to helping displaced workers obtain health insurance. In contrast, the Democratic Alternative would provide approximately $25 billion in health insurance assistance.

If that comparison isn't stunning enough, look at this way. The part of our proposal that helps with COBRA coverage would finance 75 percent of a family premium per month, about $450 out of $600 premium, while the Republican proposal—if States even choose to use it—could only pay $90 of that same premium. It's the equivalent of throwing a 10-foot rope down a 30-foot hole.

Adding insult to injury, if this bill becomes law, it could bankrupt many people before they retire by encouraging people to use their IRA savings to pay for the health care they've lost due to the economic downturn. Yes, you heard me correctly. At the very time that Republicans are trying to privatize Social Security and undermine the stability of that program, they are urging people to spend their private savings on health care before reaching retirement age. It makes no sense.

The Republican plan is nothing more than another tax bill for their wealthy contributors—be it corporations or individuals. It may be cloaked in the sheepskin of ''economic recovery,'' but this package is the same old Republican special interest tax breaks they've been pushing forever.

In contrast, the Rangel substitute is a sensible, targeted package that includes urgently needed, temporary health insurance assistance for millions of dislocated workers and their families during this difficult time.

We are all painfully aware of the families who have lost loved ones in the horrific terrorist attacks on September 11, and of the workers who have lost their jobs during the economic downturn that began even before September 11.

Among the many difficulties these families and individuals face is the very real danger that they will also lose their health insurance and join the ranks of the nearly 40 million uninsured Americans.

More than 15 years ago, we created ''COBRA'' continuation coverage, which enables displaced workers and their family members, as well as family members of workers who have died, to retain their employer-sponsored health insurance for a limited time after separating from the workplace. But people have to pay 102 percent of the premium for this continuation coverage. In 2002, that's projected to average $600 per month, or $7,200 per year, for family coverage.

Workers and family members who are already suffering from a loss of income thus face a Hobson's choice between making ends meet and protecting the health of their families.

As a result, just 7 percent of unemployed adults participate in COBRA under current law. Not surprisingly, participation among high-income households is more than double that of low-income—11 percent versus 5 percent, respectively.

In addition, COBRA isn't even an option for many displaced workers. A recent study estimates that only 57 percent of all workers are even eligible for COBRA. That is because COBRA doesn't generally apply to firms with 20 or fewer employees and many employers don't provide health insurance, or workers are not eligible for or can't afford to participate in the plan, or they get their insurance elsewhere.

The Democratic substitute answers the health insurance needs of dislocated workers and their families by first building on the existing COBRA continuation law. Our bill would pay for 75 percent of the cost of COBRA coverage for those eligible for COBRA, and it would create an optional Medicaid expansion to offer temporary coverage for those who are not eligible for COBRA. These new temporary programs would be in place for only 1 year—long enough to provide a cushion of support to working families as we lift ourselves out of this economic downturn.

This is an ''economic stimulus'' of the most basic, compassionate kind. It provides the kind of health and financial security that people need right now. It ensures that some families can continue with their same health care providers, which is vitally important for someone undergoing a course of treatment. And it builds on existing programs that work.

The Rangel substitute recognizes that people will more quickly get back on their feet and back into the workforce when their health needs are met. Importantly, this legislation would provide peace of mind to millions of Americans by saying that you don't need to worry about losing your house or your car due to high health care costs—when you have already lost your job.

Mr. Speaker, what Ways and Means Chairman BILL THOMAS said on September 21 holds true today. Unfortunately, he seems to have forgotten his recent advocacy for our approach.

Now is the time to take Mr. THOMAS at his earlier word and to vote for the Rangel substitute to assist unemployed Americans with their health insurance needs. I hope you will join me in supporting this amendment, and supporting families across the Nation in their time of need.

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

Mr. Speaker, it is interesting that the gentleman let slip the fact that he was talking about working a program which would provide for the unemployed for a year. Our hope is that they are back and working way before then. That is why we are putting the stimulus where we are.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a very valuable member of the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I have listened with growing disappointment to the bipartisan inflection coming from the other side, because I represent Erie County, Pennsylvania. That is my home community, and we have experienced a 6 percent drop in manufacturing employment in the last few months. Just last week, roughly 800 jobs were permanently eliminated.

Mr. Speaker, we need to move today not only to retain jobs, but to also encourage new job growth. The alternative being offered by the other side does not really do a lot to help grow the economy. The underlying bill does. That is why I rise in strong support of it.

By increasing the opportunities for businesses, particularly manufacturers, to expense their capital purchases for most appreciable property, our bill does just that.

Huge additional amounts of business capital investment are going to be necessary to restart the economy. We know that productivity is spurred by investment in innovative capital equipment. The sooner manufacturers can recapture the cost of their equipment, the sooner they will be passing higher wages on to employees, lower costs on to consumers, and create good-paying jobs.

I strongly support H.R. 3090 because it encourages an investment in jobs through cost-recovery reform. Businesses want to invest in the most productive capital equipment, but the current Tax Code impairs their ability to do it. The current tax depreciation rules needlessly and haphazardly increase the cost of all productive machinery and equipment, including new advanced technologies. The result is to impair productivity and wage growth.

Mr. Speaker, this bill also repeals the corporate AMT, the kick-them-when-they-are-down tax, the tax that is a dead drag on the productivity of the American economy that has been killing America's manufacturing sector.

Critics have somehow suggested that this is a giveaway to large companies.

Mr. Speaker, that is absolutely ridiculous. While it makes good political rhetoric, it could not be further from the truth. The reality, once we get beyond bumper sticker tax policy, is that the corporate AMT is a job killer that has never worked.

An economic slowdown, such as the one we are experiencing, increases the number of companies who are adversely affected by the corporate AMT. With a downturn in the economy, the AMT puts employers at a major disadvantage and threatens thousands of jobs. Since I came to Congress, I have been advocating repealing the corporate AMT because it is a dead drag on the growth of the economy, and its elimination is going to lift the entire economy.

Mr. Speaker, I urge that we move forward on a bipartisan basis and adopt this stimulus bill so we can give a stimulus to the manufacturing economy and get us back on a growth path.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I guess we are not going to wait for this pleasant moment here when the President and the Senate hang this party in the House, the majority party, out to dry on these issues, because very few of the suggestions they have had today are ever going to be enacted into law.

Somebody was talking about show business. The Secretary of the Treasury talked about show business. He said the Republican proposal was show business. Unless he has turned in his party registration, I think he is one of them.

Now, the Republican alternative today is composed of some well-worn tax items that have been around for a long time. Some of them perhaps have some merit; but by and large, if we really want to talk about items that might have merit today, in reference to the gentleman from Pennsylvania, we should be here doing something about the individual alternative minimum tax for real people caught in the middle of perhaps a decision that has outlived its usefulness.

But these are two very different proposals today. Ours deals with the immediacy of the problem in front of us in the aftermath of September 11. One side clings to that old, tired economic philosophy of trickle-down economics. Economic solutions are to be found in taking care of large, wealthy powerful institutions in society. If they are well, then benefits can trickle down to the rest of us.

The other side, the Democratic side, we want to provide significantly more aid directly to those out of work, those who lack health insurance as a result of the downturn, along with some help for corporations to get through these difficult times.

It is a question of philosophy. It is a question of values. Do Members value giving a $20 billion tax break to major financial institutions, or do we give them a 1-year extension in the supposedly temporary stimulus bill, and invest the balance in expanding unemployment compensation for families that are really hurting?

Mr. Speaker, it is about philosophy, and it is about values. Do we cash out $20 billion in corporate AMT tax credits for GE, GM, and IBM to distribute to their shareholders, or do we invest this money in providing temporary health insurance for unemployed airline workers, travel agents, bus drivers, and others who no longer have employer-provided health insurance for themselves or their families? It is a question of philosophy and values.

I find it very disheartening that the bill before us states that powerful corporations do not have to live with the decisions that they made under the current tax system. It turns a cold shoulder to America's AMT families who are losing their homes and their pension savings. They are suffering because they listened when Congress told them that if they did not diversify their stock holdings this year, Congress would reward them with a lower capital gains rate.

This may be the only entrepreneurial group in history that some on the other side do not seek to lavish assistance on. I began with the notion, Mr. Speaker, that there were some good items in the legislation proposed today. I would reiterate this assertion as I close.

But this is not the time and not the place for approval. There are many others that have a claim on these needs at this time, and I hope we will stand in support of the Democratic alternative.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, I am concerned about an impression that is being created by our opponents in this debate over our Economic Security and Recovery Act. They talk as if the money they are going to use to offset the COBRA payments is the best way to help people who are out of work and need to be covered by health insurance.

In fact, we have had many deep and thoughtful discussions about how we wanted to approach this issue, because certainly we appreciate that people have lost their jobs as a result of the September 11 tragedies, and we want to make sure that they understand that they can count on some Federal help to get them through what we hope will be a very short period of unemployment.

In actuality, the block grants that we grant to the States are the grants that are best able to cover everybody's, every displaced worker's, health insurance. For example, the COBRA system is not available to displaced workers who have worked for a company with fewer than 20 employees, so the money one puts aside will not even touch those folks. It eliminates a large number of people who work for small businesses.

Also, it is the truth that unemployed workers may wish to have coverage by other types of health care that is available in their States, like the SCHIP program or Medicaid, or they can get subsidized coverage in private health plans, including medical savings accounts or individually purchased policies, plus COBRA.

So our proposal to award $3 billion immediately to the Governors of each of the 50 States to use in the way that they believe is the best for their particular needs in their State actually is a far better way to use these Federal dollars than limiting the subsidies to people who wish to continue or only continue in COBRA plans.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the Committee.

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would like to put into context the evaluations of the House majority Committee on Ways and Means proposal. We are not just dealing within the evaluation of this Chamber, but the broader evaluation.

So when some of my friends on the other side of the aisle decry the criticisms we are raising today as mere partisan attacks, let us consider others that have voiced opinion about this work product:

The Secretary of the Treasury of the Bush administration has called this bill ''show business.''

The Senate Republican Caucus believes it is a budget-buster, hits the budget to well beyond what we can afford.

And none other than Robert Novak, hardly one we could call a Democrat partisan, has attacked this, and attacked it with language that describes it so well, and I quote: ''The tax stimulus bill awaiting House action is a hodgepodge that only a lobbyist could love. But among numerous questionable provisions, one stands out: a $17 billion grant to corporate America in the form of retroactive reductions in taxes already paid.''

Novak goes on to quote a Bush administration official in saying, ''I frankly cannot understand the rationale for this.'' He is darned right he cannot understand it, because there is no rationale from a stimulus standpoint or a budget standpoint. Why in the world would they offer a package that not only repeals the corporate AMT, but then goes and gives back every nickel collected under it since 1986?

Stimulation? Do Members think the $1.5 billion rebate one single corporation is going to get under this windfall provision alone is going to all be invested in new jobs, new economic creation? Absolutely not. Debt retirement

and other things, but certainly not a stimulative effect on the economy.

Imagine. Why in the world would the majority, under the earlier-passed tax bill, give individuals or individual households $600 but give a single corporation $1.5 billion? That is a twisted sense of priorities, and it is that same twisted sense of priorities that is going to undermine significantly any stimulative effect of this package.

This package does not give resources in a broad way to people who will spend them to help stimulate the economy; rather, it taps the Treasury for a few and busts the budget while it does it. The cost of this measure is absolutely devastating. While the budgeteers, House and Senate, Republican and Democrat, agreed this should be offset, this bill has a net cost of more than $260 billion over 10 years, including the cost of debt service.

As a result, it puts us back into deficits, deficits, using all of the general fund surplus, all of the Medicare surplus, all of the Social Security surplus, and then borrowing some more for the next 2 years and spends all or part of the Social Security Trust Fund for the next 5 years.

We cannot afford this bill. This bill does not stimulate the economy. This bill is not directed the right way. This bill is a travesty and must be rejected by this House.

□ 1445

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would remind Members they are not to characterize the position of individual Senators or Senate caucuses.

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

You are not allowed to speak ill of the Senate. You can trash us and impugn our motives all you want to. Apparently those are the rules of the House.

Let us take a look at what the gentleman from North Dakota (Mr. POMEROY) just said. We are talking about repealing the alternative minimum tax in which some people, because the depreciation rate on the alternative minimum is not the same as the regular tax rate, therefore, wound up loaning tax free to the government which we call credits which they are now going to be able to reclaim. And he said it is entirely possible that these businesses may not use all that money, for example, under the 30 percent expensing for depreciation. And, you know, the gentleman may be absolutely right.

What else would these job-creating machines do with the money besides reinvest it so they can continue to be in business? They actually might take some of that money to keep some of their employees on the payroll. So that money would wind up as payroll to employees. What are the employees going to do with it? I think they are going to spend it. That is called stimulus. Or, heaven forbid, please some of you Democrats plug your ears, they might actually give some back to the shareholders. They might indicate that since they are now once again profitable that people might invest money in the corporation so they could continue to do what? Create jobs.

What would the shareholders do if they got some of that money back? They will either invest it or spend it.

See, it is called the circular flow of economic activity. Since you are most used to government programs that give money to people and it is one way and it is a one-time gift, you do not understand the concept of gifts that keep on giving by virtue of reinvestment in the circular flow of economic activity.

I hope you people have been looking at that list of corporations that has been shown periodically. Number one up top is IBM, International Business Machines. I would urge all of you who are listening to me who belong to a union to call up your union shop and ask your steward in your union has your pension funds invested in IBM. I think you will find virtually every one of those unions have their funds invested in IBM and your union members' pensions are dependent upon IBM remaining healthy.

It seems to me that would be the most ironic circular flow of economic activity that anyone could imagine.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the majority whip of the House of Representatives.

Mr. DELAY. Mr. Speaker, I greatly appreciate the chairman, the gentleman from California (Mr. THOMAS), and that explanation of real economics. I hope the other side of the aisle was listening. Maybe they can really understand it.

The gentleman from North Dakota and many on this side of the aisle keep quoting underlings in the administration, that keep quoting the Secretary of the Treasury. But let us look at the man who actually speaks for the administration, the President of the United States, George W. Bush, who just an hour ago in a major speech outlined for America what a true growth package is. And it is the package that we are debating, the package that came out of the Committee on Ways and Means; and he urged the House of Representatives to pass this package, not the substitute.

The President of the United States, it does not matter what everybody that works for him says, what matters is what the President of the United States said.

Secondly, the gentleman from North Dakota was talking about deficits, and this bill is going to cause deficits. Well, he ought to know. He is an expert on deficits. For the last 40 years when the Democrats were in control of this House, they created all kind of deficits. And under their watch, deficits flowed and debts went up. But under our watch, not only is the public debt going down, but we actually balanced the budget for the first time in over 40 years.

So I think we know what we are talking about, Mr. Speaker. There is no doubt that someone has probably already stood up and recklessly labeled the Democrat substitute a panacea. Well, I disagree. It is worse than that. Panaceas are ineffective but harmless. The Democrat substitute actually raises taxes and grows the size of government. Their plan is a prescription for retarding economic growth, not sparking it. It is a lingering relic sired by discredited economic fallacy, that is, higher taxes, government spending and new regulations on the pathway to prosperity.

Now if that is true, what about Russia? Where is the Soviet Union? If that is true, why is Japan's economy still in the tank? They have been trying to spend their way out of recession for the last 10 years.

We need a package that is a stimulus in more than just name. The package that the gentleman from California (Chairman THOMAS) put together is well-balanced. It has incentives for both sides of the aisle.

I would prefer to see more tax relief for workers and families. However, I understand that we need to compromise on a plan that everyone including those on the left could support. But we ought to begin with the first principle, that most important principle, that is a stimulus plan has to actually stimulate economic growth. Unfortunately, some Democrats just cannot resist playing that old tired, tired, tired class warfare card.

H.R. 3090 is the right medicine for our economy. It is the best way to put people back to work and create jobs. This bill does that with incentives for business to create jobs and put America back to work.

Members should vote against the substitute and for the underlying bill.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise in support of the Democratic alternative to the stimulus package. I ask my colleagues to reject the shameless boondoggle offered by my Republican colleagues.

Capital gains tax break? Alternative minimum tax? Elimination retroactive? Give me a break. The Democratic plan is a well-planned alternative that will extend and expand unemployment benefits, supports health care for laid-off workers, a tax rebate to the working poor that receive no benefits from the Bush tax reform, and it creates jobs.

I have worked very hard on an economic development plan; and I chased my colleague, the gentleman from California down. I put it before him. I worked on it. I worked with his staff on it. It is a plan that will help small businesses. We have the CDBG, the Community Development Block Grant, and all the cities and counties, they need

money. That money can get into the economy very quickly.

We have the Community Development Financial Institution that supplies monies for small businesses to create jobs. We have the enterprize zones, and it is all paid for. So do not tell me you want to be about job creation. You have ignored it. You have rejected it. You are doing nothing but creating a higher and bigger budget deficit.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. WATKINS), a valued member of the Committee on Ways and Means.

(Mr. WATKINS of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. WATKINS of Oklahoma. Mr. Speaker, I have been seated over here listening with great interest. I came to this Congress as an entrepreneur. I came here as a Democrat. I was a conservative Democrat. I sat on the Democrat side for 14 years, concerned about balancing the budget and building jobs. I represent an area that has the highest unemployment and underemployment of private sector jobs in Oklahoma. But in order to build private sector jobs you have to have employers. You have to have businesses and industries.

Let me say any of you who do not want any of those ten major corporations and all the corporations you call faceless, along with other names, I would welcome those industries in my district. You can come any time because we need jobs, private sector jobs. (I consider this a defining moment in this House. It is a defining moment considering the economy.)

Yes, we have got to stimulate the economy. We have got to have this $100 billion investment to turn this economy around, and also turn around the pension plans. We must turn around the 401(k)s of our workers who have lost 25, 30, and 40 percent of their retirement.

We must stimulate the economy. You can do that with capital gains reduction. You can do that repeal with AMT. You can do that with the stimulation, accelerated depreciation. Let me say, you can do it in the worst economic conditions. I know in my area working with Native Americans and others, we have industries that are ready to make the investment but due to the tax situations we have pending, hundreds of millions of dollars worth of investment which can be turned around immediately. We need that in investment in this country.

Yes, it is a defining moment, between the parties. I have a lot of great friends that I have known for years, and one of them is the ranking member right here. But your people and my people need jobs, and we need to build those jobs here in this country with this legislation. That is why I am a supporter of H.R. 3090.

Mr. RANGEL. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, I urge a no vote and a yes on the Democratic plan that helps AMT, middle class victims.

Mr. Speaker, I rise to urge my colleagues, Democrats and Republicans to vote against H.R. 3090 and to vote for the Democratic substitute. The bill before us is no Economic Stimulus Package because it fails to deliver immediate relief to our struggling economy. It neglects the needs of the people in our economy who are at the forefront of our fight against terrorism—middle class Americans.

Both the absence of and the inclusion of many provisions in this bill are troubling to me, Mr. Speaker. But the absence of one provision will result in may Americans losing everthing—their homes, their retirement savings, their children's college funds. The Republican bill does not provide tax relief to Americans across this country who because of an antiquated tax code have incurred enormous AMT liabilities. They are responsible for paying taxes on income they never made!

In true entrepreneurial spirit, these Americans accepted positions at companies that offered incentive stock options (ISOs). While ISOs are not a form of compensation, they are used as a form of "sweat equity". If the employee invests his time and energy in a company and the company succeeds and grows, then the employee will have valuable shares in the company. Their hard work pays off in the growth of the price of their company stock.

Unfortunately because of the downturn in the economy and the impact of the alternative minimum tax, these individuals are now responsible for taxes on stock at the time of purchase.

I have heard from countless Americans in my district but also from so many across America from Des Moines to North Carolina to Boston to Seattle. These Americans have banded together to form a grassroots coalition and a mutual support group called ReformAMT. No doubt over the past several months, you have heard from them.

And over the past several months, I have shared their stories with you in Dear Colleagues. For Don and Ginny and Michele and Manine and Steve and so many others, I urge my colleagues to vote for the Democratic alternative. Help these middle class Americans stimulate the economy by allowing them to hang on to their homes, their college savings, their retirement funds, their children's education funds.

Mr. Speaker, why isn't AMT relief for these Americans in your package? Doesn't the Republican leadership care about these middle class American taxpayers? Doesn't the Republican leadership care that these people will be losing everything they've worked so hard for?

I would like to thank my Democratic colleagues, in particular Minority Leader GEPHARDT, Congressman RANGEL, and Congressman NEAL for their acknowledgement of the seriousness of this tax problem and for their commitment and cooperation in ensuring that this provision was in the Democratic alternative, and Senator LIEBERMAN for taking up the mantle on the Senate side. I would also like to thank Congressman TOM DAVIS for reaching out across the aisle and working with me. I sincerely believed when I began working on this issue that it was one on which to build consensus, one that Republicans could have joined Democrats in supporting on the floor of the House. Unfortunately for our constituents, that is not to be.

Mr. Speaker, I vote "no" on the Republican Tax Package and I urge my colleagues to do the same.

MEET JANINE—A REAL-LIFE AMT STORY

Janine Valdivieso, 44, grew up in Southern California, and now works as an office administrator in San Jose. She is married, has three daughters, and lives in a middle-class neighborhood in San Jose. After they were married, Janine and her husband, Joe, began saving for college tuition for their two youngest daughters, and setting aside money to buy stock for their retirement fund.

Most of her life, Janine was a Correctional Officer for various government agencies. It wasn't until August 1999, when she was offered a job at Symyx, that she made the decision to enter the private domain. As a part of her overall offer, Janine was granted incentive stock options (ISOs), and like many others, hoped it would offer her family a little better financial future. She accepted a lower salary then she had wanted, because her company offered her ISOs. Janine and her husband Joe (who works for Sandisk) were told by their employers that they would not be impacted by alternative minimum tax (AMT), as long as they held on to the stock, and did not sell during the same year, information that would prove to be both incorrect and financially devastating.

Janine and Joe followed the advice, and purchased their shares as they vested throughout the year. One transaction in particular was especially damaging. The option, or strike price, was around $3, but the company stock trading on the market closed that day at $94. The alternative minimum tax is assessed based on the difference between the price they paid for the options and the fair market value, or closing price, on that same day. By the end of the year, even though it was a paper profit only because they did not actually sell any of those shares, the Valdivieso's owed tax in the amount of $100,000 in addition to the almost $25,000 they paid throughout the year, an amount greater then their combined annual income.

To pay it, they had to sell most of their stock, at a much lower price than what they were taxed on. They also had to sell all of the stock in their retirement funds, and cash in the girls' college tuition savings.

MEET NORMA—A REAL-LIFE AMT STORY

Norma Mogilefsky, 59, grew up in New York, has a master's degree in special education, and currently works as a curriculum developer at a software company. She is a single mom with two grown children. Throughout her life, she worked hard to raise her family, pay the bills, and build perfect credit. She hoped to retire in June.

Last spring, on the advice of the recommended enrolled agent, Norma took out a second loan against her home for $80,000 so she could purchase her incentive stock options (ISOs), and then hold them for a year. This, the agent advised, would put her into a long-term capital gains tax bracket, which was the prudent thing to do. The agent never mentioned the potential for an Alternative Minimum Tax (AMT) disaster. He also did not speak with Norma again until the day that he did her taxes.

Her company, meanwhile, sent an e-mail to its employees on April 2, recommending that those who exercised ISOs in 2000 might be subject to AMT, and should seek professional

advice immediately. It was too late. On April 15, 2001, Norma owed a tax bill of $303,000, three times her annual salary, on paper profits she never saw.

By that time, the stock price was so low she could not recover enough from sale of the ISOs to pay the tax bill. She cleared out her stock purchase plan, and sold other assets that she had set aside for retirement, but has not yet managed to cover the debt.

Although she will have a whopping AMT credit, she will probably not live long enough to use the credit. Due to limitations on the way that credit can be recovered, it is estimated that she will not be paid back in full until the year 2041!

After a lifetime of financial responsibility and planning, Norma is coping with the fact that she will never retire. ''I thought I would be talking to a travel agent next month.'' she said. ''Instead, as I turn 60, I will be refinancing my house and planning my long-term career strategy.''

MEET JUDY—A REAL-LIFE AMT STORY

Judy Pace, 48, grew up in the Bay Area, has two daughters in college, and currently works as a benefits administrator at Equinix. Five years ago, she took a job in human resources at a small startup company called BroadVision, and worked long hours to ensure its success. They company did well, and grew to nearly 2000 employees. Having had no college education, Judy was proud of her accomplishments and that, thanks to the BroadVision incentive stock options (ISOs), she had managed to secure a financial future for herself and her two daughters.

Although Judy still enjoyed her job at BroadVision, she missed the small company atmosphere that it once offered. After accepting her current position, she was given a standard term of 60 days in which to either purchase her shares and hold, or perform a same day sale. She had always heard that purchasing and holding shares was the right thing to do, and her CPA agreed. Although he warned her of a possible alternative minimum tax (AMT) situation, he was unaware of the full scope of the issue.

In August of 2000, Judy purchased all of her options and held them. While she did not sell any of those options, or realize any resulting gain, she found herself subject to an incredible AMT bill of $430,441. her current annual salary is $85,000. She liquidated all of her cash, took out an equity home loan, and still cannot pay the entire bill. She is currently waiting to hear from the IRS regarding penalties and interest that are accruing, and she wonders how she will be able to afford the payments.

Judy not only works hard in her career and as a mom but also volunteers to raise guide dogs for the blind. In July she'll take on the Avon 3-day, 60-mile Breast Cancer Walk. She is strong, takes good care of herself and, until now, felt satisfied that she had managed to secure a solid retirement fund and money for her daughter's college tuition and future. ''Now I feel vulnerable and unsafe,'' says Pace, ''and I wonder if I'll ever be able to enjoy the comfortable retirement that I worked so hard for.''

''Our main concern right now is coming up with the funds to pay for our daughter's tuition at State college next year,'' says Janine. ''And we have to start all over on the retirement fund. It's not going to happen anytime soon.''

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a distinguished member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, times of crisis like this can bring out the best in us. We have witnessed that in the thousands of Americans who have lined up to give blood, in those who have contributed as they toiled in New York and in Washington with their muscles and their sweat, and even our children setting up lemonade stands to do their part in the relief effort. Now Americans will be asked to sacrifice by purchasing war bonds.

At the same time that all of us are being asked to sacrifice some and some have already given their all, why is nothing being asked of the largest corporations in the United States. Can this really be the reason why the Congress is convened today at a time we cannot even assure the safety of our own office buildings here in Washington, so that we can meet here and grant another set of corporate tax breaks?

Our country cannot afford further diversion from either its Treasury or from our time in dealing with the very real threats that we face today. If we are to assure our country that it is worthy of our children, our first focus our only focus ought to be the security of American families both here and with our armed forces abroad.

Why now do we jeopardize our economic security by opening up the public treasury so that our largest corporations can get their fill? Our Social Security trust fund is not a limitless cornucopia. Every dollar that they take away today is a dollar taken away from security, whether it is retirement security or postal security or security provided by those in uniform defending our countries and our borders and overseas.

To the clarion call of President John F. Kennedy, ''Ask not what your country can do for you, ask what you can do for your country,'' these special interests have responded, How big is my tax rebate? Because under this bill, they do not just get a tax cut in the future, these Republicans are going to mail them a check for every bit of taxes they paid since 1986.

That check is drawn directly on the Social Security trust fund. This outrage arises from the near fanatical faith of our Republican friends on tax cuts as the end all, be all, cure all for every ill that faces the world.

Yes, sir, I ask about Osama bin Laden and whether he would get a tax break. Yes, sir, I ask if airline security would provide a tax break because those are the kind of security problems you cannot solve with a tax break. And that is the whole purpose of that inquiry.

You cannot block an Osama bin Laden with a tax break. You cannot protect the Pentagon and our shores with a tax break. These are security breaches that ought to be the focus of this Congress today instead of the same tired old worn out agenda they were pursuing on the morning of September 11.

It is time to have new thinking to work together to try to solve the real problems that American families face and not to just engage in more loopholes and dodges and economic stimulus cloaked as an excuse for enacting an agenda that is only designed to stimulate the pocketbooks of the biggest campaign contributors to the Congress of the United States.

□ 1500

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from Texas for pouring oil on the troubled waters so we can work in a more bipartisan way. He always makes a significant contribution to a reasonable and sane debate. However, to clarify a couple of the points which he got a little carried away on, I will yield to our next speaker.

Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I would say to my friend from Texas, who I know knows better because he is on the Committee on Ways and Means, ''There you go again.''

The gentleman knows the Democrats have never invaded the trust fund; the Republicans have never invaded the trust fund. The trust fund is made up of Treasury bills. We do not go get any of the Treasury bills. There is a use of the surplus, the Social Security surplus, which is the amount that is not used to pay benefits in both the bipartisan bill and in the Democrat substitute.

So let us not go there if we are not going to correctly state the facts.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume to just comment that apparently the buzz words today on the Democratic side are shameful and Social Security Trust Fund. We will hear those repeated over and over again, and here we go again.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume to comment that another thing my colleagues will hear repeated over and over again is the fact that you are looting the Social Security Trust Fund in order to pay these faceless corporations. And the American people understand this.

You can talk about loans and credits all you want. You are using Social Security money to give bonuses to your corporate friends.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, David Stockman wrote in his book about the economics that supply side economics brought us. The gentleman from Texas (Mr. DELAY) has now left the floor, but he always gets up and says on your watch, meaning the Republican watch, presumably, we balanced the budget. That is, of course, not the case. The budget was balanced because of the 1990 bill, the 1993 bill, and the first bipartisan part of that trifecta, the 1997 bill.

Republicans railed against the 1990 bill, not one of them voted for the 1993

bill, and the deficits that we incurred and all the money we spent that the gentleman from Florida talks about in terms of Social Security were signed on to by Ronald Reagan and George Bush. All of it. We never overrode a veto of a spending bill of Ronald Reagan. Not once.

This bill on the floor is neither bipartisan nor responsible. It is ''Here we go again,'' Mr. Chairman, you are right. Here we go again putting on the floor of this House a bill that the gentleman knows we have not paid for and that future generations will be called on to pay for, our children and grandchildren.

That was what was wrong with the economics of the 1980s when we incurred the largest deficits, signed on to by Ronald Reagan, the one person who could have stopped it; and George Bush, the first, the other person who could have stopped it; until 1993, when we started bringing those deficits down. And, yes, we finally created surpluses.

President Bush said that we could have a massive tax cut, against which I voted, and be fine. That lasted for 10 weeks. He signed it in June, and by mid-August CBO, not Democrats, CBO was saying we have a deficit problem confronting us.

Now, I say to my friend from Florida, yes, we talked about Social Security; and the gentleman is absolutely correct, of course, the trust fund is inviolate. But what is not inviolate is the money. What Bob Rubin suggested is that we pay down the debt with the excess Social Security money. Why? Because it would make it easier and more probable that we could pay for Social Security well into the future. But, no, we are spending that money, raised at a 7 percent flat tax on everybody who makes under $83,000. Why? So that we can continue to give massive tax cuts to the wealthiest in America.

And when Bob Novak says that does not make sense, it is not Democrats calling your hand. I suggest to my colleagues that you ought to go back to the drawing board and be bipartisan. Sit down with ranking member Rangel and the Democratic Members and come up with a bill that is responsible.

I will vote for this substitute because I believe it puts money into the pockets of the people who need it and who will spend it and who will therefore stimulate the economy, and in so doing will create jobs.

This GOP bill, reported out of the Ways and Means Committee on a straight party-line vote, is simply Halloween candy for big business and Americans who are doing well economically.

Meanwhile, those who have been hit hardest by the recent slump in the economy are left holding a Halloween bag filled with nothing but rocks.

Treasury Secretary Paul O'Neill didn't mince words. A week ago, he called this legislation ''show business'' that was designed to please the GOP's corporate constituency.

Even conservative columnist Robert Novak wrote that this bill is ''a hodgepodge that only a lobbyist could love.''

In fact, this bill violates virtually every principle for economic stimulus that the chairmen and ranking members of the House and Senate Budget Committees agreed to in early October.

Congressional budget leaders agreed that a stimulus plan must be fiscally disciplined. This bill is not. When higher Federal debt service is included, this GOP bill will cost an estimated $274 billion over 10 years.

And it will threaten our efforts to strengthen Social Security and Medicare and pay down debt, which keeps long-term interest rates low.

Congressional budget leaders agreed that a stimulus plan should provide an immediate economic boost.

However, many of the provisions in this bill provide little or no stimulus within the next 15 months.

Congressional budget leaders agreed that stimulus proposals should sunset within one year.

However, this GOP bill would make many tax cuts permanent, including a reduction in the capital gains tax rate and repeal of the corporate alternative minimum tax.

Congressional budget leaders agreed that stimulus proposals should ''help those most vulnerable.''

However, the tax rate-cut acceleration and capital gains tax cuts are tilted toward those who are doing well, rather than those most likely to spend tax cuts. Furthermore, the $21 billion foreign-income tax break for corporations can only be termed outrageous.

Congressional budget leaders agreed that stimulus proposals should be offset. However, unlike the Democratic alternative, this GOP bill contains no offsets.

I urge my colleagues to embrace the bipartisanship that has guided us since September 11. Vote for the Democratic stimulus plan.

It invests in homeland security and helps unemployed workers and their families. It stimulates the economy through temporary tax cuts. And it maintains the fiscal discipline necessary to keep long-term interest rates low.

The American people deserve more than partisan Halloween pranks and posturing. Let's pass a stimulus plan that provides the economic boost we need.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume to comment that, once again, the gentleman gives us his history lesson, but he fails to complete it.

In 1993, the Democrat majority in the House and a Democrat President did in fact pass the largest tax increase in the history of the United States. What happened in 1994 was the American people rejected that majority and a new majority was created in the House. Most people know that the Constitution says that all money bills originate in the House and that new majority did not spend the money from the largest tax increase in history that was passed by the Democrats.

So it was the majority, the new majority that was elected in November of 1994 and took office in January of 1995 that is primarily responsible for the surpluses that we have seen in recent years.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, it is with mixed emotions that I come to the well. I talked to many of my constituents in the wake of the shock of September 11, and how gratified they were to see us unite at a moment of national need. This afternoon, Mr. Speaker, what I would remind the American people is that good people can disagree.

The distinction I would make is when there are those who come to this well and who compare us with the enemies of this country, and imply that anyone aids and abets our enemies because of honest differences of opinion. They should be ashamed. They have incurred the shame of this House. How dare those, in a sense of honest disagreement, compare us to those who would loot and malign and weaken this American Nation. There is no place for that dialogue on this floor. Shame on you for those comments. Shame on you for those actions. Join us, together, to at least disagree in civil fashion, not with the catcalls and the horrendous talk we have heard in this Chamber today.

Now, I stand here in opposition not because I doubt the patriotism of my friends on the left, but because I believe they are bringing forth the wrong ideas: a $90 billion tax hike. Tax hike. Let us go ahead and increase taxes, that is what the substitute does. Let us go, in terms of unemployment benefits, and create a new layer of government rather than letting the States that handle unemployment benefits use that money and get it into the hands of the people who are unemployed. And, oh, when we talk about layoffs, let us impugn the corporations, the job generators, because somehow it is less than noble, unless it is the direct hand of government.

I categorically reject that. I am sorry that there are those who would stand and impugn the patriotism of honest disagreement, but I will stand here clearly and unmistakably to oppose this wrongheaded alternative and the wrongheaded rhetoric that has accompanied it. Shame on you.

Mr. RANGEL. Oh, the show is over.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise in support of the Democratic proposal that supports the neediest not the greediest.

Mr. Speaker, the events of September 11 have left a mark on all our lives, and, many, are left unemployed and struggling to make ends meet.

While officially 400,000 job layoffs have been announced since September 11, its's most likely only a short while before others find themselves unemployed. How we respond to these workers during a time of crisis is a true reflection of our Nation's values.

As a member of the progressive caucus, I'm proud that the Democrat plan builds on the progressive's proposal to put the neediest ahead of the greediest. Unlike the Republicans' bill, the Democratic economic stimulus plan provides us an opportunity to right by America's workers.

But, that won't be the case if we enact the permanent tax cuts that are in the GOP plan. It won't take long for the American people realize that the GOP proposal is just another excuse to give tax cuts to corporations and the wealthy.

The American people know a real economic stimulus package means immediate, short-term assistance, in the form of extended and expanded unemployment insurance. Instead, the GOP bill provides generous breaks for corporations while ignoring real assistance for low-income workers and their families. That's just plain wrong!

What's right is that the Democratic plan is paid for . . . no surprise, the GOP bill isn't. The Democratic plan is fiscally responsible because it protects Social Security and Medicare. It's smart public policy that a real economic stimulus plans looks out for the future of Federal programs that our constituents rely on.

Mr. Speaker, the Democratic plan proves we can strengthen our economy while also safeguarding our workers and their families.

I urge my colleagues to support it.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the Progressive Caucus supports the Democratic substitute, which includes a significant increase in unemployment benefits.

The $30 billion in increased unemployment benefits included in the Democratic alternative is 20 times the amount the majority bill allocates for working men and women who have been laid off. The majority would give a retroactive tax cut to big companies who are not hiring but they are laying off thousands, tens of thousands of Americans.

There is a clear difference between the two parties on this issue. The Democratic alternative includes a Federal supplement to State unemployment benefits of $65 a week, or 25 percent, whichever is greater. Extended benefits of up to 26 weeks for unemployed individuals for a total of 52 weeks worth of coverage, expanded eligibility to include part-time and other low-wage workers.

Under the administration plan, an unemployed individual will not receive $1 more in benefits than he or she already receives from the State of residence. In my own State of Ohio, an unemployed individual would receive nothing under the administration plan but $65 extra per week under the Democratic plan. A Texas worker, nothing under the administration plan, $65 extra under ours. A worker in California, nothing under their plan, $65 under ours. Their plan would give nothing extra to an Illinois worker, while the Democratic plan would give at least $65. Iowa, New Hampshire, the great State of Florida, $65 under our plan, not a dime extra under their bill.

The administration plan provides for extended benefits but only in those States that see unemployment increase 30 percent in the next 18 months. Most Americans will not see a penny of extended benefits. By contrast, our plan guarantees a full year of benefits to any individual eligible for unemployment benefits under State law, and our plan expands eligibility to include part-time and other low-wage workers. But the administration does not do that.

This is a defining moment. Whose side are we on, the hundreds of thousands of workers suffering under the declining economy, or the large corporations who want retroactive tax cuts off the backs of the American people?

Mr. THOMAS. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means.

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. My colleagues, I stand with President Bush. President Bush has called on this House of Representatives to pass the legislation that has already been approved by the House Committee on Ways and Means. President Bush has called on this House of Representatives to pass the Economic Security and Recovery Act, and I join with President Bush in support of that legislation and oppose the partisan Democrat substitute.

We hear a lot of partisan political rhetoric in opposition to the plan that was approved by the Committee on Ways and Means, but here is what we do not hear. The basic component of the Democratic so-called stimulus plan is a $90 billion tax increase. I will say that again. A $90 billion tax increase.

Now, many of us have consulted economists, and I know of not one respected economist that has called on Congress in this time of great economic concern to say that we can help the economy by increasing taxes. But that is what the Democrats do. They say it is paid for. They pay for it with a $90 billion tax increase.

What economists have told us, both Democrats and Republicans, is that we need to encourage investment and we need to put more money in the pockets of consumers so they can spend it. The legislation already approved by the Committee on Ways and Means, legislation we are going to vote on today, accomplishes that goal.

We give a $300 stimulus payment to low-income taxpayers, $300 for singles, $600 for a couple, $500 for head-of-household, helping low-income families. We lower taxes to the middle class, going from 28 to 25 percent, putting extra spending money in middle-income, low-income, and moderate-income taxpaying families. That will help them with money to spend to meet their needs. But we also reward investment. The 30 percent expensing provisions and appreciation reform will cause greater investment in cars and trucks and computers.

The bottom line is, when somebody buys a computer, buys that pickup truck, or somebody buys that bulldozer, there is a worker out there that makes it. I know if somebody buys a Taurus made in the tenth ward, Chicago, and Hegwich, there is an auto worker that helped make that Ford Taurus. Bottom line is, if we want to get America moving again, get this economy moving again, we need to put money in people's pockets and we need to reward investment. We accomplish that with our expensing provisions.

Let us join with President Bush. Let us oppose the Democrat tax increase, let us join with President Bush, and pass the Economic Security and Recovery Act.

□ 1515

Mr. RANGEL. Mr. Speaker, I yield myself as much time as I may consume.

I am glad the gentleman from Illinois (Mr. WELLER) mentioned this so-called tax increase because I was wondering where he got the idea. Someone got ahold of the gentleman from Texas' (Mr. ARMEY) stationery and misused it and called the Democratic tax bill a $90 billion tax hike. Actually, we do pay for our bill by freezing the top rate for the one percent of the highest income people in the United States of America.

We think in a time of war there should be a shared responsibility; and so, therefore, that provision is in there, but by no stretch of the imagination can we call an increase what people never received.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, I rise in support of the democratic substitute, which is a real economic stimulus and economic recovery for Americans who need it. I rise in support of the bill.

Mr. Speaker, this bill is not a stimulus package. There is no provision in the bill that allocates money to the workers, unemployed or the uninsured. The tax deductions are significantly disproportionate, giving over 70% of the tax cuts to big businesses and very little to the working American. That is not the type of stimulus that Americans want or need.

H.R. 3090 does little to assist those who may or have lost their jobs and their insurance because of the September 11 attacks. What the bill does is give a grant to the States and permits them to spend when and as they see fit. We need a bill that will put benefits directly in the hands of those who need it. The unemployed need COBRA and our government should assist them.

The ultimate goal of Congress should be to pass a bill that puts money into the hands of those who need it and will spend it, the low- and moderate-income workers and families.

Instead, this bill focuses on big corporations and the wealthy. A serious economic stimulus package will give unemployment and health insurance benefits to those who do not have it. It will build jobs for those who are unemployed. It will spend money to build economic programs and assist our transportation systems safer by expanding and reinforcing our out dated system.

Any agenda that gives the majority of the tax breaks to the wealthy and big businesses will do little to stimulate the economy. The only apparent stimulus this bill can possibly have is assisting in Republican politics and that should not be our focus. We need to act swiftly in assisting our country.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, as a conservative Democrat, I have worked hard for bipartisanship. I voted for a $1.3 trillion tax cut, voted for a $17 billion bill to help our airline industry, and voted for a $40 billion bipartisan emergency supplemental. But the Republican bill on the floor today falls short in a disappointing fashion in a host of different ways. It helps the few and costs the many.

It is not bipartisan; it is more partisan. It is not a stimulus package; it is a spending package. It is not a fair proposal; it is unfair to too many taxpayers.

Sub-part F in this tax proposal says to corporations keep your money overseas and we will extend and expand your tax breaks to the tune of $20 billion over the next 10 years; do not invest your money in the U.S. economy, keep it overseas and we give you a $20 billion tax break. That is not fair to our workers. That is not bipartisan. That is not a stimulus.

I hope my colleagues will reject this package.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from Kentucky (Mr. LEWIS), a member of the committee.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for yielding me the time.

Once again, we have heard some revisionism of history. Just recently, I have spoken on this House floor. I came here in 1994 when the Democrats had the majority. They had just passed in 1993 the highest tax increase in the history of this country, planning on balancing the budget. But when I got here, they were running a $200 billion deficit, and those deficits were going to be there as far as the eye could see.

In 1995, we took the majority, the Republicans; and we said we were going to balance the budget. We were going to cut taxes; and after debating that issue in 1997, we finally got enough votes in the House, got some bipartisan support, and we got the President to sign it into law, President Clinton.

That budget was not supposed to balance for 5 years. Actually, it was not supposed to balance until this year. That was the plan. Do my colleagues know it balanced in a year. Why did it balance in a year? Why was that such a surprise? How did that happen? I will tell my colleagues why it happened. It was because we cut capital gains taxes. That is why. It infused billions of dollars into the economy.

Now we want to cut them just a little bit more to stimulate the economy once again. I would like to cut them a lot more, but we are going to do what we have to do. And we are going to cut them a little bit. That will help, I think, bring this economy around as quick as anything, but once again, we believe that if we give businesses, small businesses the opportunity to make a profit, that they can create jobs in this economy.

What do the Democrats want to do in this substitute? Once again, just like in 1993, they want to increase taxes. They want to increase taxes by $90 billion more. Who will it hurt the worst? It will hurt the small business, the ones that provide more than half of the private workforce in this economy.

We cannot have that. We have to cut taxes. We have got to allow them to have some relief so that they can provide the jobs that this country needs, and they need them now.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the Democrats put together an economic recovery plan to meet the obligation of this Nation, and that is to rebuild, to rebuild where the terrorists attacked, to rebuild our economy that was falling into recession before the attack on September 11.

Our goals help those workers and those industries who have been hurt and who face great financial and health care needs. Rebuild confidence that America is strong economically. Stimulate the economy to increase economic activity and employment.

We must act in the Nation's interests, not in the interests of any who would opportunistically take advantage of this moment. We must not endanger the long-term economic health of this country.

Yesterday's Wall Street Journal headlined, ''Companies could reap big tax refunds from the House bill.'' What companies? IBM, Chevron, Enron. In today's Washington Post, and the gentleman from California (Mr. THOMAS) only quoted selectively from it, the alternative minimum tax which Republicans would repeal was put in place so that profitable companies would have to pay some amount, no matter how clever its tax attorneys might be.

This is mainly the use of a current crisis to further an agenda that has little to do with the crisis and long predated it.

To my friends, I would say there is no other word for the Republican economic package than greed. It is, in fact, an unpatriotic grab on the public Treasury.

Mr. THOMAS. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) has 7 minutes remaining. The gentleman from New York (Mr. RANGEL) has 6½ minutes remaining.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the committee.

Mr. BRADY of Texas. Mr. Speaker, I rise to support the measure proposed by the gentleman from California (Mr. THOMAS), chairman of the Committee on Ways and Means, and supported by the President.

The President's measure is important to the country because we cannot stand idly by and let a terrorist topple our economy as they toppled the World Trade Center. We have a big economy in America so any stimulus bill we have has to be focused. It cannot be scattered.

This bill helps boost consumer spending, but its main focus is to preserve and create new jobs. Getting our economy moving will not happen because people go to the shopping mall with a shopping list. It will happen because they go to the mall with a job and the shopping list.

The tax code we have today discourages companies from helping people get jobs and keep them. We changed that. We are encouraging companies to buy that new piece of equipment, to open that new satellite office, to approve that new project, to create jobs; and as importantly, we stop taking money from businesses that they could better use to keep their good people on board during these economic tough times.

Who is creating these jobs? One of my favorite bumper stickers says, ''If you can read this, thank a teacher.'' Well, if someone has a job, who do they thank? The IRS, a Washington bureaucrat, or do we thank the free enterprise system where a farmer or a business of any size that builds a better mouse trap and sells it creates new jobs?

My people back home from Continental and Compaq and others who are laid off in my neighborhood, they do not want a rebate check. They want a paycheck. They do not want unemployment benefits in a year. They want a job today. They do not want a plan that helps a few industries. They want to plug all the holes in our economic boat so we can rise together faster.

They know that when they are unemployed they are not paying into our Social Security trust fund; they are not making Medicare stronger; they are not helping pay off the debt. This economic stimulus is an investment, a long-term investment that does not cost. It pays.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, my concern about this, and I do not

serve on the Committee on Ways and Means, but this seems like we have returned to partisanship. We are back to it is either my way or the highway because the bill had very little Democratic votes.

After September 11, the American people came together: Democrats and Republicans, rural or urban, geographically, racial and ethnicity. We put all that aside to fight the war that we have to. The American people wanted this and they demanded it of us, their elected officials; but to date, it is a different story.

This so-called stimulus package is a partisan plan that is wrapped in our red, white, and blue; but it is a loot on the Treasury, a charade, and a Trojan horse filled for special interests. The American people are not and will not be fooled. They will reject false patriotism in the light of trying to give a tax cut for special interests and that does nothing for laid-off workers.

We want them to have a job. We also know that those same Continental employees that I represent need to have unemployment. They need to have health care coverage, and they may not get it through the governor's office.

This so-called stimulus package is a wish list of special interest tax rebates and cuts that will not stimulate our economy and has nothing to do with the tragedy of September 11.

The wrapping of special interest legislation in the flag. It is wrong. It is despicable. And we should get back to our bipartisan spirit, and the American people will get us there.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from California (Mr. COX), the chairman of the policy committee.

Mr. COX. Mr. Speaker, I rise in strong support of the Economic Security and Recovery Act that the committee has worked so hard on and that responds directly to the need of the country right now to get our economy back to get people working again.

The legislation that we will soon approve in this House extends unemployment benefits. It accelerates the already scheduled modest reductions in tax rates on all individuals except those in the highest bracket, an enormous concession to the minority that is not sound economics in my view; and it very modestly reduces the capital gains rate, modestly meaning two percentage points, something we are told by the nonpartisan analysts that will actually increase revenues to the Treasury.

The alternate is a $98 billion tax increase. It is, in fact, a tax increase because it will change existing law, which has scheduled a reduction rate for individuals. It will apply a tax increase to those people. It will divide up a rapidly shrinking pie and redistribute rather than providing incentives for people to work and save and invest.

If we believe in the American people, if we trust the American people, they will produce. Given the opportunity then, we should enact into law the bill that the Committee on Ways and Means has put before this House.

I strongly urge rejection of the $98 billion tax increase that has been offered as a substitute.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), my friend.

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, less than a week after the September 11 attack on America, this Congress passed a bailout package bill for the airline industry overwhelmingly, despite objections from this side of the aisle. We were told to have faith in the leadership of the Republican side of the aisle to address the issues of displaced workers. So much for faith.

This bill does nothing to provide an influx of money into our economy, something that should be part of any stimulus package. It provides nothing to take care of the workers who need assistance like the 100,000 aviation employees thrown out of work in the past 6 weeks. It includes nothing to fund hiring and training of 75,000 new firefighters.

I am from New York; and I have been to ground zero, as many of my colleagues have been. But the rebuilding of New York has begun, and thanks to this Congress it has begun, but we are nowhere near finished. We need to provide incentive for business to remain in New York City to keep our financial services sector strong. We need to provide assistance to our travel industry to help Americans know New York is open for business. We need to provide funding to rebuild and strengthen the infrastructure of New York. This was an attack on America and not just on New York. Do not further assault New Yorkers by neglecting them.

This bill is not a stimulus package but an impediment package. I ask my colleagues to vote it down

Mr. THOMAS. Mr. Speaker, it is my pleasure and privilege to yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), a member of the Committee on Ways and Means.

Mr. RYAN of Wisconsin. Mr. Speaker, I appreciate the gentleman from California (Mr. THOMAS) yielding me the time; and Mr. Speaker, let us boil this down to simple terms. Let us cool the hot rhetoric that is flowing through here.

□ 1530

What this is about is jobs. It is getting Americans back to work. We have got 7.8 million Americans who have lost their jobs in this economy. The terrorists know they cannot take on our military. They know they cannot take a frontal assault against our country, so they are trying to get Americans to retreat from participating in our economy.

Let us go with what works. When we have cut the cost of capital in this country, when we have reduced the cost of employers reinvesting in their businesses, we have created jobs. Accelerated depreciation, alternative minimum tax, simplifying capital gains, those proposals are designed to make it easier for Americans to reinvest in America, to create jobs, for employers to reinvest in their employees, because if you do not have employers, you do not have employees.

Mr. Speaker, this substitute, and I have read it and it is a valid attempt, this substitute puts a $90 billion tax on small businesses, the engine of growth in this economy. Eighty percent of the last number of jobs we have had in this economy were created by small businesses. A $90 billion tax increase on the engine of jobs in America is contained in this Democratic substitute. More importantly, it has a $32 billion spending spree in this bill. If more Federal spending were the answer to getting our economy back on its feet again, we would not be heading into a recession today. We are spending the most we have in the history of this Federal Government.

We know that as we look at other nations, if we look at the second largest economy in the world, Japan, they have been in recession for 10 years. They have had four recessions over the last 10 years, and they have had five stimulus packages. Every one of those five stimulus packages looks just like this Democrat substitute. Every one of those five stimulus packages has failed. I urge to pass what works. Get Americans back to work. Pass the Republican stimulus package which is true in stimulus.

Mr. RANGEL. I can see the bumper sticker now: ''Fight Terrorism, Support Welfare Reform for Corporations.''

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL).

(Mr. ENGEL asked and was given permission to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, I rise in opposition to the bill because it does not provide short-term economic stimulus and does long-term damage to the Federal budget.

Mr. Speaker, having served in Congress 13 years, I have had to cast votes on a number of large bills that contain numerous provisions. And, I can say most of those large bills contained provisions I do not care for. What I, and the rest of our colleagues, must do is weigh the pros and cons. The large bill before us today is weighted heavily toward the con.

The challenge we face is providing a short-term economic stimulus without endangering the long-term health of the Federal budget. This bill does neither, and will cause long-term, and I fear irreparable harm to the Federal budget.

Let me point out one such egregious provision in this bill. Permanently eliminating the Corporate AMT while only making minuscule changes to the Individual AMT is wrong. What are the leaders of the Ways and Means Committee thinking when they give hugh corporations the chance to skip out on their taxes

while continuing to force middle-income families to endure this hardship? What kind of stimulus is that?

Even more disheartening is the lack of true assistance to America's unemployed. We have an opportunity to assist people immediately. In fact, we have a responsibility to assist these people. But, instead this bill forces State governments to pass new laws making assistance a long time in coming—if at all. Where is the compassionate conservatism in that?

The Democratic substitute provides immediate assistance. It contains a provision that draws upon a successful history of Federal programs—building things—in this case schools. The Federal Government has done a great job building military bases and an interstate road network. Building schools will employ people now and finally provide our children the facilities they deserve.

I would also note that the chairman of the Ways and Means Committee walked away from bipartisan negotiations that included the President. The White House has already signaled it has concerns about this bill—and rightly so. It is too heavily weighed toward helping huge corporations and not toward the average American.

Mr. Speaker, there are good parts of this bill. The provisions that will allow faster depreciation of business equipment purchases and of leasehold space are good provisions. These would spur short-term economic activity. Why we are not providing new short-term incentives like this is a mystery to me.

In short, the egregious provisions in this bill weigh this bill down too much. I urge a yes vote on the Democratic bill and a no vote on the Thomas bill.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, let me just point out that I am the Member from Florida, Florida, who does not know how to conduct an election. But we do know how to do tax cuts. For the past 3 years, we have had these same kind of cuts in Florida. And what are the results? The Florida State legislature is in session today as we speak cutting the budget because of these tax cuts that have been going on, over $1 billion in tax cuts to the rich.

Yes, Republicans know how to rob from the poor to give big tax cuts for the rich. Shame on you. Shame on you.

Let me tell you something. One of the things that we are talking about cutting, Medicaid, hospitals, school lunch programs. Someone asked the question on the floor and I am going to ask you, why is it when the Republicans present something on the floor that the big dogs always have to eat first? And, in fact, in this bill that you have on the floor, they are the only dogs that are eating.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, during the Civil War, the wealthy could exempt themselves by buying their way out of fighting, and the war became known as a rich man's war but a poor man's fight. That is what the Republican bill is today. It is, in time of war, a big goody grab bag of tax breaks for the wealthiest corporations and individuals in America: capital gains tax break; alternative minimum tax break for corporations, retroactively; an accelerated income tax break for the wealthiest Americans.

But what is in it for ordinary Americans? For poor Americans? There is nothing. It is all for the wealthy. President Kennedy used to say, ask not what your country can do for you but, rather, what you can do for your country. The Republican bill today says, ask not what you can do for your country, ask what you can do for their country club pals.

This is not a bill that helps ordinary Americans. This is a bill that helps the upper 1 percent wealthy people in our country at the expense of Social Security and Medicare and Medicaid and health care and education for every other family in America.

Vote for the Democratic substitute. Vote against this Republican bill that helps the wealthiest people in our country.

Mr. RANGEL. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from New York is recognized for 2½ minutes.

Mr. RANGEL. Mr. Speaker, I want to thank my Republican colleagues for fashioning a bill that really makes it so easy for people to distinguish the difference between Republicans and Democrats. It is abundantly clear that you are just as patriotic as anybody in this House and you believe the way to fight terrorism is to provide funds to multinationals which converts that into jobs.

Some of the economists that we were listening to kind of thought that this should be consumer-driven. They never thought that corporations with large inventories, with cars they cannot sell and washing machines they cannot sell, that they would be entitled to a $25 billion, would you say loan or would you say credit or would you say giveaway? And then you have got to convert this automatically into jobs but some say, or into dividends.

I think that your ideas are not well founded. Certainly they have been rejected by what used to be the Secretary of the Treasury, but when he disagrees with your leadership, he becomes an underling. When the President disagrees with you, he is a bad fellow; but when he agrees with you, he is enlightened.

Let me tell you this, we are going to have a conference and you can run and hide all over this House of Representatives, but CHARLIE RANGEL is going to find that conference this time and I am going to be involved in the conference this time. If the President wants a bipartisan bill, I have assurances that is what we are going to get.

You have to learn that America, they really do not want to go for these tax giveaways. They want security. They want to know that the Social Security fund is there. They want to know that Medicare is going to be there for them. They want education for their kids. We have not forgotten the newly found ideas that President Bush found on the campaign trail, Patients' Bill of Rights, help with prescription drugs. These are still the American dream. And when we are at war, the rich have to know that spending money at Disneyland does not pay for it. Yes, we freeze the top rate for a tax rate that they did not get yet. And we say that everyone has to share.

You just came around to realizing that those who pay payroll taxes are entitled to some relief. I thank you for it. I assume that is what you call bipartisanship. You take a good idea, label it Democrat, talk with nobody, fold it in with the garbage that you have and you got a bipartisan bill.

I think we have got to clean that up; but I do hope that you consider trying to talk with people, being nice with people, being considerate with people. It did not last too long, this bipartisanship; but the little time we had it, I enjoyed it.

Mr. THOMAS. Mr. Speaker, the Chair appreciates the climate that the gentleman from New York clearly provides to allow us to continue to work together. And now to close on the Democratic substitute and all debate on what was called in today's Washington Post a hodgepodge of tax rebates for low-income families, expanded government health insurance and spending from schools to construction, that is income redistribution posing as stimulus, I yield the remainder of my time to the majority leader, the gentleman from Texas (Mr. ARMEY).

The SPEAKER pro tempore. The gentleman from Texas is recognized for 2½ minutes.

Mr. ARMEY. I thank the gentleman for yielding time.

Mr. Speaker, let me begin by thanking the committee for their outstanding work. It is good work. It is serious work. It is work that, when enacted into law, should help millions of American families.

Mr. Speaker, this has been a partisan debate. We are back to usual. I do not think the American people regret that. They understand there is a difference between the two parties. They expect these differences to be debated. It does not bother me.

It also has, Mr. Speaker, been a rancorous debate. There has been a lot of screaming and hollering and finger-pointing, accusing, yelling, bellowing about whose motives are what, yack, yack. I think the American people do regret that, but I am neither surprised and quite frankly I do not regret all of this hot rhetoric from the Democrats. I do kind of regret the fact that we Republicans, some of us, felt the need to respond. And while I regret that, I understand that sometimes we feel a need to respond to this heated diatribe, because we have a fear that the American

people might not understand. But I think we should remind ourselves that the diatribe comes from a greater fear, a fear with a greater reality based to it on the part of the Democrats, their abiding fear that indeed the American people will understand. And let us remind ourselves, they do understand and they see clearly the difference between these two offerings here before us.

The substitute that we are debating asks the fundamental question: Mr. and Mrs. America, let us tell you what we can do for you with your money.

It is offered on the presumption that the American people look to Washington and seek from Washington an opportunity for Washington to do for them with their own money, a presumption that will not hold water with the American people.

The base bill, the one brought by the committee, makes the following observation: it says, very simply, Mr. and Mrs. America, let us appreciate what you can do for yourself with your own money. Let us honor what you can achieve and indeed have achieved to the base foundation prosperity of America by keeping some larger share of your own money that you earned for yourselves to serve yourself, your family, your small business, and your employees.

Yes, it is tilted somewhat on behalf of those Americans that would, if left with a larger share of their money, invest that money in new plant and equipment, increased productivity, greater opportunities to do something we Americans do well, provide jobs for one another through our entrepreneurial effort.

Investment is important. I am an economist. Every economist, when he hears another economist say a smart thing, stops and says, Gee, I wish I would have said that first. But this time the chairman of the Federal Reserve Board, Alan Greenspan, beat me to the punch when he said, ''You will leverage more money out of tax revenues left in the hands of investors than you will out of tax revenues left in the hands of consumers.'' We responded to that good advice, sound advice, empirically proven advice; and, yes, we leave money in the hands of those people who will invest because investment is the driving engine of economic growth. This is a good bill for that insight.

But it does not ignore people who would have more of their own money in the form of that precious American dream called take-home pay by reducing taxes so that they can spend it on consumption, and there is plenty here for that purpose. But the main thing about this bill that has been brought to the floor, this bill that is being contested by this substitute, is it says, Mr. and Mrs. America, it is your money. You worked hard for it. You earned it. You know what you can accomplish with it if it is left in your hands. So we take the opportunity to leave it to you to invest, build, create jobs, consume, buy, on your own behalf, provide for your families, do well for yourself and, by doing so, do good for America.

This is our choice. Vote for the substitute if you believe the Government of this Nation, through its programs, can take care of you and your family better than you can do yourself with your money. Vote for the base bill if you believe the American people are the practical, hardworking geniuses that made this all possible in the first place, and they will take their own money in the form of higher take-home pay and do better for themselves.

□ 1545

My final point: ask yourself, or your friend, your neighbor, somebody at your church, maybe somebody you met at a PTA meeting that is out of work do they really want a government that promises them nothing but a longer period to survive unemployed, or a government that says the strength of America is in America? Let us rebuild the growth of this economy by trusting it to the American people to use their own money, and let us get your job back.

It is very simple, very simple. Is the answer to this dilemma: jobs for Americans, by Americans, or jobs in the Government, by the Government?

Vote down the substitute. Vote for the base bill.

Take heart. The American people do understand. It is understood by everybody in this Chamber, or why else would they be so loud?

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate on the amendment in the nature of a substitute has expired.

Pursuant to House Resolution 270, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RANGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 166, nays 261, not voting 5, as follows:

[Roll No. 402]

YEAS—166

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NAYS—261

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
Matheson
McCarthy (MO)
McCrery
McHugh
McInnis
McKeon

Mica	Rehberg	Stenholm
Miller, Dan	Reynolds	Stump
Miller, Gary	Riley	Sununu
Miller, Jeff	Roemer	Sweeney
Mollohan	Rogers (KY)	Tancredo
Moore	Rogers (MI)	Tanner
Moran (KS)	Rohrabacher	Tauzin
Morella	Ros-Lehtinen	Taylor (MS)
Murtha	Ross	Taylor (NC)
Myrick	Roukema	Terry
Nethercutt	Royce	Thomas
Ney	Ryan (WI)	Thompson (CA)
Northup	Ryun (KS)	Thornberry
Norwood	Sanchez	Thune
Nussle	Sandlin	Tiahrt
Osborne	Saxton	Tiberi
Ose	Schaffer	Toomey
Otter	Schiff	Traficant
Oxley	Schrock	Turner
Paul	Sensenbrenner	Udall (NM)
Pence	Sessions	Upton
Peterson (MN)	Shadegg	Vitter
Peterson (PA)	Shaw	Walden
Petri	Shays	Walsh
Phelps	Sherwood	Wamp
Pickering	Shimkus	Watkins (OK)
Pitts	Shows	Watts (OK)
Platts	Shuster	Weldon (FL)
Pombo	Simmons	Weldon (PA)
Portman	Simpson	Weller
Pryce (OH)	Skeen	Whitfield
Putnam	Smith (MI)	Wicker
Quinn	Smith (NJ)	Wilson
Radanovich	Smith (TX)	Wolf
Rahall	Snyder	Wu
Ramstad	Souder	Young (AK)
Regula	Stearns	Young (FL)

NOT VOTING—5

Cubin	Hart	McIntyre
Gonzalez	Hill	

□ 1607

Mr. CRAMER and Mrs. NORTHUP changed their vote from ''yea'' to ''nay.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCINTYRE. Mr. Speaker, on rollcall No. 402, I was unavoidably detained by traffic and missed this vote. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. TURNER

Mr. TURNER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TURNER. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TURNER moves to recommit the bill, H.R. 3090, to the Committee on Ways and Means with instructions that the Committee report the same back to the House promptly with amendments that—

1. Reduce the tax cut provisions of the bill in an amount equal to the expense of financing short and long-term efforts to combat terrorism; and

2. Provide that the legislation is temporary and is fully offset in the Internal Revenue Code over the next ten years, such that the long-term deficit and national debt are not increased; and

3. Provide assistance to workers who lost their jobs and health insurance coverage, and to businesses affected by the economic circumstances following the occurrences of September 11, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. TURNER) is recognized for 5 minutes in support of his motion.

Mr. TURNER. Mr. Speaker, this motion to recommit reports the bill back to the committee with the suggestion that it be amended to reduce the tax cut provisions in an amendment necessary to fund the war on terrorism and to protect the public safety. It provides that the legislation that comes back should be temporary and fully offset in the Internal Revenue Code over the next 10 years, and it provides for assistance to workers who lost their jobs and health insurance coverage, and to businesses affected by the economic circumstances following the occurrence of September 11.

As has been nobly demonstrated throughout the history of this country, Americans are willing to pay for the cost of preserving our freedom during time of war. The investment that will be required to win this war and protect the safety of American citizens who this very day have reason to fear the very opening of their mail is going to cost billions of dollars. Are we as a Congress going to ask the next generation to pay for a war that we must now wage? Will we ask young men and women in uniform to risk their lives to fight against terrorism without providing them the very best in equipment and training this Nation can provide? Will we risk the safety of every American citizen by failing to aggressively address the safety and security needs of this country? The answer is clearly no. None of us would be for those things.

That is why funding this war and funding public safety must take priority over tax cuts.

The investment we must make will represent the very best stimulus package we could devise. The investments in war-fighting, the investments in security measures, the investments in public health will all find their way into the American economy, creating jobs and economic activities, and they will do so immediately.

We must not forget that what we are spending, whether for tax cuts or defense or security, is Social Security payroll taxes. We should not ask future generations to pay for anything other than true emergencies. This emergency we face justifies spending Social Security payroll tax dollars to win the war on terrorism and to protect the security of all Americans, but there is no justification for spending payroll taxes on unnecessary, untimely tax cuts and spending initiatives.

The founders in this country pledged their lives and sacred honor in the defense of liberty. Today, we can do no less. It is not recession that Americans fear today, it is the safety and protection of their lives, their homes, their businesses, and their public places of gathering. No stimulus package will help this economy unless and until this fear is removed.

Our mutual commitment to winning the war on terrorism and protecting public safety is the first step in economic recovery. On September 11, our world changed. The old debates that once dominated this floor are outdated and inconsistent with today's realities. The reality of today is that our Nation faces the greatest challenge it has faced since the Second World War. We can win the war on terrorism without losing the war to save our economy; but first, we must determine the investments required to win this war and protect the safety of the American people, and they should be paid for within a responsible budget that neither mortgages our future nor adversely impacts long-term interest rates.

I talked to a friend of mine who lives in Houston the other day on the phone. I asked him what he was hearing about the interest in tax cuts. My friend said, I will tell you what my coffee drinking buddies and I are saying about tax cuts. We want to know where to send our contribution to win this war.

□ 1615

From Wall Street to Main Street, from the investment bankers to the firefighters and law enforcement personnel who are working overtime today to protect our safety, they know what every American knows: Unless we win this war and restore our homeland security, nothing else matters.

President John Kennedy once said, ''Americans will bear any burden and pay any price in the defense of liberty.'' Now is the time; now is the hour. Vote for the motion to recommit.

Mr. THOMAS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized for 5 minutes.

Mr. THOMAS. Mr. Speaker, it is my privilege to yield to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, the only thing I would add is 45 days ago, less than that, we in this country incurred the most barbaric act in the history of civilization against humanity, save maybe for the Holocaust during World War II.

There is no higher duty that a Representative in the United States Congress has than the safety and defense of this country and the citizens that live here. We ought to do that first.

Mr. THOMAS. Mr. Speaker, I could not agree with the gentleman more. The other committees that are supposed to be working on that provision, and the leadership that met to help us address those, all of us believe we need to put together a product and get it to us as soon as possible.

But what we have today is a motion to recommit on a stimulus package that is under the jurisdiction of the Committee on Ways and Means. Normally, as Members know, I admonish Members to read the motion to recommit. It is usually in legislative language. This time it is in plain English.

Sometimes we actually run into problems when we are dealing with plain English. I will show the Members why.

The first provision says, ''Reduce the tax cut provisions of the bill in an amount equal to the expense of financing short-term and long-term efforts to combat terrorism.''

What is combatting terrorism? In listening to the gentleman from Texas, I heard him say that it is fighting the war. I heard him say it is security. I heard him say public health. Does anyone dispute that making sure the economy remains strong so that we can be a vigilant and free America is combatting terrorism? That is exactly what this bill does.

Secondly, they want to provide that the legislation is temporary. I would advise my friend, he really ought to go look at underlying legislation. For example, making the 15-year life for leasehold improvement permanent, which is in this bill, was a piece of legislation, H.R. 1030, which 48 Democrats cosponsored, 12 of them members of the Committee on Ways and Means, and if I had the time I would read every name who want this to be permanent, not temporary.

Indeed, permanently extending subpart F was in H.R. 1357. Fifteen Democrats, 11 members of the Committee on Ways and Means, said they wanted it permanent. We listened to our colleagues, Democrats on the Committee on Ways and Means, and made subpart F permanent. So if Members are only going to make it temporary, it makes it very, very difficult to carry out the wishes of people who are supposed to understand tax policy.

Finally, Mr. Speaker, let us look at the third provision. It says, ''Provide assistance to workers who lost their jobs and health insurance coverage.'' If we are going to take this provision literally, it says ''lost their jobs and health insurance coverage.'' Does the gentleman from Texas know there are some people who have jobs who do not have health insurance; that they are employed by small business people who cannot afford the health insurance? Since it says ''and'', those people are not going to be able to get any assistance under the gentleman's motion to recommit because they not only have to lose their job, they also have to lose their health insurance.

That is what happens when one hastily writes up a motion in an attempt to make a point, rather than to make law.

Keep reading it. It says, ''to businesses affected by the economic circumstances following the occurrence of September 11.'' Does that mean they only deal with people who were unemployed after September 11? If people were unemployed before September 11, what are they, chopped liver? It seems to me we ought to deal with the unemployed, whether it was before September 11 or after September 11.

Then if we take a look at what the Democrats offered, which is every unemployment check going up, every new program, new part-time additions to it, the gentleman, I will have to compliment him, is running totally counter to what his colleagues wanted in the other bill, but he is very, very close to what we are doing; that is, putting assistance where it is needed.

But if Members read the English that makes up this particular motion to recommit rather than the legislative language, if Members vote for this motion to recommit, they are only going to help those people who were unemployed after September 11 and who had a job but did not have health insurance.

Who in the world wants to single out that group to be the only ones to receive assistance? Certainly not Republicans. We are fair-minded where we help people who are unemployed. Even those who had health insurance we believe ought to be covered, and if they were unemployed before September 11 they ought to be covered as well.

So if Members have a heart, they have to vote down this motion to recommit.

Ms. HARMAN. Mr. Speaker, I rise in support of the motion to recommit.

The tragic events of September 11 completely changed the priorities and policies on which this House approved the budget for fiscal 2002. Yet, the House is poised to act again in a piecemeal fashion as if nothing had happened—nothing has changed.

Mr. Speaker, in light of September 11th's events, we need a new budget—we need to start over.

We need to reassess what we need to fight the war on terrorism. And fighting this war is our first priority.

Instead, the House is being asked to vote for a package of ineffective tax cuts disguised as an economic ''stimulus'' and inevitably spending the Social Security surplus and putting our nation deeper into debt.

This bill is an example of misplaced priorities.

Another misplaced priority is the facility for the Centers for Disease Control.

Earlier this week, I joined several of my Intelligence Committee colleagues on a tour of the CDC in Atlanta. I could not believe the deplorable conditions in which dedicated scientists identify and contain infectious diseases, including some which terrorists might use against the American people.

Security is less than adequate and some work areas are closed because ceilings have collapsed as a result of water damage. Connected to an antiquated electrical network, a 15-hour power failure put the Center out of commission at the height of last week's anthrax investigation.

Yet, notwithstanding the urgency of CDC's work, neither Congress nor the Administration has provided the funds necessary to repair or improve these labs.

Mr. Speaker, in the absence of a new budget that reflects the new post-September 11 reality, we don't know what other priorities are being ignored.

Mr. Speaker, let's start over and reconsider every element of the budget passed this year. Let's fashion a new budget that ensures that we have resources necessary to win the war on terrorism and protect public safety.

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. TURNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 199, noes 230, not voting 4, as follows:

[Roll No. 403]

AYES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—230

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cubin
Gonzalez
Hill
Schaffer

□ 1638

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 214, not voting 3, as follows:

[Roll No. 404]

YEAS—216

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—214

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Ganske
Gephardt
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—3

Cubin
Gonzalez
Hill

□ 1650

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. 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.R. 3090, the bill just passed.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, earlier today my plane was canceled and I missed two votes on H.R. 3162. I would like the RECORD to indicate that on rollcall 398 I would have voted ''no'' and on rollcall 399 I would have voted ''yes.''

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.

DO NOT GIVE IN TO FEAR, THE MAIN OBJECTIVE OF TERRORISM

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

Mr. EHLERS. Mr. Speaker, I rise to talk about terrorism from my perspective, both as a Member of the Congress and as a scientist.

It is very clear that the purpose of terrorism is an effort by a nongovernmental agency or group of individuals to disrupt the activities of legitimate governments and to do so by instilling fear in the citizens of that particular government. We have to recognize that that is the main purpose of terrorism. The cause may be hate, the cause may be a simple interest in vandalism, but the purpose is to disrupt and to cause fear.

There are various ways to respond to that. One, of course, is a military response, which this country is doing in response to terrorism. But equally important is to defeat terrorism by not letting the terrorists disrupt our country, by not letting them generate fear in our country, but rather by recognizing what their purpose is and to defeat them by not yielding to the terror and to the fear that they want to instill.

Obviously, when the terrorists attacked our Nation and killed roughly 6,000 people in a horrible, horrible attack on the New York World Trade Center, we as a Nation became very disturbed, as we have every right to be, and we are responding to that action militarily. But I am concerned about the response of fear that we also see, the fear of flying, the fear of going places, and the withdrawal into our homes. That is precisely what the terrorists want, and I encourage the citizens of our country to overcome that fear. Most of the Members of Congress fly every week as I do. I have found absolutely no reason to be fearful of flying. It is safer to fly today than it was before September 11, because the security is much better.

Our latest fear is anthrax. But it is very important to put these issues in perspective, and to look at them from the aspect of relative risk. Every day of the week, every day of the year, 120 people, on average, die in automobile accidents in this country. Very, very few people have died from anthrax; very, very few have died, until September 11, from terrorist activities. And so let us keep that in perspective.

We should be no more afraid to fly than we are afraid to get in our automobile and drive. We should be no more afraid of contracting anthrax than we should be afraid of getting in our car and driving. In fact, the probability of incurring anthrax is far less than the probability of winning the Power Ball lottery, and we know that is very very small.

Now, why am I saying this? Am I not afraid of anthrax? Yes, I am, but I am not going to live my life in fear of contracting anthrax. It is very difficult to make biological weapons. It is even more difficult to disperse the biological material. In spite of the efforts made by the terrorists, very few people have been injured or have acquired the disease of anthrax. In spite of the efforts of the terrorists, it is simply very difficult to circulate enough biological material that actually causes someone to become ill, particularly to the point of death.

There are other fears we might have. I am more concerned, frankly, about chemical terrorism than about biological because it is easier to make and spread toxic chemicals and it is easier to kill a large mumber of people with it.

The main point, I want to make is that we should live our lives without fear. We should try to go about our normal paths but to be vigilant. Everyone in this Nation should be watching for terrorists who might be trying to do evil things. They should report these activities to the appropriate law enforcement agency.

□ 1700

Do not live your life in fear. Be vigilant but live a normal life and be grateful that you are living in the United States of America, the most wonderful Nation that has ever existed on this planet. Enjoy the blessings and benefits of this Nation. Do not succumb to what the terrorists want you to succumb to. Be brave, be bold, but be vigilant.

HOMELAND SECURITY TASK FORCE

The SPEAKER pro tempore (Mr. FLAKE). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise today to speak about the Homeland Security Task Force of which the leader on this side has convened and of which I serve as a member of that task force.

In preparing to meet with local municipal leaders and those agencies that are so critical in combatting any type of terrorist attack, I was encouraged on Monday when I convened a meeting in my district and met with 45 of those agencies. In speaking with them about the preparedness of cities and hospitals, schools, refineries, water agencies, postal services, I am convinced that we are prepared.

Of course, there are further resources that can be put in place for those city governments, and there is a critical need for more training perhaps in small cities, where there is not a full-time person who can help in executing the plan that has been put in place, but in the State of California, the Governor has put a strategic plan in place to help the hospitals and to ensure that every hospital has a bioterrorism plan.

We have asked now for the sheriff's department and they have responded with a uniform plan that is in concert and coordinated with city block clubs and other organizations.

I am pleased to report to you that the water agencies have security on every front, especially in the State of California.

So I say, Mr. Speaker, we are ready. The connect is there; the coordination is there. The execution of those plans are there.

I would like to also inform my colleagues that FEMA has 28 Urban Search and Rescue Task Forces, eight of which are in California, and these task forces integrate the plan from the Federal down over to the State and then the local levels. So I will say that I am encouraged by this whole notion that the municipal leaders, the municipal emergency preparedness plan is in place, especially in California.

I would urge all Members, though they may or may not sit on the Homeland Security Task Force, that they meet with their municipal leaders to draw from them their plan and to see whether it is coordinated across all of the agencies. I will say that more than likely they have such a plan, because with FEMA having the Urban Search and Rescue Task Force, I am sure that all other States have put that in place.

Mr. Speaker, we are ready for any type of bioterrorism attacks from the Federal, State and local levels.

TRIBUTE TO KRISTOFOR STONESIFER

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

Mr. GREENWOOD. Mr. Speaker, on September 11 when America was attacked, nearly every American had the same response and that was that we needed to immediately defend our people and defend our Nation against this evil, and the Congress, including this House, immediately after that attack, authorized force, military force to accomplish that end.

Our military force are the airplanes and the aircraft carriers and the smart bombs and the weapons that we have, but that military force is nothing except for the men and women in our Armed Services, volunteers all, who fly those airplanes, who drive those ships, who leap out of airplanes with parachutes and are prepared to serve their country.

Last weekend, we lost our first two fine American young military personnel, and one of those fine soldiers was from my district. His name was

Kristofor Stonesifer, and he is the son of Rick and Ruth Stonesifer from Bucks County, Pennsylvania.

Mr. Stonesifer, Jr., was a pretty extraordinary young man. He knew from a very young age that what he wanted to do was to be the best combat soldier this country had to offer. He left his service in ROTC because he wanted a greater challenge, and when he joined the Army Rangers, he found that challenge indeed.

This was a young man who was aboard a helicopter in Pakistan, prepared to extract our special forces, when as we know tragically that helicopter crashed and he lost his life.

Mr. Speaker, we will undoubtedly lose more lives in this, what will probably be a protracted war, but the first of them was among the finest young men that we had to offer, and I on behalf of the House would like to extend my condolences and our condolences to his parents and remind ourselves as a House of Representatives, as a Congress and as a Nation that it is only because of the likes of Kristofor Stonesifer and his willingness to train and prepare for battle that we, in fact, can authorize force and can have a force that will prevail and will protect this country.

BEING A GOOD SAMARITAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I join my colleague in acknowledging the loss of our fine young men and offer to their families my deepest sympathy.

Mr. Speaker, I am reminded of the biblical verses that tell the story of the Good Samaritan. In that instance, a person of goodwill and caring attitude came upon a brutalized and broken person, having been attacked by those who would do evil. The person did not look around to secure help from anyone else but took that battered soul to a place of refuge, indicated to the innkeeper that whatever the expenses might be to secure him and to make him whole the Good Samaritan would return and pay for it.

It comes to mind that on September 11 it generated the opportunity for this government and this Congress to be good Samaritans, to heal our land and to embrace Americans and to respond to their very needs, the needs of securing America, the needs of ensuring that we had the military personnel and resources to fight against terrorism.

Today, Mr. Speaker, I was sorely disappointed in the legislation that was brought to the floor of the House in the name of stimulus, in the name of helping, when all it did was the simply take from a dying man.

The headline in the USA Today said it well, special interests payback. The stimulus package that was passed today was not worthy of its name. In fact, I would say to those who have paid attention to this debate it was shameful, and as evidenced by the 216 to 214 vote, merely two votes that cast and made this legislation or caused this legislation to pass, it gives me reason to come before this House and to explain to the American people what we did today.

First of all, we are not secure at the passage of this legislation. No one single American has been made more secure. Not one single child has been educated. Not one single school has been built. Not one employee over a period of time will get immediate relief. In the Republican bill, workers will not see relief for some 6 months.

Listening to Daniels of the OMB, he made a statement about President Bush's main priorities. His quote, as I paraphrase as such, President Bush cares about agriculture, but if he cares about any two issues he cares about these two: Conquering international terrorism, I agree; and protecting Americans at home, I absolutely agree.

Let me tell you what the Republican stimulus package does. My son was born in 1985. He is 16 years old. The Republicans' stimulus package provides an elimination of the permanent repeal of the corporate alternative minimum tax, and what that does is it retroactively gives that corporation dollars for over 15 years, almost $20 billion. Seven corporations alone will have a $3 billion gift.

Does that provide airline security? No, it does not. Does it give the men and women of the postal service, two that have lost their lives, the kind of equipment, the kind of protection or the kind of instruction that will allow them to continue to deliver the mail safely? No, it does not. Does it infuse energy into our public health systems, our county hospitals, our private clinics? Does it help private practitioners in rural America and urban America be sensitive to the potential threat of smallpox and anthrax? Does it provide vaccinations for 200 plus million Americans? No, it does not.

What it does do is it provides a permanent reduction of capital gains taxes. Seventy-two percent of the benefit of that reduction are to be enjoyed by 2 percent of the Nation's citizens.

Let me say this to my friends. I certainly believe that we should help businesses, small and large. I think we should help them provide opportunities for jobs. Most Americans would want to support those who are creating new jobs.

This past week I rode home with a constituent who indicated to me that there is a silent recession going on in this country. Four hundred people were laid off in one of our large accounting firms, investment firms, Pricewaterhouse. This is happening all over the country. Will giving corporations $3 billion, $20 billion by eliminating the alternative minimum tax, help anybody? Absolutely not.

Mr. Speaker, this today was a tragedy before this Nation. No one, Mr. Speaker, has been helped today. No American has been secured. No military has been funded. No military personnel has been supported. No indigent people have been helped, and no medical care has been given to those who are in need. Where was our heart today? I believe at the bottom of our sleeve.

I would simply say, Mr. Speaker, that this is an important time in America's history, a time that we could rise to the occasion and be the Good Samaritan. Tragically we have taken from that laying down, broken person, dying on the side of the street, we have taken from them. We have not given to them.

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

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

SCREENING LUGGAGE AT AIRPORTS

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

Mr. STRICKLAND. Mr. Speaker, I would like to speak this evening about this matter of the airline security, because most Americans when they buy an airline ticket believe that when they get on that plane that the luggage that has been loaded into the belly of that airplane has been screened for explosive devices, and the fact is that it has not. Probably less than 10 percent of all the luggage that is put on passenger planes is screened for explosive devices.

□ 1715

Last week, this House left town on Wednesday evening. We returned this Tuesday at 6 o'clock p.m. We went into session at 10 o'clock this morning. We completed work before 5 o'clock this afternoon. And tomorrow we are told to be prepared to leave town by 2 o'clock in the afternoon. It has been 43 days since those two planes were hijacked and tore into the World Trade towers in New York City. It has been 43 days since the Pentagon was attacked and all those lives were lost. It has been 43 days since those innocent people went down in that plane in Pennsylvania. And we still have not passed an airline security bill in this House of Representatives.

Two weeks ago, the Senate passed an airline security bill 100-to-nothing. Every Senator joined together to vote to protect the traveling public. Yet this House has not acted. Why have we not acted? It is because the leadership here is opposed to making the people who work in our airports, to provide the security for our traveling public,

Federal employees. And they know the American people want this. They know that Republican and Democrat Senators alike wanted it, and they know if it comes to this floor for a vote, it will pass, because a vast majority of the Members of this House believe that those employees should be Federal employees, well-trained, well-equipped, well-paid professional people who are charged with the responsibility of keeping us safe when we fly.

Many Americans are shocked to learn that in some of the major airports in this country, up to 80 percent of the employees who provide this security are noncitizens. They are noncitizens of this country. They receive little more than minimum wage. They received a day or two of training. Some of them receive less training than they would receive if they were hired by Starbuck's to sell coffee in our airports. Yet they are charged with keeping our airports safe and making it safe for us and our families and our loved ones to board those planes.

It is shameful in my judgment that we are wasting so much time in this House, that we are completing work before 5 o'clock in the evening, that we are leaving town tomorrow in the early afternoon and not returning until 6 o'clock next Tuesday without acting on this airline security bill.

We do not want Americans to be afraid to fly but Americans have a right to know. They have a right to know that today when they get on an airplane, it is likely that 95 percent of the luggage that is in the belly of that airplane has not been checked for explosives. They need to know that as they make decisions about themselves and their families and whether or not they want to fly. And we need to understand that if we want this economy to go downward, we will lose another plane or two and people just simply will refuse to get on our airliners.

We can do this. The technology is there to check for explosive devices. We just simply do not have the will to make the decision to make it happen. Yesterday my friend the gentleman from Washington (Mr. INSLEE) and I went to the Committee on Rules. We wanted a part of this stimulus package to provide the financial resources to enable our airports to have these devices that could check for explosives. That certainly was not made a part of today's package which passed here on the floor of this House. But if we lose an airliner as a result of an explosive device being placed on that airliner, the responsibility is going to be in this House and it is especially going to be on the leadership of this House if they do not move this bill forward. Bring it to the floor, let us debate it, let us vote. We owe this to the American people. The American people want it, and I believe as they become increasingly aware of the dangers they face that they will demand it.

Mr. Speaker, we ought to do this and we ought to do it this week rather than waiting to some later time.

REPUBLICAN STIMULUS PACKAGE IN JEOPARDY

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

Mr. DEFAZIO. Mr. Speaker, about a week ago, the Secretary of the Treasury, Secretary O'Neill, referred to the Republican so-called stimulus package as a showboat plan. He implied that it was going nowhere with the administration, that it did not support many of its provisions. I guess I would say after the vote on the floor of the House today, we could say that the showboat is listing, taking on a lot of water and about to sink. By the narrowest of margins, despite the larger Republican majority, the bill passed the House by three votes today.

It is not going anywhere. Why is that? Is that because the Members of the United States House of Representatives do not care about the economy, do not care about the millions of people who have lost their jobs, do not have continuation of their health insurance? No, it is because they knew that this bill was a charade, a farce. This bill does nothing to help average Americans, working families, those who have lost their jobs, the small businesses that have been hit by the recession and are struggling to make ends meet. No, it goes and gifts the largest, most profitable corporations in America, those who have to have a special provision in the tax bill, that have been able to shelter so much income that they do not have any apparent taxes, they have to pay something called the corporate alternative minimum tax. This was a reform put through by a Republican Senate, a Democratic House and signed into law by Ronald Reagan because of the outrages of the 1980s, when the largest, most profitable corporations of the world were not paying any taxes, who in fact were getting rebates for taxes they had not paid. So this loophole was shut.

Guess what? They just blasted it back open again. This bill would provide $25 billion, paid for out of the Social Security Trust Fund, in retroactive tax rebates to the largest, most profitable corporations in the world. That is an outrage. $2.3 billion to the Ford Motor Company, $1.4 billion to IBM, $833 million to GM, $671 million to GE, with no requirement they pass on a penny to their workers, the workers they have laid off because of the recession, without a single word saying, they might cover the health insurance of those they have laid off because of the recession.

No, in fact this money is a retroactive gift under the Republican version of a stimulus package which will do nothing to stimulate the economy, do nothing to help those workers or their families, do nothing to help small businesses who are crying out for relief.

There are even more outrages in the bill. The bill also has $20 billion of tax incentives for corporations to make investments overseas. I guess the Republican majority is concerned about burgeoning unemployment in the Third World or in Europe or Japan or elsewhere but not here in the United States of America. They have given a bigger pile of money to corporations as a tax break, $20 billion, for overseas investments than they put in here to help out America's working families and small businesses who have been hit so hard in this tumbling economy. This is outrageous.

This follows on the heels, of course, of the $16 billion airline bailout bill which, of course, did not contain a penny for workers or workers' health insurance or extended unemployment or even aviation security. None of those things are in the bill. But we were told at the time when I raised objection, offered a motion to recommit on the floor, wait till next week. Well, it is 5 weeks later. Guess what? We are still waiting for some assistance to those airlines workers and people in related industries and small businesses like the travel agents who have been hit so hard. Nothing has been done for them. We are still waiting for one penny to be appropriated by this House of Representatives for aviation security. We are still waiting for a comprehensive aviation security bill. All those things can wait. But a retroactive repeal of a tax provision that closed a loophole cannot wait. That had to be rushed through this House today.

We just cannot wait to see the way those corporations will spend the money. I am sure they will put millions to work. Well, maybe not. Maybe they will give the money in dividends to stockholders, maybe they will give bonuses to the CEOs because they were able to maneuver this kind of a tax break through the Congress. It is not likely it will flow into the pension funds that have been raided by IBM and others. It is not likely that it will flow to the workers who have lost their jobs. It is not going into extended unemployment benefits. It is not going to give health insurance coverage to those people. This is simply an outrage.

That is why this was such a narrowly divided vote in this House of Representatives. Not because we do not care, that we do not want to do what is right by the American people and the economy. We do. That requires a combination of assistance to people who have lost their jobs and small businesses that have been hit hard. That should have been one element of the bill; targeted tax cuts, those that would increase investment, increase jobs; and, third, investment in America, the transportation infrastructure of this country in a fiscally responsible way. That would have been a true recovery package. Maybe we can still get there if the Senate has the guts to stand up to the minor part of the majority here in the House.

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

(Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRADING OUR FREEDOM FOR OIL

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

Ms. KAPTUR. Mr. Speaker, tonight I would like to speak a bit about trading our freedom for oil.

Imported oil and the politics it attends have reared their ugly heads too often in modern history. Osama bin Laden's vengeance reveals its newest facet. President Jimmy Carter was right when he said that the Arab oil embargoes of the 1970s, and the economic havoc created here at home, constituted the moral equivalent of war. With public consciousness high at that time, our Nation created the Department of Energy to put America on a course to become more energy self-sufficient. Conservation saved millions of barrels per day, more fuel-efficient cars stemmed the growth of rising petroleum usage, and small efforts were made to develop alternative fuels.

But in reality, America was not really committed to a nonpetroleum future. By the 1990s, America had fallen asleep again. Foreign petroleum constituted half of U.S. consumption, with its share of total volume rising each year. Serious work on other fuel alternatives was largely ignored. Billions of dollars of U.S. tax subsidies continued to flow to the petroleum industry. Even the U.S. defense budget grew, including standing forces in Saudi Arabia, our largest supplier, to protect our foreign oil sources. By 2000, the U.S. imported over half of its petroleum, expending billions of dollars annually while foregoing that investment domestically.

The current recession, too, has been triggered by rising prices of imported petroleum. The U.S. engaged in the Persian Gulf War after Iraq invaded Kuwait to take over its oil fields. No longer working through surrogate heads of state like the Shah of Iran, the United States became directly embroiled in Middle East oil politics in that war. Then the subsequent, decade-long U.S. containment bombing of Iraq's no-fly zones ensued. What an irony of modern history, that as our Nation bombs Iraq, we continue to purchase billions of dollars of Iraqi petroleum. Meanwhile, in Saudi Arabia, 5,000 U.S. troops have been stationed to regularly defend the trade path for U.S.-bound oil out of the Straits of Hormuz and into the Arabian Sea headed to our shores.

Now America is at war again. This time our enemies are oil kingdom zealots whose wrath grows out of the very undemocratic regimes that weaned them. In these places, Saudi Arabia, Oman, Yemen, even Sudan, oil trade over the decades has not brought freedom nor democracy. Trillions of U.S. consumer dollars have flowed to the oil kingdoms and yielded unrepresentative governments, some tyrants, great poverty, poor education, gender bias and political instability. Indeed, trade without freedom has yielded a virulent hate towards America, equal to that directed against the oil kingdoms themselves.

□ 1730

America must remove oil as a distorting proxy for our foreign policy. America can do this. It will take Presidential leadership and the leadership of this Congress, the kind of leadership less allied to the Carlyle Group and more allied to America's independence.

As a consumer, I want to purchase an ethanol-powered car. Even though Detroit makes such a car, I cannot buy fuel for it at the pump. The oil industry has a lock on fuel sold to American consumers. But every time I buy a gallon of gas, I am angry because I know half of my money flows offshore into the pockets of cartels in undemocratic regimes.

The American people must be freed to purchase a broader range of fuels. The lock of the cartels on our gas pumps must be broken. The Government of the United States should employ its antitrust powers to free our consumers at the pump, free us to purchase the fuel of our choice. For me it is ethanol produced by farmers in the Midwest. Let me buy it.

Putting America on a solid energy footing will require national leadership, and our Federal Government must spur America forward, akin to the dawn of the space age and the establishment of NASA.

We must demonstrate will here at home first. Becoming energy self-sufficient makes global economic sense too, because over the next 15 years world oil reserves will begin diminishing, with prices rising even higher with each barrel pumped.

There is no more opportune time for our Nation to get serious. Let us free America from its dependence on foreign petroleum.

NATIONAL BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore (Mr. FLAKE). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. CAPITO. 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 my Special Order.

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

There was no objection.

Mrs. CAPITO. Mr. Speaker, I rise today in this special order to talk about a topic of great importance to all Americans, and in particular it has become a great focus of the Women's Caucus here in the United States Congress, and that is October being Breast Cancer Awareness Month.

Breast cancer impacts all of us in America in some way. Whether it is a family member, a friend, a neighbor, an acquaintance, someone who goes to church with us, we have all been touched in one way or another by breast cancer. So we are going to talk a lot tonight about breast cancer and breast cancer awareness and cures for breast cancer.

As a member of the Women's Caucus of the House, I would like to yield to the gentlewoman from Illinois (Mrs. BIGGERT), who is the cochair of the Women's Caucus.

Mrs. BIGGERT. Mr. Speaker, I would like to thank the gentlewoman from West Virginia (Mrs. CAPITO) as the Vice Chair of the women's conference for leading this Special Order, along with my cochair of the women's conference, the gentlewoman from California (Ms. MILLENDER-MCDONALD). I am delighted the two of you could do this tonight. It is so important that we do this and recognize October as National Breast Cancer Awareness Month.

For far too many Americans, no month of awareness is needed to remind them of breast cancer. On a daily basis they and their families and friends are well aware of the existence of this disease. Next to skin cancer, more women in the United States, about 2 million, live with breast cancer, more than with any other form of cancer. This year, some 233,000 women will be diagnosed and more than 43,000 will die of this terrible disease.

I think it is fair to say that we are all well aware, some painfully aware, of breast cancer. But as the American Cancer Society so succinctly put it, our challenge is to turn awareness into action. Let us turn October into breast cancer action month.

What does this mean? Well, first it means breast examinations. Thanks to early detection techniques, breast cancer can be beaten and life can be extended. That is why it is so important for women to have a clinical breast examination at least once a year. Between the ages of 35 and 40, a woman should have at least one mammogram, and then one every 1 to 2 years, until the age of 50. After age 50, women should get a mammogram each year. That is action.

Second, in addition to early detection of breast cancer, we must support research to find a cure for it. Many of our colleagues and I did that when we strongly supported doubling the funding for the National Institutes of Health as well as increasing the funding for the Department of Defense's Peer Review Breast Cancer Research Program. That is action.

Now, while scientists have made tremendous advances in the diagnosis and treatment of this terrible disease, there still is much more to be done. In recent years there has been much discussion over the link between the environment and breast cancer, and I believe it imperative for scientists to continue to examine this issue.

This body was good enough last year to grant my request to fund a study to examine why the breast cancer mortality rates in my home county of Du Page in Illinois are so much higher than in the rest of the State and the country. We do not know whether it is environment, socio-economic status or other demographics; but we are hopeful this study will shed some light on it.

Mr. Speaker, whether it is through a family member or a friend, everyone has been touched by this horrible disease. We are aware of breast cancer. We must ensure our awareness turns to action. While we do not know yet how to prevent breast cancer, we do know how to help women detect it early and treat it more effectively once it is found. The successes of recent years give me tremendous hope that we will conquer breast cancer. We must all continue to work to achieve this goal and ensure a healthier future for the many women and men who will face breast cancer during their life times.

I am so happy we are doing this Special Order tonight to raise that awareness and that we can take the action. So, again, I thank the gentlewoman.

Mrs. CAPITO. Mr. Speaker, I thank the gentlewoman for her contributions, not only tonight in discussing an important issue, breast cancer awareness and cures and action, but thank her also for the efforts she has done on behalf of the women of the House and the women of America in terms of shedding light on a lot of issues, health and economic issues. I applaud her for all of her issues.

Mr. Speaker, I yield to the cochair, the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentlewoman so much. I join with my cochair, the gentlewoman from Illinois (Mrs. BIGGERT), and all of the women of the House, in recognizing this month as Breast Cancer Awareness Month, and to say to the women out in the audience and across this country that we wish for you the very best in health, but please get tested for this very important, important illness that is before us.

You know, Mr. Speaker, as my cochair has mentioned, October is recognized as National Breast Cancer Awareness Month; and as the women of the caucus come today in this hour to talk about its importance, we also know the importance of funding; funding for education, funding for early detection through research, funding for treatment and testing. All of those are critical elements in the fight against breast cancer now.

We do recognize that breast cancer is the most common form of cancer in women in the United States and its cause and its cure remains undiscovered. In 2001, 192,000 new cases of female invasive breast cancer will be diagnosed, and 40,200 women will die from this disease. We recognize also, Mr. Speaker, that breast cancer is the second leading cause of cancer death among all women, after lung cancer being number one. But it is the leading overall cause of death in women between the ages of 40 and 55. This is why it is critical for women, especially women from low-income families, to get tested and treated for any trace of breast cancer.

In the United States, one out of nine women will develop breast cancer in her lifetime, a risk that was one out of 14 in just 1960.

This year, breast cancer will be newly diagnosed every 3 minutes and a woman will die from it every 13 minutes. Fundamentally, when breast cancer is detected and treated early, the survival rates improve. We have seen that, Mr. Speaker, in the death rates in women between 20 and 69 years of age, which declined by 25 percent in 1990. But, again, early detection and treatment are really the areas to credit that decline.

Early detection is the key to surviving breast cancer. Mammography is the best method of breast cancer detection. Mammography can detect cancer several years before a woman or her health care provider can through the testing, to feel for a lump.

Throughout this month of October, many mammography facilities around the country will offer reduced fee or free screening and extended hours. We urge women from low-income families to check their health facilities, because this month there will be many reduced fee and free screenings for women. There will also be extended hours. So we urge women to go and get this testing.

We also encourage women to protect their health and well-being by taking advantage of the mammography services in their communities. There are hundreds of community-based breast cancer resource programs around this country. They provide information about breast cancer, services to breast cancer patients and their families, and are committed to raising money in the fight against breast cancer.

In my district of Compton, California, which I represent that city, the Relay for Life program raises awareness, money for detection, and celebrates survivorship. I am pleased with the women who are part of that Relay for Life program. Twenty-three teams of local citizens participated and raised over $20,000 for breast cancer research and education just last year. This Relay for Life program in Compton stands as an example of what we can accomplish if everyone joins in an effort to collectively beat the odds.

As we well know, the sale of the breast cancer stamp has already raised over $22 million in 3 years since its inception. I have teamed with my colleague, the gentlewoman from New York (Mrs. KELLY), on H.R. 2725 to extend the stamp for an additional 6 years. With bipartisan support from over 206 Members of the House, this bill will provide funding for breast cancer research, incurs no cost to taxpayers or the Government, has gathered bipartisan support by more than four-fifths of the Senate representing all 50 States, and standing as the most supported bill in this body since perhaps many a year. It stands among the 28 most widely supported House bills of the 107th Congress. It requires no new administrative procedures and allows for the creation of additional postal stamps on any other issue.

I hope my colleagues will join the 206 Members who are trying to make a difference with this legislation in trying to really find a victory and hopefully finding a cure for breast cancer. This summer I even went a step further and introduced H.R. 2317 that would have made this breast cancer stamp permanent.

It is imperative, Mr. Speaker, that we support the efforts of community-based organizations and women across this Nation to raise the awareness and provide support to breast cancer patients and support legislation that will increase Federal funds for research and lead to improving the treatment for women so that this life-threatening condition can be eliminated.

Mr. Speaker, I invite my colleagues to raise your voices, open your hearts, and strengthen your resolve to educate communities for the fight for adequate funding, so that women can maintain their health and vitality.

At this time I would like to thank the American Cancer Society and the Susan G. Koman Breast Cancer Foundation for their strong efforts in the awareness, the treatment through funding, and for their different programs that they have in providing the Beat Cancer pins and ribbons that we are using today and also for their many efforts.

□ 1745

I will just yield back now to the gentlewoman from West Virginia (Mrs. CAPITO), as we have several speakers on this side of the room who wish to speak.

Mrs. CAPITO. Mr. Speaker, I would like to thank the gentlewoman from California for her wonderful advocacy in terms of raising the awareness of breast cancer today, but I would also like to thank her for, as a new member of the Women's Caucus, and as a new woman Member to the House, for her leadership on so many issues. I have learned a great deal in the Women's Caucus meetings that she and the gentlewoman from Illinois (Mrs. BIGGERT) put together.

Mr. Speaker, we all know that breast cancer, while it strikes women in much greater numbers, men are also many times victims of breast cancer, but

men can also be victims of breast cancer because many times their wives or daughters are stricken. So I am pleased to have here today the gentleman from Michigan (Mr. EHLERS) to speak on breast cancer awareness.

Mr. EHLERS. Mr. Speaker, I thank the gentlewoman for yielding. I must confess I feel a bit like an intruder as the only male speaker here this evening. But I did want to express concern and appreciation and also give a little perspective on it from someone who is a bit older than most of those speaking tonight.

I remember some years ago when breast cancer was unmentionable, and it was a very serious mistake in our society, because my experience was that up until the 1950s, suddenly someone would die and you would say, what happened, and the response would be, oh, she had breast cancer. There was no discussion of it ahead of time. There was no discussion in the media or among the public about the disease, about its causes, its cures and so forth.

I want to rise, first of all, to pay personal tribute to one of my heroes, and that is Betty Ford who occupied the White House, and she was the first American woman who openly discussed breast cancer and opened the floodgates for the women of this country. Ever since then it has been a topic discussed very freely; there is constant information available about the nature of the disease, how to detect it, how to prevent it that simply was not around before that. This is one reason, incidentally, that I nominated her for the Congressional Gold Medal 2 years ago at the same time I nominated her husband. It is the first case in which both a President and First Lady received a Congressional Gold Medal, but I felt she deserved it as much as her husband because of what she had done in the area of breast cancer.

I want to mention something else that is rarely known or noticed or discussed, and the gentlewoman referred to it a moment ago in her introductory comments, and that is that men also have breast cancer. It is far less frequent, but almost always undiscovered until it is far advanced, because most men simply do not know that it is a male disease also, and we should be aware of that.

One other point I would like to make, and this wanders a bit from the topic, so I hope my colleagues will allow me to do that. But in my work on the State level chairing the Public Health Committee and analyzing the situation, I discovered that prostate cancer for men was at the same awareness level that breast cancer for women was in the 1950s. Men did not talk about it. Men did not get the exam and so forth. I am very pleased that in my position there I was able to get money appropriated to publicize this, to provide for public exams and so forth. We must publicize that in this country as well. This is not a hidden disease, as breast cancer was not, even though we treated it that way a half a century ago. Currently, the fatality rate for prostate cancer among men is greater than the fatality rate for breast cancer among women. We really have a lot more to do in that area as well.

So I appreciate the gentlewoman scheduling this Special Order. It is absolutely essential to call attention to the need for more mammograms, more detailed mammograms, and I am pleased as a scientist that we continue to make progress in the quality of mammograms. My wife has kept me fully informed of this, as an experience that used to be very, very painful and not very valuable has now become virtually painless. The quality of the last mammogram she had, as she recounted it to me, was simply exceptional, and I am very pleased to see these continuing scientific and medical advances. I am also very, very grateful that the cure rate is getting so much better. I have so many friends who are survivors of breast cancer, 3 alone just in the past year. I am just grateful that we continue to make advances in treatment and cure as well.

So I thank the gentlewoman again for having this Special Order. It is absolutely essential to call attention to this. Let us make sure that all of us work together, male and female, Republican and Democrat, to ensure that we eradicate this horrible disease.

Mrs. CAPITO. Mr. Speaker, I thank the gentleman. I enjoy his insight into not only the possibilities of males having breast cancer, but I think we need to raise the awareness of that, and then the hope that we all have to find this, eradicate it, find a cure. So I am pleased that the gentleman was able to join us this evening.

Mr. Speaker, I yield to the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Speaker, we do thank the gentleman for coming today, because although we recognize that it is not an alarming number of breast cancer victims on the male side, still men do get it, so I thank him so much.

Ms. CAPITO. Mr. Speaker, I yield at this time to the gentlewoman from California (Ms. ESHOO), an outstanding member of the Women's Caucus.

Ms. ESHOO. Mr. Speaker, I thank the gentlewoman from California, my colleagues on the Republican side of the aisle, and everyone that is here tonight to raise the flag during October, which is National Breast Cancer Awareness Month in our Nation. It is a very important time for everyone in the country, and I thank our colleague for just talking about yesteryear when breast cancer, 2 words, really were not uttered. It was a source of embarrassment, it was a secret, it was something that was just between a woman and her physician, and that has changed, and it has changed enormously.

Today, in the year 2001, while we do not know or have not found a cure for breast cancer, much has been done in order to make progress to reach that goal. That is why I think October is especially important.

Today, October 24, is the first anniversary to the day that a bill was signed into law that so many of us were a part of. Now, one might think that legislation that was written some time ago to address underinsured and uninsured women relative to treatment would be an absolutely simple idea that would flow through the Congress. Well, while we had more than a majority of Members that had signed on to the bill, there were still enough Members in the Congress to play havoc with it and to play politics. But a year ago today, that bill that I referred to, and my colleagues that are here right now were the stalwarts that helped raise this up and make it a law, the breast and cervical cancer bill was signed into law.

Now, what was that bill all about and what has happened in a year's time? I think it is unprecedented.

First of all, we have constituents that came to us that were able to take advantage of a program that a much earlier Congress, and I believe the gentlewoman from New York (Ms. SLAUGHTER) was a part of at that time, where women could apply through a program of the Centers for Disease Control, the CDC, they could go locally and be able to get the tests that would tell them what shape they were in, essentially. It is a very good law and there were many women who applied for that and were able to use it. However, the Congress had not taken the necessary steps that once any of those women were detected to have breast cancer, that they could then seek treatment. So we essentially said, we will help you find out, but when you find out that you are victimized by this disease and also by a lack of insurance coverage, by the way, in this country, that you were on your own. There was story after story that came to us, because we had hearings on this, and the legislation was written.

Today, because of the law that was signed into law, the bill that was signed into law, there are now I believe 33 States that have taken up the call to use the funding that we fought so darn hard for in this bill. We had to have money in the bill to encourage States to place monies next to Federal dollars in order to carry out the treatment of these underinsured and uninsured women.

Now, who are these women? They are the women that we meet in the coffee shop that wait on us, the waitresses, the older women that went into the workforce later on in their lives, but spent most of their lives raising their children. Sometimes their husbands left them. They had absolutely no insurance coverage whatsoever.

So I think that the Congress did a very, very good thing a year ago today. I know it was a great day of victory.

What I want to bring into focus this evening is how important women and their families are across the country, because were it not for the advocates

that constantly came to the Hill, that sent their e-mails to Members and to key Members of Congress to make this happen, all under the umbrella, really, and the organizing genius of the National Breast Cancer Coalition in our country. They came to Washington over and over again. Their stories inspired us. By the time this bill was signed into law a year ago today, there were women that had come to the Hill that did not enjoy the news because they had lost their lives to breast cancer.

So I want to salute the National Breast Cancer Coalition in our country for the work that they did to help make this possible.

I would like to read into the RECORD the States that are now participating in this program, and they are in alphabetical order. I think it is a real honor. Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington State, West Virginia, and Wyoming.

So if anyone in the Congress wonders whether we can make a difference, whether when we raise our voices to change a system, to add on to it, to pay attention to our constituents and their stories, we can indeed make a difference in our time, we can do something noble that is going to enhance the lives of American families.

So thank you to those families, thank you to the advocates, thank you to the women of the Congress.

Mr. Speaker, when we run for office, we are so often asked, especially as women, do you think that we should vote for you just because you are a woman? My response during my campaign was, no, that is not enough. But understand that when women go to the Congress, they take their life experiences to that public table. We know we have very complicated bodies. We know that mammography and its standards needed to be raised. It was the women in the Congress that did that.

Mr. Speaker, I would like to place into the RECORD my thanks to a very courageous man in the Congress and that is our colleague, the gentleman from Pennsylvania (Mr. MURTHA). He has been really the guardian angel of and created the funds through the Department of Defense, $175 million, that is directed toward the research for breast cancer, and he is recognized across our Nation and our Women's Caucus for the work that he does really very quietly year in and year out. So we pay tribute to him.

Mr. Speaker, I want to say to the women that are tuned in this evening and might be listening to us that we hope that we have made you proud of not only the Women's Caucus, but the women that have come to the Congress. I want to salute my colleagues, past and present, upon whose shoulders we stand. I see the gentlewoman from New York (Ms. SLAUGHTER) is here who, before I came to the Congress, was doing this work. I want to thank my colleagues that are the cochairs of the Women's Caucus. It is a very important vehicle.

□ 1800

I know, as Auntie Mame says, that we have miles to go and places to see, but we will continue that fight. We will not rest until we find the cure for this disease that has victimized too many.

Mrs. CAPITO. Mr. Speaker, I thank my colleague, the gentlewoman from California (Ms. ESHOO), and I commend her for her hard work in this area.

I was extremely gratified to see that when they got to the W's, that she did name West Virginia as one of the States taking advantage of those very, very critical funds in terms of breast cancer detection.

Mr. Speaker, I yield to my colleague, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague, the gentlewoman from West Virginia, for yielding time to me. I appreciate being able to stand here. It is an honor to join with my colleagues on this important topic of breast cancer and Breast Cancer Awareness Month being in October.

Mr. Speaker, our colleague who just spoke referenced the fact that when we women come to Congress, we bring our life stories with us. I have in front of me as I speak today the face of my sister, my sister Frieda, who a year ago was going about her life, but in the ensuing months in November got the report back from her mammogram and then her biopsy, and indeed, needed to go through that whole year of treatment, which was surgery on both breasts and followed by chemotherapy, followed by radiation. It is a very daunting challenge that so many women face across this country.

So I speak of this opportunity in this place; but I speak also about my sister, and all the many sisters we have across this land today.

It was indeed a highlight of mine in the last session of Congress to be a part of the effort, it really felt like a groundswell, to see enacted the Breast and Cervical Cancer Treatment Act which my colleague, the gentlewoman from California (Ms. ESHOO), just referred to, and highlighted and outlined its importance.

It is an honor for me to be part of the legislation which is currently finding its way, the bill by the gentlewoman from North Carolina (Mrs. MYRICK) and the gentlewoman from New York (Mrs. LOWEY), which requires that NIH conduct studies to see if there is an environmental connection between breast cancer and the statistics that we find ourselves with today.

I am pleased to be part of the effort to reauthorize the breast cancer stamp, which has generated so much needed revenue for breast cancer research and efforts.

I am proud to be part of the effort to double the funding for the National Institutes of Health, where so much important research continues in this area.

We must not forget that it is a very vital part of the Patients' Bill of Rights, the reforming that is needed for our managed care system which will allow the inclusion of clinical studies to be part of health insurance plans.

But I want to also give recognition to the important, remarkable work that women have done across this country on their own, the coalitions that have built up: the Race for the Cure; the event that just transformed my community this last weekend, the Avon three-day event.

On last Friday morning, 3,000 folks came out to send off the team taking part in this major fundraising effort to raise awareness but also funding, funding that is so needed in the area of breast cancer research and treatment.

It is the national breast cancer coalitions indeed, as has been mentioned already, which have spearheaded much of the legislation that we are following through with here. That is the way it should be done.

The inspiration comes from the lives and hearts and communities where women and their families and their loved ones, and men as well, face the diagnosis, are strong in the face of it, and go forward.

As the situation has changed over the years with breast cancer, I give great credit to those who were out in front insisting that it be a topic we talk about, insisting that it have its place in our research dollars and in our treatment efforts, and that it be also such an important part of the awareness of all people in the country, and those women who seek to have treatment after a diagnosis; and that they are willing to go through that and have their treatments and exams each year.

Then I will close with my own story, because 2 weeks ago it was my turn to go for my annual mammogram, which I do every year, and to have come back some questions, some doubts; and to have the radiologist sit down with me and say, I think you need to have a stereotactic biopsy. My heart began to pound, even though I knew that the chances are that it could be benign. All women who face this in the waiting room of whichever place they go for screening know that feeling.

So I was scheduled and had the biopsy. Then you wait again for the news from the surgeon. I am very grateful that my story was good. At this point it is negative. I will follow the course of revisiting, re-examinations. I will be faithful in doing that.

But as I stand here and talk about this very personal experience for me, I am aware that today in this country there are places where women do not know to go to get a mammogram;

where it is hard to find the clinic, it is hard to get time off from work to do it, it is hard to make these pieces come together.

Also, there is a lot of fear still in the hearts of people across this land. This word ''cancer'' is a scary word and an ominous word, and one that we want to put under the bed and under the carpet and not have to face it.

I urge those who are part of our discussion this afternoon to spread the word to acknowledge the fact that, yes, there was once a time when it was truly something to be terrified of, but though it is still a tough diagnosis, that the treatment rate is so much advanced, so much improved; that there is much hope there. We stand here in Congress able and willing to continue the work so that one day it will not only be a treatable disease, but one that we can look forward to its elimination.

Mrs. CAPITO. Mr. Speaker, I would like to thank my colleague, the gentlewoman from California, for her insight and for sharing her personal story, because I think it shows that a proactive approach to diagnosis does not necessarily end in a bad way; but it ends in a way to put one on high alert, so one knows as the years and months go by that we need to be retested and relooked at and be very aware of how our bodies are developing.

Mr. Speaker, I yield to my colleague, the gentleman from Georgia (Mr. KINGSTON), who has come in to share some of his insights into breast cancer and breast cancer awareness. I thank the gentleman for joining us today.

Mr. KINGSTON. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding to me and want to thank my other colleagues for the hard work they have done over the many years on this important issue.

As a member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations, this is something that we have made a priority with the FDA in terms of breast cancer testing and screening.

I remember years ago the FDA gave us an example of something that they had not yet approved of, and it was a self-testing device that was a very thin piece of kind of a rubbery substance maybe about 6 inches in diameter. It was a circle, and you would apply it to your chest, and it was an amazing thing, because it could pick up a grain of salt and make it magnified on the fingertips, so women who wanted to do this sort of self-testing could do it at home. It was not foolproof, but it would raise the awareness level.

Our argument with the FDA is if they just approve this, then people can do this self-test and it will be on their minds. That is one of the things that we need to do is make sure that the testing is on women's minds.

I am very fortunate that my mother has had it on her mind over the number of years, because about 1 month ago she found out, very sadly, and to her shock and our family's sadness, that she had breast cancer. And fortunately, because of her proactiveness, we were able to get a good analysis.

Yesterday she had actually had the operation for it. I talked to my sister in Denver who had flown out from Dallas where she lives and spent the night with my mother in the hospital, and she said that Mom is doing well and should be home tonight.

Just before the gentlewoman yielded the time, I called out to Colorado to get a medical report. I regret I do not have one right now. But last night, after the operation, things were doing well; and so we are all prayerfully standing by.

But think about how fortunate we are in my own family that medical technology is such that a lump the size of a pin's head had been discovered, and that because of this proactivity, Mom is hopefully home tonight, and also will continue to be with us for 50 and 60 or a couple hundred more years.

So this is relevant. This is the type of legislation that affects all of our families. It is the type of activity that we can do in our congressional offices that goes to each American home and family.

I am glad October is Breast Cancer Awareness Month, but the other 11 should be, as well. I am glad we celebrate Mother's Day; but we should also celebrate it not just once a year, but all during the year.

As a boy who traumatically was raised with three sisters, the only boy in the family, I can say, God bless womanhood, I love them all; and I am glad that my sisters have the opportunity to benefit from this legislation, and that my wife and my two daughters will, as well.

So I think the research has to continue, the awareness has to continue, the education campaign has to continue. I am proud to see that the gentlewomen are taking leadership on this and doing it on a bipartisan basis.

Mrs. CAPITO. Mr. Speaker, I thank the gentleman. Good luck to his mother. I know she is in good hands.

Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER), my vice-chair counterpart.

Ms. SLAUGHTER. Mr. Speaker, I appreciate the gentlewoman yielding to me.

I want to join my colleagues in recognizing October as National Breast Cancer Awareness Month, because no disease is feared so much by American women as breast cancer.

At this moment, 3 million women in our Nation are living with breast cancer, 2 million have been diagnosed, and 1 million's cancer remains undetected. In 2001 alone, there will be 233,000 new cases of breast cancer in the United States, making it the number two cancer diagnosis among women. This year, 40,000 women will die of the disease. To put this in perspective, a new case of breast cancer is diagnosed every 2 minutes, and an American woman dies of breast cancer every 13 minutes.

To be sure, we have come a long way in the last few decades. There was a time not so long ago when breast cancer was not considered polite conversation. Women suffered and died in virtual isolation, because no one would talk about this silent scourge.

But today, however, it is different. We have public education programs urging women to have mammograms. Programs are available for low-income women to receive screening; and as of last year, as the gentlewoman from California (Ms. ESHOO) pointed out, with her bill they can get treatment.

It must have been the worst thing in the world, before this bill was passed, to be diagnosed with breast cancer and have no ability whatever to pay for treatment. Chemotherapy drugs are now less toxic and more effective; and we even have a drug, Tamoxifen, that can help prevent or postpone the onset of breast cancer in women who are at high risk.

For the first time since records were kept, breast cancer death rates actually declined during the 1990s. I am deeply proud of the part we played in this caucus in obtaining research funding for breast cancer and in ensuring that women were included in all clinical trials.

But so much more remains to be done. We need better methods of detecting breast cancer. The mammogram is an old technology and an imperfect one. Some tumors can exist for 6 to 10 years before they are detectable with the mammogram machine.

We need to understand the causes of breast cancer, and then determine the steps women can take to reduce the risk. Treatment must be further refined so women can defeat breast cancer and enjoy a long and healthy lifespan.

Mr. Speaker, in my judgment as a microbiologist, the future of breast cancer research lies along two parallel paths: genetic research and environmental studies. Together, these two avenues will lead us to the detection, prevention, and treatment methods of the future.

Genetic research is already well on its way, and scientists have identified four separate genes that indicate an increased risk for breast cancer, and more that we have not yet identified possibly acting in combination with other genes.

Our understanding of the genetics of breast cancer is in its infancy, but it is developing rapidly. We must ensure, however, that genetic information is used to help patients and not to harm them. Genetic information will be a powerful tool, but it must be used for the right purposes.

In order to safeguard genetic information, my colleague, the gentlewoman from Maryland (Mrs. MORELLA), and I have introduced H.R. 602, the Genetic Nondiscrimination in Health Insurance and Employment Act, which

will ensure that health insurance companies and employers will not use predictive genetic information to deny individuals coverage or job opportunities.

I am pleased to report that this bill has the support of 255 bipartisan cosponsors and hundreds of organizations involved in health care issues. I hope very much the House leadership will allow this important bill to come up on the suspension calendar so we can get this done before the end of this year.

□ 1815

It is certain to pass the Senate.

As important as genetics are, environmental factors are proving to be equally significant. Ninety percent of breast cancer victims have no family history of the disease, which means something in their environment is triggering their cancer.

Women are more susceptible to environmental toxins for a number of reasons. First, they are smaller so toxins since have a greater impact. Second, they have a higher proportion of fatty tissue where toxins tend to accumulate; and third, they tend to metabolize toxic substances more slowly.

Women may also be at greater risk for disease since they are often exposed to higher levels of household chemicals. Many women take hormone supplements for birth control or relief of the symptoms of menopause. Women experience greater fluctuations in hormone levels throughout their lives. They may also affect susceptibility to pollutants or to environmental estrogen. This risk may be greatest in puberty due to major hormonal changes and the rapid growth of the breast tissue.

For all of these reasons, we must increase our research into the impact of the environmental factors on women's health. I am proud to co-sponsor the Women's Environmental Health Research Centers Act which would establish six centers of excellence on women's health research around the Nation.

H.R. 183 has the support of 48 bipartisan co-sponsors and the wide range of organizations concerned with women's health.

At the beginning of this century, we are standing on a frontier of an entire new era of medicine where genetic and environmental health research will point us towards entirely new ways of conceiving, detecting, preventing and treating disease. We must ensure that this new information is used to advance the care of all patients and not to undermine their best interests. Neither type of research can take place in a vacuum. Instead, they must proceed interlinked and in parallel. If we can achieve these goals, then we will have in sight the end to the dreadful scourge of breast cancer.

Mrs. CAPITO. Mr. Speaker, I would like to thank my colleague from New York and introduce another colleague, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I join with my colleagues to mark the Breast Cancer Awareness Month and thank the co-chairs of the women's caucus for putting this together tonight.

We have made enormous progress in the fight against breast cancer. We have more than doubled the Federal dollars for breast cancer research since I came here in 1993. This has been the effort primarily of women in the women's caucus, some famous, some infamous, and many men who have been our allies and they have helped us get this funding. In particular, I would like to mention the gentleman from Pennsylvania (Mr. MURTHA), who each year funds breast cancer research in the DOD budget to well over $175 million.

Over the past 20 years thanks in large part to this government-funded research, there has been an explosion in what we know about and how to prevent and treat a disease that is expected to strike over 192,000 American women in 2001.

Breast cancer mortality rates have fallen every year since 1989. We now have a drug that can decrease the chance of developing breast cancer by 50 percent if we detect problems early; and research on new detection and treatment methods is moving forward faster than ever before. Gene expression will isolate the genes that will trigger breast cancer allowing for customized, more effective treatment. Biologically targeted therapies will identify and target proteins and other agents that make cancer cells grow without affecting healthy cells.

Thirty different targeted therapies are now in clinical trials and some are expected to receive FDA approval within 1 or 2 years.

Angiogenesis inhibitors which target blood vessels that contribute to tumor development are also in the final stages of clinical trials. Finally, several different vaccines are in clinical trials, and it is realistic that we will see a breast cancer vaccine in the near future for a disease that strikes one in eight American women during their lifetime. The notion of a vaccine was unthinkable a decade ago. So we are learning more and more about breast cancer all the time, but we have always known that prevention is the best way to treat breast cancer.

An exciting detection method which could supplement mammograms is in the works. Ductal lavage spots unusual changes in cells lining the milk ducts which are the source of most breast cancers. This promises to be a highly effective method for assessing a woman's risk for developing cancer which will give her a vital head start on prevention and treatment planning.

Until additional methods are finalized, women are still best served by monthly breast exams, bi-annual gynecological exams, and annual mammograms. These preventative steps save lives. Mammograms must continue to be a major focus of our legislative action on breast cancer.

There are two pieces of legislation before Congress that will go a long way towards minimizing the fatality rates of the most common form of cancer in women. In May, Senator FEINSTEIN and I, along with the gentlewoman from New York (Mrs. KELLY) introduced H.R. 1809, the Cancer Screening Coverage Act, that ensures that Americans will be covered for breast, prostate, and cervical screening. It would require Federal and private health plans to inform members about and provide coverage for cancer screening. Mammograms and clinical breast examinations would be expressly covered under this bill.

In the 105th Congress, along with the woman's caucus and support from many of my colleagues, I was successful in getting enacted the Breast Cancer Early Detection Act of 1997 which provides for coverage of an annual screening mammogram under part B of the Medicare program for women age 65 and older.

To ensure the continuation of this successful program, which has saved countless lives, we need to update the Medicare payment rate so that mammography centers can stay open. In my city of New York, screening centers have had to close because they could not afford to stay open. They were losing too much money. The reimbursement rates were too low. We must increase the Medicare reimbursement rate for both diagnostic and screening mammography, and that is what the Assure Access to Mammography Act of 2001 will do, which the gentleman from New York (Mr. KING) has introduced and which I am cosponsoring with him.

We must renew our commitment to providing this life-saving technology. The inclusion of mammography coverage by Medicare was a hard-won landmark provision that must be preserved. HHS' center for Medicare and Medicaid have recently proposed cuts in funding for diagnostic mammograms, mammograms for women who have been diagnosed with or are fighting cancer, breast cancer.

Any proposal to cut back treatment for women who need it most is unconscionable and must not stand. We must maintain the Medicare reimbursement rates. This is especially important since Medicare serves as a benchmark for private health plans. What we cut in the public sector is likely to be mirrored in the private sector.

Mr. Speaker, we have come so far in the fight against breast cancer, and this is no time to turn back. I thank the co-chairs of the Women's Caucus for arranging this special order, and I will continue working with them for breast cancer treatment funding research.

Mrs. CAPITO. Mr. Speaker, I certainly appreciate all of the gentlewoman's hard work, many years of hard work. It is an inspiration to all of us.

I would now like to yield to my colleague, the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the gentlewoman for yielding, and I thank the Women's Caucus and all of the sponsors of this special order for taking the time.

I wanted to just briefly reflect on what the advances that we have made in breast cancer have meant to our family. My older sister, Alice, has just been through all of this. She will kill me for saying she is older, but she is just a tad older than I am, I look older. She went through the screening. She learned she had a lump. She had the surgery. She had the chemo. She had the radiation, lost all of her hair but never lost her courage, never lost her character, never lost her love of life; and she has come through it remarkably well. So well that she is now pursuing an advanced degree and living as active and rich and full a life as ever she has.

Had it not been for the money that we have sunk into research in so many ways, I do not think that my sister, Alice, would be with us at this time; and on behalf of her family and my family and our whole clan, I wanted to express our gratitude to researchers and the doctors and recommit myself to continuing to support whatever is necessary in terms of financial resources to continue that research so that not only may our family enjoy the blessings of a cure for breast cancer but millions of others may as well.

Mrs. CAPITO. Mr. Speaker, I certainly appreciate the gentleman coming this evening, and I think it is just another example of how breast cancer reaches all lives, males and females, every family; and I certainly wish the gentleman's sister the best.

In order of appearance, I would like to yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentlewoman for yielding.

I would like to thank the co-chair of the Women's Caucus, my good friend, the gentlewoman from California (Ms. MILLENDER-MCDONALD), for all the work that we do in the Women's Caucus. It is a difficult task leading a caucus, and I want to commend her on the work that we do as we celebrate Breast Cancer Awareness Month.

I dedicate my comments this evening to four living women who have survived breast cancer: Gwen Chapman, Bobbi Butts, Jacqui Royster, and Marion Brown, and to one who did not survive breast cancer, in memory of Debbie Smith.

Let me tell my colleagues a little bit about Debbie Smith. She and I were assistant prosecutors together; and we shared an office. And the sign outside the office said Smith and Jones, and no one ever believed that it was the truth that our names were Smith and Jones. I dedicate my words this evening on behalf of all of these strong and dedicated women.

I can only think of the great times I have had when we have done the Race for the Cure. It was a shame that this year unfortunately, as a result of the acts of September 11, that the Race for the Cure was cancelled in my city, the city of Cleveland. I was able for the past 3 years to sponsor a group of young women called Teen Lift. I am a member of Delta Sigma Theta Sorority, Inc., and part of the responsibility in being part of Teen Lift was to do a community awareness week or activity. And one of the activities was I used to pay the registration, give them T-shirts; and we would do the Race for the Cure each year.

I also want to talk about the numerous groups in my city who are involved in breast cancer. There is one organization dedicated specifically to minority women, to bring the awareness about breast cancer to the attention of many, many people.

I am also proud to be able to stand up and say that 2 weeks ago I had my mammogram. I had been messing around, not doing it, telling everybody get a mammogram, and I was not doing it myself. So I am very proud to be able to say that I took care of that a couple of weeks ago.

Finally, I would like to also talk about one other issue as we are talking about Breast Cancer Awareness Month. I have legislation pending with regard to uterine fibroid cancer research, another illness that is prevalent among women, but particularly among minority women. It is the highest cause of hysterectomies among women across this country. We need to kick up the information to women about uterine fibroid research and the dilemma it causes women, so women will know about it and less women will have to have hysterectomies.

Again, I am proud and happy that we have the opportunity to celebrate Breast Cancer Awareness Month, and I will be even prouder at the point that we do not have to celebrate it because we will have found a cure.

Mrs. CAPITO. Mr. Speaker, I would like to yield time to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I would like to thank the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from California (Mrs. MILLENDER-MCDONALD) for sponsoring tonight's hour; and Mr. Speaker, I am pleased to join my colleagues on the House floor this evening to recognize National Breast Cancer Awareness Month.

My name is Lynn and I am the daughter of Ginger, who died of breast cancer at the age of 62. Ginger is the daughter of Myrtle, who died of breast cancer at the age of 63. I have outlived them both, luckily. We are in a new time, a new life. I live a healthier existence than they did. I am much more careful, and certainly I have mammograms. Life is different now but families just like mine in succession continue to die of breast cancer.

In 1995 the Northern California Cancer Center announced that women living in Marin County, one of the two counties that I am very privileged to represent, have a one in five lifetime risk of developing breast cancer.

□ 1830

That is the highest in the Nation. This is one of the most affluent areas in the country. So we cannot assume breast cancer is in poor areas. Breast cancer is in every area.

This alarming statistic prompted the formation of the Marin Breast Cancer Watch. This group has been an incredible resource for women and their families in my district as they cope with the realities of our high breast cancer rate. Sadly, though, last spring, the founder of Marin Breast Cancer Watch, Francine Levien, lost her battle to breast cancer. Francine's activism, dedication and friendship brightened the lives of many, many women. While Francine has left us, her spirit and determination have not. It is because of all the Francines across this country that today we share their message and we recognize the hard work that must happen if we are to actually find a cure for this awful disease.

As in Marin County, an alarming number of women are dying from breast cancer across the Nation every year. Equally alarming is that we do not know exactly why. As the number of women diagnosed with breast cancer quickly rises, it is imperative that we learn what causes this disease and we take decisive action so that we can prevent it. Only by understanding where, how and why breast cancer occurs can we develop effective strategies to eradicate it.

We all know that this will take funding beyond what we have already committed, but we cannot rest until the one in seven national statistic is a thing of the past. A growing body of evidence suggests that exposure to toxic chemicals may accelerate the spread of breast cancer. Some suggest this may contribute to the disproportionately high occurrence of breast cancer among women in regions like the San Francisco Bay area. Marin Breast Cancer Watch has led education campaigns within our community in an effort to increase awareness of the relationship between breast cancer and the exposure to outside factors, like toxic chemicals. Because information is power, I have worked hard with appropriators to secure funding over the past several years to help study and document this link.

Mr. Speaker, only by exploring every single angle, especially environmental risk factors, will we be able to conquer breast cancer. As we search for the cause and the cure, we must also strengthen our commitment to treatment options and increase access to cancer care, prevention, and awareness programs. The media often reports conflicting stories about what are appropriate and safe treatment options. However, breast cancer patients have a right to make up their own minds on

the type of treatment that they want. We must give them the tools they need to make informed choices about their health care options.

Women are looking for hope, for progress, for answers. Breast cancer is beyond scary. Let us not make it more frightening by keeping women in the dark about each and every treatment option that is available to them. That is why I urge this Congress to truly support women's health coverage by calling for a vote on important legislation like the Breast Cancer Patient Protection Act and the Mammogram Availability Act.

Mr. Speaker, mothers, daughters, sisters, aunts, coworkers, friends, our nieces are looking to this Congress to lead the fight against the greatest battle they may ever face.

Mrs. CAPITO. Mr. Speaker, quickly, because I know we are running out of time, I want to yield to my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me thank the gentlewoman for her leadership, but let me spend a moment thanking the co-chair of the Women's Caucus, the gentlewoman from California (Ms. MILLENDER-MCDONALD), for her vision. She has constantly led us with an enormous vision to be able to reach out and speak on behalf of women who cannot speak for themselves, and I thank her very much.

In this time, Mr. Speaker, let me indicate this could not be a more important topic for us to honor, Breast Cancer Awareness Month, and clearly I want to express my appreciation and give tribute to the Sisters Network, an organization founded in my community, but as well a national organization that deals and emphasizes the need to provide information to African American women who have breast cancer.

Clearly, breast cancer is deadly. The cause and cures are still unknown, but there is hope. Today, during Breast Cancer Awareness Month, I am here to say that prevention is the key against breast cancer. During 2001, an estimated 192,000 new cases of breast cancer are expected to occur among women in the United States. It can happen to any woman, including me or my daughter.

From 1995 to 1998, death from breast cancer fell 3.4 percent. However, the number of new breast cancer cases rose 1.2 percent per year from 1992 to 1998. It all involves the history of one's family. Mammography and early detection have helped to raise incidence rates, but we need to do more.

A new study in the July 18 issue of the Journal of the National Cancer Institute finds that an imaging technology called MRI, or magnetic resonance imaging, may be more effective than a mammogram in detecting breast cancer. In this new study, a group of 179 women with a strong family history of cancer underwent a mammogram and an MRI. The MRI detected 13 cancers, seven of which had not been detected on mammography. So I would simply argue that we have a lot of work to do. We clearly have come a long way, but I believe the imaging process is something that we need to utilize in order to ensure that we save more lives.

I am wearing a pink ribbon today, and I wear it simply to say to all the women who may be listening, to my colleagues who have come to the floor, that our simple message is that we want to save lives. The more we can give information to those women, the more we can implore the survivors who I meet every single day, those women who have fought and have survived breast cancer that are now out there telling their sisters that they can save a life by getting an early examination, making sure to get regular examinations, and making sure to respond to what their doctors say, the more likely we are to win this battle.

We can win this battle by information and sisterhood, and I believe today we have shown that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, breast cancer is hard to ignore and has touched the lives of millions of American women and their family and friends. Every three minutes a woman in the United states learns she has breast cancer. It is the most common form of cancer among American women—next to skin cancers, and is second only to lung cancer in cancer deaths in women. Almost everyone knows at least one person who has been treated for it.

Women with a strong family history of breast cancer need frequent, careful monitoring to detect early signs of breast cancer. New drugs, new treatment regiments, and better diagnostic techniques have improved the outlook for many, and are responsible for breast cancer death rates going down.

Mammography has traditionally played a significant role in detecting breast cancer, but better technology is now available.

MRI can better penetrate the breast tissue to find tiny abnormalities, many of which are in the very early stages. MRI can also clarify a questionable mammogram.

Another study by the National Cancer Institute (NCI) and the American College of Radiology Imaging Network (ACRIN) involving 49,500 women in the United States and Canada, compares digital mammography to standard film mammography to determine how this new technique compares to the traditional method of screening for breast cancer. Digital mammography has the potential to provide better detection of early breast cancer.

Digital mammography uses computers and specially designed detectors to produce a digital image of the breast that can be displayed on high-resolution monitors. One possible advantage of digital mammography, she said, is that it may be more effective in detecting cancers in women with dense breasts because it has improved contrast resolution.

Although the equipment for digital costs more than film mammography, there may be fewer callbacks or additional office visits with the new technique and this would save money as well as lessen patients' concerns.

Other techniques for detecting breast cancer are a clinical breast exam, an ultrasound, and CT scanning.

Most professional medical organizations recommend that a woman have periodic breast exams by a doctor or nurse along with getting regular screening mammograms. A breast exam by a doctor or nurse can find some cancers missed by mammography, even very small ones. Currently, mammography and breast exams by the doctor or nurse are the most common and useful techniques for finding breast cancer early.

Ultrasound works by sending high-frequency sound waves into the breast. Ultrasound, which is painless and harmless, can distinguish between tumors that are solid and cysts, which are filled with fluid.

CT scanning uses a computer to organize information from multiple x-ray, cross-sectional views of a body's organ or area. CT can separate overlapping structures precisely and is sometimes helpful in locating breast abnormalities that are difficult to pinpoint with mammography or ultrasound.

Mr. Speaker, early detection is the key to preventing breast cancer. While death rates from breast cancer are falling, and while there are a number of exciting new strategies being developed, a lot more still needs to be done. We need to consider new technology, as well as reinforce traditional detection techniques, as part of our commitment to beating this deadly disease.

Mrs. CAPITO. Mr. Speaker, I wish to thank my colleagues for joining me, and especially thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her leadership.

I would like to say briefly that everyone's passion is personal. My personal passion is the mother-in-law I never had, who died from breast cancer at a very early age. My children never met their grandmother or their great grandmother or their aunt. So we have to find a cure for this horrible disease.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I want to thank the gentlewoman from West Virginia for her leadership as well. She is one of our new Members and she has done extraordinarily well tonight on the floor, and I wish to thank her.

Ms. WATSON of California. Mr. Speaker, Breast Cancer is at an epidemic level and will affect more than 100,000 women in the next five years. I have followed the development of information on this issue and I have carried legislation providing screenings, testing, mammograms and treatment for women, particularly poor women. I have found that women of color are less informed and are likely to receive treatment too late. As a result, when cancer is detected, it is often too late!

We need to provide free Breast Cancer screenings, mammograms, adequate treatment and posthesis for poor and underprivileged women. I firmly believe that outreach programs are necessary to disseminate important information and are essential in protecting the lives of our loved ones!

Mr. GILMAN. Mr. Speaker, I rise today to inform our constituents, men and women, that October is National Breast Cancer Awareness Month. Since the early 1970s, the incidence of breast cancer has increased 1.5 percent per year and has only recently shown signs of leveling off. An estimated 192,200 new invasive cases of breast cancer are expected to occur among women in the United States this year.

And an estimated 40,200 women will die from breast cancer. In fact, Rockland County in my Congressional District was recently determined to have the highest incidence of breast cancer in the entire Nation. This is a distinction I would prefer that my district did not have.

The most important message we can send to the women of our Nation is that early detection is key to beating breast cancer. Early detection increases one's chances of survival and there are a number of ways to screen for breast cancer. Women aged 20 and older should perform monthly breast self-examinations, women aged 20–40 should have clinical breast exams done at least every 3 years and women over 40 should have clinical breast exams and mammograms performed annually.

Breast cancer in men is rare, but it does happen. In 2001, it is estimated that 1,500 men will be diagnosed with breast cancer, and 400 will die from it. The survival rate of men and women is comparable by stage of disease at the time of diagnosis. However, men are usually diagnosed at a later stage, because they are less likely to report any symptoms. Treatment of breast cancer is the same as treatment for women patients and usually includes a combination of surgery, radiation, chemotherapy, and/or hormone therapy.

The causes of breast cancer are not fully known. However, health and medical researchers have identified a number of factors that increase a woman's chances of getting breast cancer. Risk factors are not necessarily causes of breast cancer, but are associated with an increased risk of getting breast cancer. Importantly, some women have many risk factors but never get breast cancer, and some women have few or no risk factors but do get the disease. Being a woman is the number one risk factor for breast cancer. For this reason, it is important to perform regular breast self-exams, have clinical breast exams, and have routine mammograms in order to detect any problems at an early stage.

While many risk factors such as getting older, having a mother, daughter, or sister who has had breast cancer, having the mutated breast cancer genes BRCA1 or BRCA2 or having had breast cancer are not controllable, many factors are. These include: having more than one drink of alcohol per day, taking birth control pills for 5 years or longer, not getting regular exercise, currently or recently using some forms of hormone replacement therapy (HRT) for 10 years or longer, being overweight or gaining weight as an adult or being exposed to large amounts of radiation.

Bear in mind, that even if you feel perfectly healthy now, just being a woman and getting older puts you at risk for breast cancer. However, getting checked regularly can put your mind at ease. And finding cancer early could save your life. That's why National Breast Cancer Awareness Month is a significant endeavor.

HOMELAND SECURITY SHOULD BE PRIMARY CONCERN OF CONGRESS

The SPEAKER pro tempore (Mr. FORBES). Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I am here tonight with some of my Democratic colleagues because of my concern, and all of our concern, that the Republican leadership was determined today to ram through what they call an economic stimulus package, which in my opinion is not an economic stimulus package at all but an effort to try to provide tax breaks for corporations, special interests, and wealthy Americans who donate to the Republican campaigns. I feel very strongly, and this is not just based on the fact that I am a Democrat, but what I hear when I go back and what is common sense, I feel very strongly that the main priority that should be addressed here in the House of Representatives and which is not being addressed is the issue of homeland security, particularly when it comes to aviation security and our airports.

If my colleagues noticed today, as much as the Republicans were determined to push through this so-called economic stimulus package, which does not accomplish anything and will never pass, by the way, it passed, I think the vote was maybe 216 or 215 to 213, which shows there was tremendous opposition to this package. And it will never pass in the Senate; yet the Republican leadership refuses to take up a very good Senate bill that passed in the other body 100 to zero, unanimously, that deals directly with the issue of security at our airports and addresses the concerns that so many of my constituents bring up to me when I go home.

Let me just say I had a town meeting Sunday night in South River, which is one of the towns that I represent in the State of New Jersey, and no one mentioned the issue of an economic stimulus package. Now, that is not to say that there is not a problem with the economy and we do not need to address that; but all my constituents at that meeting and at most of the other forums I have had at home want to talk about their security concerns, and a big part of that is airports.

They come to the town meeting and they say, Congressman Pallone, what is going on at the airports? Some of them actually have been to an airport, to Newark Airport, which is not very far from my district, and talk about the inconsistency in the security precautions that are there, the fact that baggage is not looked at. They go into the airport, they check their baggage and most of that baggage is not searched or looked at electronically in an effective way. They continue to be concerned about the fact that we are not federalizing the security workforce.

If we look at the Senate bill, what it does is addresses all these things. It addresses the issue of checking baggage. It says we will have a federalized workforce so that we know that people are qualified and being paid well and are trained properly to use the screening devices at the airport.

I have people coming to my town meetings who bring devices, one person had a cigarette lighter that disguised a pocketknife underneath, that passed through the screening device. Another one had a little device that looked like a computer that had a knife in it that passed through the screening device. We need to address these issues, and the Republican leadership is not addressing it. Instead, they bring up tax breaks for their wealthy friends and for corporate interests.

This is not what the American people are asking us for; and for the life of me I do not know why we are wasting our time here addressing or trying to deal with this legislation that does nothing and goes nowhere when we have a very good bill that could be taken up from the other body, passed, and which deals effectively with the aviation security issue.

I have a number of my colleagues here tonight that want to talk about this, and I would like to yield now to my colleague, the gentleman from New Jersey (Mr. PASCRELL), who is on the Committee on Transportation and Infrastructure, who has dealt with these issues of aviation security for a long time; and I would like to now yield to him.

Mr. PASCRELL. I thank the gentleman for yielding. Ten days after the tragic events of September 11, we were here on this House floor approving $15 billion for the airline industry. Most of us supported the package because it was necessary to keep the airlines and their employees afloat to, as we said on that very moment when we passed the legislation, to stabilize the industry.

Unfortunately, the attacks on America and their aftermath have weakened aviation traffic, have had a negative effect on the airlines overall and on their financial performance. Even with that funding, the industry is seeing tremendous losses. So stabilization was the plan, but it means very little if people are not going to fly. And the reason why they are not flying is that they do not have confidence in their safety. They do not have confidence in the system that exists which permitted what happened.

To get people flying again, we need to restore public confidence in aviation, and I think that is very critical.

□ 1845

Congress needs to act yesterday. The Democratic plan contains many elements which can give the American people confidence in our ability to secure travel throughout this great Nation. Security screening is at the foundation of fixing the gaping holes in aviation security. In America, people agree with our view that this responsibility is inherently governmental. There is nothing new with our plan. People such as the gentleman from Minnesota (Mr. OBERSTAR) have been advocating this for many years, long before September 11.

In June 2000, the GAO told Congress that ''Aviation security screeners are the key line of defense against the introduction of dangerous items into the

aviation system. All passengers and anyone else who seeks to enter secure areas at the Nation's airports must pass through screening checkpoints and be cleared by screeners.'' This is what the GAO said in June of 2000.

Of course our key line of defense employees are currently paid $6 an hour. Below that are the airport fast food restaurants. There are no benefits. They are treated like a redundant item. They are treated with no recognition whatsoever. They get very little training.

I asked at an aviation security hearing just a few weeks ago an airport association representative who was before us if police records are checked of the individuals that are hired. He paused, looked around, and then answered ''On certain crimes.'' On certain crimes. Airports and the airlines are responsible right now. They contract this work out. What does this mean, on certain crimes. Why not all crimes? Why not give folks good training? Why not pay them a decent salary? Why not give them benefits? We are in the 21st century.

Well, the basic outfit that hires most of these people or many of them, Argenbright, they have been placed on a 36-month probation in order to pay a $1 million fine, $350,000 in restitution, $200,000 in investigatory costs for failure to conduct background checks on employees staffing security checkpoints. This is unacceptable, and yet there are Members in this House who want to continue the same system.

Currently the turnover rate of screeners is 126 percent. How can a Member stand on this floor to protect this system? At some airports it is as high as 400 percent in turnover, and the very people that the GAO says are the very basis of security at the airports. We need to pay what is needed for highly qualified employees. The Atlanta Airport from 1998 to 1999, 275 percent turnover. Boston Logan, 207 percent turnover. Houston, 237 percent turnover. 416 percent at the St. Louis Airport. This is unacceptable. People's lives are at stake, and yet Members are defending the very system that was rejected by the GAO over a year ago.

Congress has Capitol police officers screening baggage entering the Capitol and its office buildings. To enter this building, we did not contract out our security. We did not go to a private vendor. We went to the police that guard us in these buildings every day. The American public demands the same high standards and qualified individuals.

Some of our friends from across the aisle will tell us to look to the European model. All of a sudden they are interested in the European model.

It is true that they do use private contractors for screening baggage. Besides the differences in size and scope, Europe also ensures every worker gets a living wage. They do not want to talk about that, something my friends, many of which on the other side of the aisle do not advocate, a living wage. In the 21st century we debate this?

European governments do not only require security regulations, they require the living salaries and benefits packages to keep screeners in their jobs so there are not those kinds of turnovers that exist in the United States of America. European wage regulations, socialized health care, labor contracts and tax structures do not translate to the United States of America.

In the United States we must take the profit motive away from this task as the bottom line will not suffice. The private sector had their chance, and they were not effective. They blew it. Who is Argenbright Holdings, Incorporated? Who are they? How did they get to the point that they control the security in our airports and folks going onto the line and the baggage that goes onto those planes. At this very moment throughout the United States not every piece of baggage is even being checked that goes on that airline.

They say well, Congressman, you are not helping people to be confident. No, we tell the truth to people and that is what makes them feel confident when they know there is a change. We cannot allow the political zealots of opposing any increase in the Federal workforce as an excuse to dictate our security policy. I urge my colleagues, this issue is too important, Mr. Speaker, to play politics with people's lives. Lives have been lost, and lives are at stake. I very strongly believe that we need to change the system and we need to federalize it and we need to have control over it. That should have been done yesterday.

Mr. PALLONE. Mr. Speaker, I thank my colleague from New Jersey because I know that he speaks the truth.

Our point this evening is that there already is legislation that passed the other body that very effectively deals with the aviation security issue. Rather than bring that up and pass it and send it on to the President, we have the Republican leadership which controls what goes on in the House of Representatives, bringing up an economic stimulus package, and Democrats have an economic stimulus package, too, and some of my colleagues here are going to discuss that, but the Republican leadership knew that this bill would go nowhere. They knew that this bill was overwhelmingly opposed by the Democrats and some of the Republicans and that the other body would never consider it, and they are wasting our time instead of bringing up a very important aviation security bill.

I yield to the gentleman from Maryland.

Mr. WYNN. Mr. Speaker, I applaud the gentleman for his leadership on this issue.

The question is quite simple. Why have we not passed an airline security bill? Why have we not passed an airline security bill?

After the events of September 11, we were very quick to rush in with a $15 billion bailout for the airlines because they needed to reassure people. They needed to keep flying. We need our airline industry. We did that.

Then we came back with another $40 billion to help repair our torn city of New York and the Pentagon. That was fine.

Today we came in with the real blockbuster, over $100 billion in so-called stimulus, basically giving tax breaks to special interests and the very rich. For example, 86 percent of the benefits of the stimulus package went to the very rich. We gave $20 billion in tax breaks to corporations by repealing the alternative minimum tax. They got a retroactive tax break of $20 billion. We also gave $20 billion in tax benefits for overseas corporations for financial services companies. What is that all about?

My point is we have given away large sums of money in the form of tax breaks in the name of stimulus to our big corporations. They have been at the trough, but we still have not dealt with the question of airline security. We are actually working at cross purposes. We are trying to stimulate the economy while people are still fearful. Why are they fearful? Because the American public knows that we have not addressed the fundamental question of making sure that they are safe and secure when they fly on our Nation's airlines.

We have not addressed the problem that the people who check baggage, who have the most important job of ensuring that destructive devices are not brought on airlines are underpaid, undertrained and ill-equipped. We have not addressed the fundamental problem that this is not a Federal security force, but rather a private sector force that is basically predicated on the bottom line, paying the least to cover airline security.

That is a travesty. What do the polls say that the traveling public is insecure? The polls say that the traveling public is insecure because they see inconsistencies. We see effective checkout in one airport, significantly less effective checkout in another airport. Effective checkout going, but not coming. They recognize this insecurity for what it is. The fact that we do not have uniform standards and we do not have a federalized workforce. As has been pointed out, the other body across the hall has passed a bill by 100 to nothing. There is no dissent.

Mr. Speaker, why can we not pass this bill? Because a few Members within the Republican majority feel we should not federalize the workforce? Why not? I would not speculate on their motives but it appears that there is a concern that they will become unionized and there will be more Federal employees and a larger Federal workforce. Is that so bad? I think not.

But the real question which ought to be asked is will a well-trained Federal workforce make our airways safer; and I think the undeniable answer is, yes.

On the one hand we have a stimulus package giving away major tax breaks to those who are very wealthy, but we have not yet addressed the question of the hour: Why have we not yet passed an airline security bill?

I hope that we will take this matter up this week, address the Nation's business where it counts, make our airways more secure and get people back to flying and traveling and enjoying our restaurants and amusement facilities. That will stimulate our economy.

Mr. PALLONE. Mr. Speaker, I thank the gentleman from Maryland.

Mr. Speaker, it is over 40 days since the tragic events on September 11, and yet this Republican leadership in the House is still blocking legislation dealing with aviation security. 40 days later, it is unbelievable. When I go home and have my town meetings and I have to admit that to my constituents, it makes them lose faith in the system.

Mr. Speaker, I yield now to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I will not say a lot about the package that passed today. I think it stands for itself. Maybe it does not stand, it just sort of crawls up and falls over for what it was. But I do want to say before I start talking about homeland security and economic security, there is another issue that is coming. The leadership is holding that one up, too, and that is a piece dealing with school construction for children. That issue is still out there. Children are still coming to school. They will still need those buildings next year.

□ 1900

We act as though that is not an issue. I think the leadership of this body, the Republican leadership, has got to decide, that is a part of homeland security as much as economic security and military defense; and we have got to deal with it.

But tonight I want to talk about the issue of homeland and economic security, because September 11, as we have already said this evening, is going to be remembered forever as a day when evil in its worst sense visited our great Nation as never before; and we saw hijacked airliners that were transformed into missiles. They slammed into the Pentagon, into the World Trade Center, and one of them into the fields in western Pennsylvania.

Most of us know that that one also probably was headed to Washington, D.C. causing enormous and potentially unthinkable loss of life and did to this Nation's psyche something that has never happened before in America. The impact of the attacks on our economy, which was already slowing down, had a significant impact and is now really just coming to light. Nationally, initial reports indicate that the airlines; and we have talked about them this evening, have lost at least $3 billion.

Earlier this week, I was at Raleigh-Durham Airport, really in the district of the gentleman from North Carolina (Mr. PRICE), used to be in the edge of mine, visiting with colleagues there. I think people here need to know and check with their own airlines and see what happened as we look across America, because it is more than the airlines.

Let me just give you a for-instance. Right after September 11, Raleigh-Durham, which is a major regional airport in this country, had a 50 percent drop in airline traffic. Midway Airlines, a major sited airport in Raleigh, shut down. The ripple effect had tremendous magnitudes in a widespread area. As an example, parking lots saw a 26 percent decline. You say, what is that? That is no big deal. Yes, it is. You have to pay off the bonds that people have bought and paid for, the money that they invested, they have to be paid off. Taxi drivers saw a decrease in passengers of 40 percent. That has a significant impact on their family and the ripple effect in the broader economy. Those are just a few examples of what is happening all across America.

Let me get to the real point. I wanted to lay that out as the economic piece that can be multiplied many times, but beyond those specific numbers, there are vendors, retailers, travel agents, any number of people that saw a significant impact in their business.

Some early figures from October look a little more promising, but we still have a significant problem in the travel interests. Yet the single most effective action that we can take to bolster airline security, as my colleagues have already shared and the gentleman has alluded to earlier, is that we need to restore the confidence of the American consumer, that, number one, airplanes are safe, that airport security is secure and safe for them to travel and all the baggage has been checked and we have a way to jump-start our economy. Most folks do not realize that the airline industry represents about 10 percent of the gross domestic product in this country; and if you take the ripple effect, it is even more.

One month after the attacks, the United States Senate, as has already been indicated tonight, approved the Aviation Security Act by a vote of 100–0. I would ask my colleagues to look in the books and see how many times the Senate has voted 100–0 on any major piece of legislation. They will probably have to look a long time. That is an indication of their commitment, Democrats, Republicans, liberals and conservatives, moderates and whatever you want, they understand the issue, they get it. They understand that to get the airlines flying and filling those planes again, people have to feel comfortable and safe. Their bill calls for a Federal force of about 28,000 passenger and baggage screeners and armed security guards at checkpoints throughout the airports. It includes many of the measures that President Bush had proposed, including more plainclothes sky marshals on commercial flights and the strengthening of cockpit doors. The Airport Security Act represents precisely the type of action that Congress should be taking in the wake of the September 11 disaster. But the House leadership, the Republican leadership, has failed to take this action and bring it to the floor.

I wonder why they will not bring it to the floor. Because they know it will pass. If you do not think it will pass, bring it to the floor and let us see. I will guarantee you it will pass. The American people know that. That failure must not stand. We have to get it on the floor.

While security at our Nation's airports has improved some since September 11, there is no doubt that we have a long ways to go; and we all know that. Despite a major push to make air travel safer, airline passengers are subject to inconsistent levels of scrutiny from airport to airport and in some places from airline to airline within the same airport.

Why is that so? Because the airlines are doing the security. I will not go through the details like my colleague from New Jersey did because he has laid it out very well and I do not think it needs to be repeated, but the traveling public has a right to expect when they buy a ticket that they have a 100 percent screening standard and consistency and it is 100 percent effective on every passenger, on every piece of luggage and everything that goes on that airline. The airline in turn would pick up the tab. They are doing it now. But dadburn it, it makes no sense to stammer and stutter and argue. We would not do it if we were running an athletic team, we do not do it in this building, and no business in their right mind would do it if it affects the bottom line.

My Democratic colleagues in the House have introduced an airport security bill which would fully federalize baggage screening within 1 year. That ought to be a part of it. And every bag ought to be screened fully one way or another. We have the technology.

Congress absolutely must pass this legislation without further delay. Six weeks since the September 11 tragedy is too long. Congress can act when they want to act. The leadership can bring any bill they want to bring to the floor. They have done it any number of times since I have been here without it even going through committee. I do not ascribe to that philosophy, but this is one that ought to be on the floor of the United States Congress. And we ought to pass it quickly so that people are not afraid to fly. They will get back in the planes and get the country's business going. We are approaching the holiday season, the biggest travel season of the year; and we ought to get it passed in the next few days.

I call on the leadership on the Republican side to bring this bill to the floor. I thank my colleague for bringing this issue to the floor tonight. I thank him for allowing me time to speak.

Mr. PALLONE. I want to thank my colleague from North Carolina. I think he basically laid out the problem we face here with the Republican leadership. I just want to say before I yield to my other colleague from North Carolina that I am not suggesting here that we do not need an economic stimulus package. What I am suggesting is that the Republican leadership knew that the package that they were bringing to the floor was not bipartisan, essentially could not get the support of any, or almost any Democrats and barely passed and the votes tonight proved it. It only passed by about four or five votes. They know it is not going to pass the other body, the Senate, and so they are just wasting time that could be spent bringing up the aviation security bill or alternatively coming up with a bipartisan economic stimulus package that we could support and that the other body would pass and that the President could support.

So either way, we are wasting our time here today. Either bring up a good economic stimulus package or bring up the airline security bill. They have chosen to do neither, wasting our time and making it even more difficult, I think, to get anything accomplished at a time when Americans want us to address these really serious problems.

Mr. Speaker, I yield to my other colleague from North Carolina, who is on the economic task force and has been basically addressing these economic issues and I know would easily be able to help put together a bipartisan package that would actually stimulate the economy and help displaced workers and the people who are unemployed because of what happened on September 11 and who do not have health insurance and other benefits. I yield to the gentleman.

Mr. PRICE of North Carolina. Mr. Speaker, I want to thank my colleague from New Jersey for calling this special order tonight and for his stressing so effectively the issue that confronts us. We have an airline and airport security measure that is languishing, that our Republican friends will not bring to the floor. Today, we saw on the House floor the rebirth of a kind of hard-edged partisanship that we hoped we had gone beyond as this so-called economic stimulus package was rammed through and the airline and airport security bill still languishes. I am proud to join the gentleman from North Carolina (Mr. ETHERIDGE) and other colleagues tonight in pointing out the importance of that airline and airport security issue.

What I would like to do for a few minutes here is to look at that economic security matter and to ask, what principles should guide us as we assemble an economic recovery, an economic security program. I want to suggest three principles, and I think the Republican bill which was rammed through by one vote here today failed badly on all three tests.

First of all, an economic recovery, economic stimulus bill ought to address the needs of those who are directly affected by the loss of their jobs. Surely we should not have to argue that point. Our Republican friends left workers out of the airline bailout package that was passed a few weeks ago; and in the bill they passed today, they are giving only token assistance to these workers. The Republican Ways and Means bill provides only about $2 billion in benefits for unemployed workers in the year 2002 while providing $70 billion in tax breaks for corporations in that same year, a ratio of $2 billion to $70 billion. The Democratic substitute provided and paid for a 1-year extension of unemployment benefits and a 1-year program to help laid-off workers continue their health benefits through the COBRA program. It directly addresses the most immediate needs of those who have lost their jobs.

Secondly, any bill worth its salt ought to actually stimulate the economy. Eighty-six percent of the Republicans' so-called stimulus bill goes to tax cuts for corporations and the very wealthiest Americans. Republicans have wanted this for a long, long time. We know that. But we also know that it has little to do with the economic situation that we face post-September 11.

Here is what the Republican bill does, just a brief overview. There is a permanent repeal of the corporate alternative minimum tax. This includes a provision that requires the Treasury to send immediately over $20 billion in retroactive refund checks to companies who paid minimum tax all the way back to 1986. This 15-year refund of corporate minimum tax would provide $3.33 billion to just seven of America's largest corporations. The Republican bill also provided $20 billion in tax benefits for the overseas operations of financial services companies, essentially rewarding corporations for not investing in the United States economy. Tell me what that has to do with an economic stimulus.

And then the Republican bill makes a permanent reduction in capital gains taxes. Seventy-two percent of the benefit of that reduction would be enjoyed by the wealthiest 2 percent of individuals. By contrast, the Democratic plan would provide tax rebates to people who pay Federal payroll taxes but limited income taxes. This would remedy an inequity in the tax bill passed earlier this year, and it would have maximum stimulative effect since these people need the money and will spend it on the necessities of life.

The Democratic plan offers business tax relief, but it is tax relief that is temporary and is targeted to firms that, with encouragement, will overcome losses and make investments to stay in business and provide jobs. That is the point of the Democratic provisions on the carry-back of net operating losses, the waiver of alternative minimum tax limitations on loss carry-overs, and the doubling of permitted section 179 expensing.

The Democratic plan also contains economic development and infrastructure funding, targeted toward meeting our immediate security needs, including security at airports and other transportation facilities and in the process boosting the economy.

The third principle. An economic stimulus bill worthy of passage should stay focused and should stay fiscally responsible. The Republican bill enacts a wish list of permanent tax cuts, many of which will not kick in until 2003 and most of which will have a limited stimulative effect. And the Republican bill is not paid for.

The Democratic plan, by contrast, again, is focused on stimulus, security and relief, it is temporary, and it is paid for. The Democratic plan provides an immediate stimulus of about $125 billion, and its net cost over a 10-year period is something like $80 billion. This is paid for, not by a tax increase but by freezing the projected further reduction of the top income tax rate paid by fewer than 1 percent of Americans. These taxpayers, with taxable family incomes of at least $300,000, would not lose the 1 percentage point in tax reduction they have already enjoyed, but they would be asked to forgo further reductions in taxes on whatever income is subject to that top rate.

□ 1915

Keeping our budget balanced in the long run, avoiding spending the Social Security and Medicare surpluses and maintaining a disciplined schedule of debt reduction are essential to our country's long-run economic health, and we must not stimulate the economy in the short run by abandoning fiscal discipline in the long run. The Democratic package keeps these goals in balance. The Republican plan fails the test.

Let me close, Mr. Speaker, by quoting a USA Today editorial about this Republican plan. Here is what was said on the editorial page yesterday: ''This is easy to dismiss as politics as usual, but that is the problem. These are times that require everyone, especially political leaders, to put aside petty self-interests and everyday horse trading for the country's good. The House leaders showed an unwillingness to do that with their adamant refusal to consider federalizing the Nation's airport security system, and now they are at it again with their brazen attempt to use the current crisis to please well-heeled special interests.''

The plan that passed today by a one-vote margin is the disheartening return, Mr. Speaker, to slash and burn partisanship, and it does fail these three basic tests: it does not address the needs of those most directly affected with the loss of their jobs; it does not effectively stimulate the economy; and it is not focused or fiscally responsible.

I am proud of the Democratic alternative, and I hope that we in this body can keep pushing for the principles that it contains.

Mr. Speaker, I thank the gentleman for yielding.

Mr. PALLONE. Mr. Speaker, reclaiming my time, I want to thank my colleague from North Carolina, and especially I want to make mention of that last editorial the gentleman read, because it is true. Essentially when you are back at home, and you know it, every one of us wants us to work together; and we are very proud of the fact that in the last month or so that Democrats and Republicans worked together and worked with the President. But now we see that all torn up today.

You do not bring a stimulus package to the floor knowing full well that it is idealogically based, with the Republican leadership feeling that tax cuts to the big corporations and to the wealthy are somehow going to stimulate the economy, knowing full well the Democrats will not vote for it.

So I would go beyond that editorial and say not only has the Republican leadership broken the promise of bipartisanship that came out after September 11, but they are not doing anything that will accomplish anything.

The one thing that I get, in addition to my constituents wanting us to work in a bipartisan fashion, is wanting us to work to accomplish something. It is clear that if we do not bring up this aviation security bill that passed the other body, or if we try to ram through an economic stimulus package that will not pass the other body, that we are just playing games, the Republican leadership is playing games, and essentially we are wasting time.

That is the thing I think that is also very tragic. We have real needs here, security needs and economic needs, to get the economy going again. All the Republican leadership is doing is playing games and wasting time. I think that the American public is going to be increasingly outraged by those kinds of tactics.

Mr. Speaker, I yield now to the gentleman from Florida.

Mr. DEUTSCH. Mr. Speaker, I appreciate the gentleman having this Special Order. Let me, because we have had 45 minutes of discussion, at least touch on some of the good things going on, because this Congress has worked extraordinarily well together for many weeks in terms of dealing with the events of September 11.

We joined together that week literally; and in near unanimity, both the House and Senate, Democrat and Republican, acted as Americans to assure that something like this will never happen again. Collectively we gave the President more authority in terms of military action than the previous George Bush, the previous President George Bush, had in the Gulf War. We immediately appropriated $40 billion. Again, to put in perspective what that means, the entire Gulf War was about $42 billion in the special appropriation for that.

We have worked extraordinarily well in many areas, and I can only say there are no words at this point that can praise the President enough in terms of his efforts in combatting what we need to do that I can offer here today, and I have offered at every opportunity.

But let me say that in the area of airline security, the President is on the same side as me and my colleagues here tonight, but he is not on the same side as the Republican leadership; and he has said it both privately and publicly. Apparently, the Republican Speaker of the House is on the same side as my colleagues here tonight, and not on the side of many of his colleagues on the Republican side.

Yet this is more than 6 weeks after the events of September 11, more than 6 weeks, and, literally, airline security in America today, and we do not in a sense want to talk about it, but, as has been pointed out, the truth is a very powerful tool. For many purposes, airline security in America today is the same as it was the morning of September 11.

Unfortunately, I have not been able to fly the usual way I have flown for the last 9 years back and forth from south Florida through National Airport. National Airport still is not open to south Florida, so I have been flying through either BWI or Dulles.

The screeners that screened the plane that hit the Pentagon are still working at Dulles Airport. I have flown 12 times since September 11. I will be flying a 13th time tomorrow. Hopefully, it is not unlucky 13 in any shape, manner or form.

But let me mention that there is still not confidence, and for good reason. I represent a district that stretches from the Palm Beach County line in the north to Key West in the south, an area of this country that many people vacation in. Seventy million people a year in the past have come to the State of Florida. Tourism is a vital part of our economy. In fact, many times I point out there are 435 Members of this body, all of whom claim to represent the nicest district in America. There are only about 10 of us that are able to do it with a straight face. I say that I am one of those. Those who have visited south Florida, from Palm Beach to Key West, know exactly what I am talking about.

Our economy is being adversely affected. It is an incredible statistic that none of us were probably aware of. In Miami-Dade County, over 96 percent, prior to September 11, of the people who stayed in hotels in Miami-Dade County flew there. In Broward County the number is 50 percent. In Palm Beach County it is a little bit less.

Airlines are the lifeblood of our economy, and what we are seeing in that sector of the economy on a daily basis are victims of September 11. Hundreds, in fact thousands, of people, have lost their jobs in south Florida in tourist-related industries. Every one of those stories in the newspapers have written about some, and I have talked to some, and every one of those stories is a human tragedy that is happening right now.

It has been pointed out that when you enter this building you go through a metal detector. When you enter the House office buildings you go through a metal detector. The people screening for those metal detectors are the Capitol Police. We do not put out for bid to the low bidder the people that would screen this building. It is inconceivable that we would do that. It is inconceivable that any community in the United States of America would put out for low bid their police, their fire protection. It is just not conceivable. Effectively, what we are talking about is in fact a law enforcement responsibility. There are many aspects of the legislation that need to be changed.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would like to thank my friends for yielding time to me. I appreciate the comments that they are making. I want to say that these measures we are going to be proceeding with tomorrow certainly tie in with the arguments the gentlemen are making.

Mr. PALLONE. I yield again to the gentleman from Florida.

Mr. DEUTSCH. Mr. Speaker, our esteemed colleague, the chairman of the Committee on Rules, is also someone I have a great deal of respect for; and I am sure if he was given the opportunity to vote on the Senate-passed bill, I have no doubt he would be supportive of it as well. I urge him and I urge the President of the United States, who has said publicly and privately that he supports the airline security bill, to put pressure on the Republican colleagues in this Chamber to make that bill come up now. It is already too late, more than 6 weeks.

I want to do an anecdotal story about what is going on today. I would like my colleague from New Jersey just to take a look at my Florida driver's license.

This is my ID that I have shown now probably 50 times, including three times when I flew up here this week. If the gentleman could mention the expiration date on that ID?

Mr. PALLONE. It expired on April 1, 1999.

Mr. DEUTSCH. April 1, 1999. Florida, the State of Florida, has an unusual driver's license. You do not get rephotographed. There is a sticker on the back that you can take a look at, which is when you renew it you actually get a sticker that you put on the back, which says expires in 2005. So it is a valid driver's license, but the front of the driver's license where my identification, which I presented over 50 times——

Mr. PALLONE. It says you are a safe driver too.

Mr. DEUTSCH. I hope I still am. What it says on the front of that license is it expires in 1999. I have shown

that to approximately 50 people. Not one person has questioned me, and it is not in locations where people know me. Not one person has questioned me; not one person has asked to turn over the driver's license or said anything else. On an anecdotal basis, we understand that there are still issues.

I think people get it. I plead with my Republican colleagues, I plead for them at so many different levels, that without the confidence in the airlines, there was a reason why we chose the airline industry to provide relief to. There are other issues that we can deal with, but there was a reason why there was an emergency, because it literally is the lifeblood of so many parts of this country and so much of the economy. There are other people that are suffering, and the easiest way to solve that problem is to gain the confidence.

The President keeps talking about going back to normal. Well, we cannot go back to normal until we have the confidence in the system, and we are not going to have the confidence in the system until we pass an airline security bill. It is 6 weeks after, and we have not done it. We have not done it for the worst reasons.

This is what we do not want to come back to in this Congress. We have not done it because my colleagues on the other side of the aisle, some of them who are able to influence their conference, have ideological positions that are so far out of the mainstream of the United States that I think the more Americans know about it, they would be shocked, absolutely shocked about their positions and their effectiveness as well.

Mr. Speaker, I urge my colleagues, I urge the President, I urge the Speaker, to do what is right, to do what the American people want, and pass an airline security bill. We could do it tomorrow. We could take up the Senate-passed bill, the unanimously Senate-passed bill, and pass it tomorrow. It could be on the President's desk. In fact, he could sign it. He has reviewed it. He could sign it tomorrow, and it would make a great deal of different, a positive difference for this country.

Mr. PALLONE. I want to thank my colleague. I have to say, when I have the town meetings, and I have had several since September 11, and I think the gentleman knows in my district we had quite a few victims of September 11 in the two counties I represent, about 150 people who died in the attack on the World Trade Center, and I am ashamed.

I have to say, I have the town meetings, and people come there and talk about having visited the airport, most of the time Newark Airport, only about half an hour away, and talking about their experiences and how they have been able to bring devices through the screeners or by avoiding the screeners, and they ask questions about the baggage and why is the baggage not being screened.

□ 1930

All I can say is that we have a bill and the Republican leadership has refused to bring it up. Frankly, I do not like to be that partisan.

Mr. DEUTSCH. Mr. Speaker, if the gentleman will yield, it is interesting. As most Americans are aware, National Airport has reopened. National Airport is now probably the safest airport in America, because my understanding is they are actually screening every bag. This is not new technology. Israel is continuously being held up as the paradigm. Israel is not the only country that has been screening every piece of luggage. Great Britain screens every piece of baggage. There are machines that are available that we can buy, that we can put in every airport in the United States to do it, to pressurize test the baggage as well. There is no excuse. There is no excuse. In fact, as the gentleman is well aware, the Senate bill provides for that, as well as a number of other additional things, to gain confidence and security in the airline transportation system of America.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman again. I think he expresses very well the problem that we face here with the Republican leadership and why this bill has not come up. I thank the gentleman.

I would like to yield now to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I thank the gentleman for this Special Order. The 2 elements, the 2 items are inextricably interwoven. The airport security issue and the issue of the stimulus package really cannot be separated. They go together, and common sense would tell us this.

We have just heard one of my colleagues say that the airline industry is 10 percent of the economy. If that industry does not get moving again, and timing is very important here, we are approaching Thanksgiving which is the time of the year that most people travel; if they do not pick up the habit of traveling by air again by Thanksgiving and we do not have a break in this fear of airline travel, we might have a mindset that develops that will make it difficult for the airline industry for a long, long time to come.

Mr. Speaker, we cannot wait forever. There is a need for immediate action here and, of course, that need for airport security stimulates the economy, not only the airline industry, but of course we know the gaming industry, the restaurant industry, the hotel industry, the tourism industry, all of this is related to moving the airline industry so, again, airport security is vital.

Airport security is not the same as it was when I traveled before September 11. There have been some changes, but most members of the public are still not impressed. They took my little fingernail clipper. I had a little clipper with a little file on it. They made me break the file off and give it to them as they searched my things. I am not impressed with that kind of new security. One of my colleagues, they took her tweezers.

The same personnel that is there, the personnel that is there has not been thoroughly checked. We do not think it is important that we check people who are in these positions. Just consider the fact of the latest revelation where we have a former master sergeant in the Air Force who has just been indicted for trying to sell secrets to Libya or some other place. He is a member of the Reconnaissance Surveillance Network that we have across the world. He is familiar with that. Twenty years in the service, and he is looking for a few thousand dollars. I mean if we have people with criminal records there, it is likely that they can be bought off for a few hundred, a few thousand dollars and we might have people there who are not going to see what they are supposed to see because they have been paid off on a given day. There are a number of ways that we can deal with that situation without these weaknesses. We can never root out corruption totally, but we can at least have a maximum effort to try to keep it at a minimum and have the highest level of personnel, starting with the payment of a living wage.

I serve as the ranking Democrat on the Subcommittee for Workforce Protection and we are responsible for the minimum wage law. That has been pushed aside completely this year, the amount of the minimum wage. But it is very much important in terms of stimulating our economy. At least if we create some federalized airport security jobs, we are not going to pay the kind of wages that they are getting now. They are likely to get a living wage. More importantly than a living wage, they would like to get a health plan. We cannot keep loyal, competent workers unless we have some kind of decent package.

The airport security proposition might take many different forms. I do not agree that it necessarily means that everybody has to become a civil servant. If the airport security is federalized, the Federal Government has many different alternatives that they may deal with, but we know who is in charge and that there is a certain level of competence and honesty and surveillance that they are going to insist on, and it will be taken care of appropriately. Certainly a living wage and a health care plan would be an offer for those workers. We would open some new and challenging opportunities for some people who have been unemployed and laid off from various other professions at this point.

Mr. Speaker, it is common sense. What we are up against are ideologues, the disease of the ideologues. They say, we do not want to increase the Federal employees. That is a hard-nosed idealogical position, just as they are saying, we do not want a stimulus package which takes care of the unemployed, because that is a redistribution of wealth.

Democrats favor common sense economics and Democrats favor a common sense approach to airport security. Working families are consuming families. Working families, if we put dollars in their hands, they are going to put it back into the economy and turn it over faster than anybody else. All of this is well-known. Japan, now looking back at the way their economy has dragged, regrets that they did not take a more forceful position at first to stimulate the economy by putting more money in the hands of consumers. The consumer is the engine of our economy, and by following the pattern that was laid down in the democratic package today where a great stimulus would be provided via the unemployment route, starting with the unemployment insurance and making sure that people who lose their employment are taken care of, provided with some possibility of retraining, provided with health care, and gotten back into the economy as fast as possible, that would be the stimulus that would surpass any other effort.

To talk about tax cuts means investments in the economy is to put our heads in the sand. If we give tax cuts, if we put more money in the hands of the rich, they are going to invest somewhere in the world, but not in our economy necessarily. I think the oil pipelines in the former Soviet Union are much hotter right now in terms of investment. They have expanded the production and the distribution of oil and there are a number of places in the world where we can get a bigger return on our investment than we can get by putting it into our present economy. We do not necessarily get any kind of stimulus by putting more money in the hands of the rich.

We are all in this battle together, and as I close out, I hope that we understand that to take care of the people on the bottom who are losing their jobs and facing the prospects of not being able to pay their mortgage or put food on the table, to take care of the people on the bottom is part of recognizing that we are all in this together. The working families are going to produce the sons and daughters on the front lines in Afghanistan. Working families are going to live through this difficult period here where we are at home fighting the anxiety of Anthrax; the working families, like the 2 postal workers who died. We are all in this together, and to take the idealogical position that we are redistributing the wealth by asking for a decent unemployment package within a stimulus package is to go the route of the ideologues.

Mr. Speaker, ideologues are very dangerous. Ideologues are not the total cause of the collapse of the Soviet Union, it is more complicated than that; but a primary cause of the fall of the Soviet Union was the ideologues were in charge. The ideologues are like witch doctors. They are obsessed. They do not look at reason. They will not accept any kind of facts. They are locked in. And we are in this great Nation at the mercy of certain people in key positions, especially in this House, who are ideologues and we must fight those ideologues. Common sense must prevail over the ideologues in order for us to go forward, both with airport security and with the stimulus package that will help our economy.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from New York. I appreciate the fact that we are ending this Special Order as he said, on what is practical. I think that is all we are really saying as Democrats, is that we want practical solutions that are going to pass, be signed by the President, and help the American people. That is why the airline security package that passed the other body, the Senate, should come up here. The Republican leadership should allow us to bring it up because we know it will pass, the President will sign it, and it will become law. The same is true for an economic package. Let us put together a package that helps the little guy, that helps the displaced worker, that provides some tax relief, and that really stimulates the economy that we can all get together with on a bipartisan basis and pass so that it means something to help the economy. That is all we are asking for, practical solutions. As Democrats, we are going to be here every night until these practical solutions are brought up and the Republican leadership essentially faces reality.

AUTHORIZING INTRODUCTION OF JOINT RESOLUTION DESIGNATING SEPTEMBER 11 AS UNITED WE STAND REMEMBRANCE DAY

Mr. DREIER (during the Special Order of Mr. PALLONE). Mr. Speaker, I ask unanimous consent that, notwithstanding the provisions of clause 5 of rule XII, Representative FOSSELLA of New York be authorized to introduce a joint resolution to amend title 36, United States Code, to designate September 11 as United We Stand Remembrance Day.

The SPEAKER pro tempore (Mr. OSBORNE). Is there objection to the request of the gentleman from California?

There was no objection.

MAKING IN ORDER ON THURSDAY, OCTOBER 25, 2001, CONSIDERATION OF JOINT RESOLUTION DESIGNATING SEPTEMBER 11 AS UNITED WE STAND REMEMBRANCE DAY

Mr. DREIER (during the Special Order of Mr. PALLONE). Mr. Speaker, I ask unanimous consent that it be in order at any time on Thursday, October 25, 2001, without intervention of any point of order to consider in the House the joint resolution introduced by Representative Fossella of New York pursuant to the previous order of the House (to amend title 36, United States code, to designate September 11 as United We Stand Remembrance Day); that the joint resolution be considered as read for amendment; that the joint resolution be debatable for 1 hour equally divided and controlled by the chairman and ranking member of the Committee on Government Reform; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

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

There was no objection.

MAKING IN ORDER ON THURSDAY, OCTOBER 25, 2001, CONSIDERATION OF H.J. RES. 70, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. DREIER (during the Special Order of Mr. PALLONE). Mr. Speaker, I ask unanimous consent that it be in order at any time on October 25, 2001, without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 70) making further continuing appropriations for the fiscal year 2002, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for 1 hour equally divided and controlled by the chairman and ranking member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

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

There was no objection.

FIRST LINE OF DEFENSE: HEIGHTENED BORDER SECURITY

The SPEAKER pro tempore ((Mr. OSBORNE). 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, as I have been waiting this evening to address the House, I have, of course, been listening to the comments of my colleagues from the other side with regard to airline security. It will undeniably be an issue that will be brought to the attention of the American public in this fashion as a point of general order and, of course, discussions in the House as we meet daily. It is, of course, a very important issue, there is no 2 ways about it, that people in the general public believe that airline security has to be enhanced. I do not know that there is a single Member of the Congress that does not think that airline security needs to be enhanced. Of course, we will have differences of opinion as to exactly how that should

happen and we, unfortunately, will take advantage of the differences of opinion about this to make partisan points and to be incredibly divisive and to reintroduce the whole issue of partisanship into the debate about airline security. But that is, of course, the nature of the business when we are in. When 2 individuals or, in this case, 2 parties have different opinions about issues like airline security, each side will claim that the other side is being partisan for holding on to their opinion.

It is intriguing certainly, intriguing, to say the least, that a great deal of time is being spent on the discussion of airline security with the thought in mind somehow that a change in who pays the wages of the people who are charged with the responsibility for conducting security, that somehow or other, this fact, this and this alone, will change the whole arena and will change the whole feeling of the general public about security, and will make people feel better about traveling; just simply changing who pays the wages, whether it is the Federal Government paying the wages or a private employer. Somehow or other, people then will become much more intent upon doing their job, much more competent in doing their job.

Well, I must tell my colleagues that I do not believe for a moment that that is what will give us confidence in this country in terms of our general, overall security. I do not believe it is the issue of who is paying the person who is looking through that little screen as our bags go through as to whether or not; and, by the way, people I guess think of that as being some very complex job that only a very highly skilled person, a ''Federal employee'' is able to do, right? Now, again, I do not know what makes anybody think that a Federal employee is more capable of looking into that little screen and seeing a light go off, because they are not actually trying to identify any individual part of the package going through; they are simply there to see when a light goes off, and the light tells them, search that package, that is it. Frankly, Mr. Speaker, it is not really a very high-level job. It just means the light went on. Can you tell? If it does, search the bag, right?

Now, somehow or other, the other side would have us believe that if we hire Federal employees, give them all the benefits of Federal employment, of course, more importantly, the security of never being fired for being incompetent, the security for being able to strike, the security of being able to shut the whole Nation down by a work stoppage because they can do that as a Federal employees union and never be held accountable for it, that part never comes up in this discussion about transferring this responsibility.

□ 1945

We are led to believe that if only the Republicans, these ideologues, as my friends on the other side kept calling us, if only these ideologues will agree to federalizing this entire work force, we will be safer. But never has anybody said why. I ask my friends anywhere in this House to tell me why it would be safer to have a Federal employee looking through that screen to see the light come on, or any other variety of jobs.

If we need better training for the employees who do this work, I am all for it. I am all for it. If we want to federalize anything, federalize the standards that have to be met. I have no qualms about that whatsoever.

But who is the ideologue here in this discussion, in this debate? Is it in fact the people on our side who are suggesting that the safer and better thing to do would be to allow people to be hired and fired if they are incompetent, to be fired if they threaten to strike and shut down the entire Nation's air transport system, and yet be held to high standards of ability in order to assure whatever degree of security we want established at our airports?

Those of us who want that, are we ideologues, or could it be people on the other side who want those people to be Federal employees? Again, nobody has said why that is so necessary. The reason they do not want to say it, Mr. Speaker, is because the reason they want Federal employees is because Federal employees will contribute to the Federal employees' union, which will contribute to the campaign coffers of the people on the other side. That is ideological, in my estimation.

So the real issue here, as far as I am concerned, has nothing to do with airline security; it has everything to do with securing our borders. This is the issue we should be debating tonight, and every single night and every single day.

I have never heard, and I have done this many times; as the staff and maybe the Speaker will attest, I have have done this many times: I have come to the floor on special orders to plead with my colleagues to look at the issue of immigration reform, to look at the issue of defending our border as the first line of defense in defending this Nation.

I have begged for that; and oftentimes, far too often, I have been the only person here. I am happy to say that I am joined this evening by a colleague to join in this debate who I will recognize in just one second. It is just that never have I heard anyone from the other side of this aisle come to this floor and talk about this issue.

Frankly, from my point of view, I am much more concerned about the fact that we have porous borders through which people can come and do come who wish to do us harm, and we have absolutely no desire to try to stop them there, but we spend enormous amounts of time talking about who should be the guy or the lady looking through the screen to see if the light comes on in the machine. That is what is going to make us feel better?

I do not want them in this Nation to begin with. I do not want them in the airport in the United States, the people who are here to do us harm. I do not want them getting across the border. I do not want them being given a visa in any nation in this world which requires a visa to come to the United States. I do not want them getting it in the first place.

That is where our emphasis should be, because frankly, Mr. Speaker, every single member of the organization that came here on September 11 and hijacked those planes, drove them into the World Trade Center and into the Pentagon, and would have come here, were people who were not citizens of this country. They were here on various visas, some of them illegal because they had overstayed or not done the right thing on their visa, and we did not care. We did not go after them. The INS could not care less. I have tons of information we will get into tonight.

That is where I want our emphasis put. I want it put on stopping them from getting here. I am all for airline security. I am all for making sure that man or woman who is looking through the little scope on that thing, and when the light goes off, I want to make sure that they say, okay, open that bag.

Yes, I am all for it. I am actually for doing a lot more than that with everybody who gets near the airplane. Food service handlers and baggage handlers, let us make them accountable, too. We do not need to make them Federal employees to get there, but that is a secondary issue. The issue is, how do they get into the United States to begin with, and why is it that we continue to be so afraid of paying any attention to this issue, so afraid of discussing the issue of immigration and immigration reform?

Someone who is not afraid of that has joined us tonight, and I yield to my friend, the gentleman from Arizona (Mr. HAYWORTH), for his comments.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

Let us acknowledge what he has said. Yes, it is important to understand what is transpiring in terms of aviation safety. Yes, it is important to have scrutiny to the point that we can ensure airliner safety in many different areas, not only those who would come to get on the plane and have themselves and their hand-carried luggage checked, but also, transcending that, the caterers, the cleaners; a myriad of other people who have access to aircraft. That is very important.

But it seems, to borrow the line from I guess Rogers and Hammerstein, ''Let's start at the very beginning, a very good place to start.''

It is the unmistakable, undebatable function of the Federal Government to secure our borders and to be in control of those who would come to this Nation. My friend, the gentleman from

Colorado, points out the story of the 19 villainous vermin who came here to do us harm; in fact, who launched this war with acts of terror that were indeed acts of war that cost so many Americans their lives.

When we read the stories that our intelligence gatherers have been able to come across, we understand that, either through miscommunication or an unwillingness and inability to follow up on the status of visas, or special visas that require really no scrutiny, we allowed many of these horrific people to come and stay and perpetrate their acts of terror and war.

We must secure our borders. The challenge in the early 21st century is that there are those who would take an issue of national survival, try to dismiss it as jingoism or xenophobia, or a myriad of attacks of the politically incorrect, when, instead, they are elemental tools that the American people cry out to see activated.

It is not only the border to our south. Mr. Speaker, I am sure there are those who join us, and they see the gentleman from Colorado and the gentleman from Arizona, and they say that it is the United States' border with Mexico that causes the problems.

Mr. Speaker, I would point out that some who have perpetrated acts of terror and war against this country came in through our border to the north in Canada. I would point out the unbelievable situation, according to some press accounts, that at least one of the perpetrators voted in our Presidential election in 2000.

Now, there reaches a point in time when enough is enough. With the war we confront and the nature of our enemy, we must take the steps necessary to defend this Nation.

Governor Ridge has taken over as our director of homeland defense. Our first line of defense is securing our borders and taking account of those who have come here. It is very simple. The old saying is, when you have dug a hole for yourself, stop digging. Until we get an accounting of exactly who is here, and quite frankly, who should be escorted beyond these borders, only then can we take control.

One other note. And lest this is confused, Arab Americans have a chance to lead the way in our fight in terms of an understanding of culture and language and their own sense of patriotism. They have a chance to lead the way in this fight.

This is not for a second to impugn the motives or the patriotism of any Arab American. Indeed, I know many personally who are guts-up Americans who have served in the military of this country, who stand ready to defend this land in any way, shape, or form.

But to those who have come illegally and to those who would do us harm, it is time for a change; to harken back to what is absolutely required of us in this constitutional Republic, and that is control of our borders and an accounting of those who are here, and actions to send home those who are here unlawfully.

Mr. TANCREDO. Mr. Speaker, I thank the gentleman for his comments.

It is not as if we had not been warned more than once. It is not as if all of this happened to us in the United States, the events of September 11, and we thought, Gee, how could this have occurred? Why were we not warned? Why did no one ever come forward?

Well, of course, people have come forward. Many people have come forward, and earlier than the 11th, actually years before. There has been testimony before this House of Representatives, before the Congress of the United States, about the dangers we face as a result of having border that we cannot control.

As early as January 25, 2000, a terrorist expert by the name of Stephen Emerson testified at a U.S. House of Representatives hearing on international terrorism and immigration policy. Rereading Emerson's testimony is chilling, but it is also infuriating, because he laid out chapter and verse how terrorists enter the U.S.

Emerson virtually predicted the attacks. In a 35-page document, Emerson listed the various reasons for the emergence of terrorist groups in the United States:

One, an ability to operate under our political radar system;

Two, an ability to hide under mainstream religious identification;

Three, loopholes in immigration procedures;

Four, ease of penetration of the borders;

Five, limitation on FBI and other agencies performing law enforcement functions, including the Immigration and Naturalization Service and the Customs Service;

More sophisticated compartmentalization of terrorist cells around loosely structured terrorist movements;

Exploitation of freedom of religion and speech;

Exploitation of nonprofit fund-raising, and lack of government scrutiny.

Does all this sound somewhat familiar? Every single issue that he brought up of course we now know to be part of the great mosaic that has been presented to us here as the terrorist threat:

Increasing cross-fertilization and mutual support provided by members of different Islamic terrorist groups;

Ease of ability to get student visas from countries harboring or supporting terrorists;

Failure by universities to keep track of foreign students and their spouses;

Protection afforded by specially-created educational programs;

Ease of visa fraud and the intervention of false credentials from passports, driver's licenses, credit cards, and Social Security numbers;

Blowback from the anti-Soviet Mujahedin that the U.S. supported in Afghanistan.

Again, it is almost uncanny, but this was testimony to the United States Congress, and we chose to ignore it. Why? It is because this issue, the issue of immigration and immigration reform, paralyzes so many of us. We are afraid of the kind of epithets that are thrown at us when we enter into this debate.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. TANCREDO. I am happy to yield to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, I want to thank the gentleman, and certainly the gentleman from Arizona (Mr. HAYWORTH), as well as my friend, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from Minnesota (Mr. GUTKNECHT), who is here to speak in just a few minutes.

Concerning a point the gentleman from Arizona (Mr. HAYWORTH) made as well, and the gentleman from Colorado (Mr. TANCREDO), let me say today, as a matter of fact, I was in a 1-hour call-in show in Raleigh, North Carolina, the home of NC State, where this gentleman played football years ago, and there came up several times a point you and he made when I first came on the floor.

Certainly those of us in the Congress, whether they be on the Committee on Armed Services, which I am on, or it could be on the Permanent Select Committee on Intelligence and other committees, we have known for a number of years that the possibility of a rogue nation or a terrorist group making an attack on the American people was a matter of probably when it was going to happen. Would we be prepared? That is another question.

The point that was made today by four or five callers is prior to September 11, we have had a problem in this Nation. I know that is what the gentleman has been speaking about, I know that is what he has been speaking about, and I know that there are many people in this Congress, and the gentleman has taken the lead on some type of legislation.

We have done a very poor job as a Nation, as a country, of tracking those who come visit our Nation and what they might be doing, and whether they are extending their length of time in this Nation without permission, so to speak, from the government.

We need, as the gentleman was saying tonight, and the gentleman from Arizona, to do something. The time of debate about what we should have done is past. What are we going to do is the debate of the present and future.

□ 2000

So I want to say that I am glad to be here with this group tonight because the American people, the five callers that I had today on this Raleigh radio station said, yes, we know we have a problem. What are we going to do to reform the problem? What are we going to do to make sure that American people are safe from a security standpoint?

Mr. TANCREDO. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Just to echo that point and to thank my friend from North Carolina for mentioning my alma mater, although my football experience there may not be quite NFL caliber, but we will not go to that.

But the town halls of the areas, whether it is talk radio WPTF in Raleigh; KFYI in Phoenix, Arizona; a town hall meeting we held on city cable in Scottsdale Friday evening, the people who came there demanded that in this time of war we absolutely control our borders. That is the first step in homeland defense.

It is not for a second to suggest it is the only step, but it is the first step.

Mr. TANCREDO. The gentleman is so correct. We cannot stand here tonight, nor have we ever stated in this debate that unequivocally we know that if we simply control our borders, do everything we can possibly do to make sure that the people who are coming in are identified, that we know what they do when they come in here, that we know when they leave, that if we did all of these things that we could prevent any other kind of event. But not doing those things makes us irresponsible.

At this point in time I will say this, that God forbid, if there is another event of a similar nature as there was on September 11, and it occurs as a result of somebody else waltzing across our borders, somebody that we should have been able to identify as being one of the bad guys, somebody that we recognize or who even comes in under legitimate passport or visa but then does something here for which he should have been deported and we do not do it, if anything like that happens, we are not just being irresponsible, we are actually being culpable at that point. This Congress is culpable if we do not do everything we can do to stop it. It may still happen, but we have a responsibility.

It is like saying they still rob banks even though we have laws against it. What does that mean? Should we pile the money on the desktop in the bank? No. We should still do everything we can do to stop it. And that is what we should be thinking about in this Congress.

Our immigration reform caucus, I see Members joining us here tonight who are members of the caucus; and I sincerely thank them for their participation in that effort because that is the only thing that is going to move legislation through this is getting enough folks to add their voice to those that have been raised in this debate so far.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I want to thank the gentleman from Colorado (Mr. TANCREDO) and my colleagues that are here tonight for having this special order because I think as we talk about this war on terrorism, if we are not serious about really dealing with some of our immigration problems, then we are not really serious about the war on terrorism. Because if we have enemies from within and we are doing nothing about it, I think the gentleman is exactly right, then we are culpable. Shame on us for not doing more.

The more we learn about this, the more troubling this becomes. I was surprised to learn, and I think most of my constituents, when I talk to my constituents, I ask them, for example, how many people do you think come into this country every year on average on some form of visa? I get numbers like 100,000, 200,000. And when I say to them, it is 31.5 million people, they are taken aback. Then the question I ask is, what happens to those people? Where are they now? And the truth of the matter is we do not know.

One of scariest things if we look back at the events of September 11, two individuals went up to the ticket counter of American Airlines at Dulles Airport just a few miles from here, they used their own names and they purchased tickets on American Airlines to fly. Now, the interesting thing was the INS knew that those two individuals were members of the Egyptian jihad. Now that did not preclude them from coming into the United States. But the interesting thing is the FBI did not know that, and neither did American Airlines.

I was at the Pentagon the other day, and I walked down the hall where they have the pictures of all the people that were killed that day. And I think the saddest picture of all is that picture of that young bride in her wedding dress. Somehow when I think about that, that here the INS knew that these two individuals, using their own names, were members of the Egyptian jihad, and yet that information had not been shared with the FBI or American Airlines.

Shame on us. We have got to do something about this. In fact, the more I have learned about this, and I want to thank the gentleman from Colorado (Mr. TANCREDO) because he has done a great job of shedding the light of day on this issue because we need to know. The American people need to know. For example, in the last year that we have numbers for, 895 people came to the United States on visas from Iraq.

Now, we do not have a whole lot of business dealings with Iraq. We buy a little bit of oil from them. We know that they have been problematic relative to harboring terrorism. How did 895 people get into this country on visas? And, most importantly, where did they go?

Mr. TANCREDO. Let me answer that question, at least a partial answer as to where did they come from? How did they get here? How is it that 895 people from Iraq were given visas?

Something else your constituents should know about, something all of our constituents should know about. There is another program operated by the government, we passed it not too long ago. It is called diversity visas. Diversity visas are given to countries that we do not think have actually sent us enough people. As bizarre as this sounds, this is the truth. Congress passed it a few years ago. There are 55,000 allotted every single year. They go to countries, as I say, that it has been determined, it is a formula basis; and if a certain country has not sent us enough people, then they go to the head of the line, these diversity visas, 55,000 of them. The bulk of those 55,000 visas go to countries in the Middle East, Egypt, Iraq, Iran. They are put on the top of the list.

So I do not know if the 895 people from Iraq came on that basis. But I am telling you that 55,000 visas are set aside just for those kind of countries. They have not sent us enough people. That is as bizarre as it gets. No, that is not as bizarre as it gets. Believe me, it gets even weirder around here when you start talking about his issue.

Tell your constituents this, that of the 31 million people who come here every single year on visas, something like 40 percent violate their visas. That is 12 million people a year who do something to violate the visa. They overstay it. That is the most common. But they break our laws. That is another very common thing that happens. Of the 12 million who violate these visas, we actually end up with maybe 100,000 of them going into the judicial system, maybe 200,000.

Of the 200,000 of the 12 million who get to the immigration court, about 100,000 actually get deported. No, actually get sentenced to be deported. A judge hears the case. He hears about the person who beat up the old lady, raped the young girl, murdered somebody in the street, robbed the bank, whatever it was, and the judge sentences this person to be deported.

At that point in time, in the system we now have, in the immigration system, that person is turned over to the INS for enforcement procedures. And I had a judge, an immigration judge call my office one day and say I have got to tell you this because I am going crazy. I am so frustrated. I have been here 12 years on this bench. He said, day in and day out I listen to these stories. I adjudicate and I find someone guilty of violating their visa and I order them deported. And day in and day out they turn around and walk out the door, and I know they will never be deported because INS does not go after them. They do not care. That is not their main interest.

He said, I think there are about 225,000 of these people wandering around the United States. So we went on the television and everywhere I would go I talked about it. I said by now it is about a quarter of a million. I thought I was pushing the envelope a little bit. He said the information was about a year old. I thought by now it is probably a quarter million.

Finally, someone from Human Events and a newspaper in California went to the INS and kept pressing them. They finally admitted, yes, it is true that there are a few folks out there who have been ordered to be deported but they are not gone. How many? It was 300,000 per year.

This is what the INS says they have lost. No, the INS says we know they have been deported. We cannot find them. We do not know where they are, and we have not gone after them.

Can you imagine explaining this to anybody, a constituent, and having them say, well, Congressman, what are you going to do about that? And I say, it is very tough because you try to get any immigration reform across here and they would rather talk about the airline security guy who is looking through the screen.

Mr. JONES of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Speaker, I will leave in a second; and my good friend and part of our immigration caucus, the gentleman from Virginia (Mr. GOODE), will be stepping up.

Let me say, this is what I want to leave to my colleagues here tonight from Arizona, Colorado, Minnesota, and Virginia. We need for the American people, we all have been on this floor numerous times with friends, let me say this, that support you, we need for the American people to understand that this is absolutely critical that we reform the immigration laws of this country if we want to protect the national security of the American people. And for that to happen, they need to let their Members of Congress, their Senators, their President know that this is a critical issue.

Mr. Speaker, I would like the gentleman from Colorado (Mr. TANCREDO) to know that I will do everything I can to help him move forward with this reform because it is critical to the national security of America. I thank the gentleman for that.

Mr. TANCREDO. Mr. Speaker, I appreciate the gentleman. I must tell the gentleman, I could not be prouder of the people on this floor tonight who are here to support this effort. It is great.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I want to thank the gentleman from Colorado (Mr. Tancredo) so much for his leadership on the immigration issue and for his work in diligent, hard-working fashion in finding out so many statistics and facts that we need to bolster our argument to end illegal immigration and to curtail legal immigration.

I wanted to share with you an article from the Arizona Republic that talks about the 19 terrorists that were involved in crashing the airlines into the Pentagon, the World Trade Center, and into the field in Pennsylvania. It appears that over half of those hijackers were illegal. There are no immigration records on six of them. And I will do the best as I can in reading their names. Fayez Rashid Ahmed, Satam M.A. Al Suqami, Hamza Alghamdi, Mohand Alshehri, Saeed Alghamdi and Wail M. Alshehri.

Those six have no immigration records. And the gentleman was talking about the situation of walking in across the Canadian border or walking in across the Mexican border, and any of those six could have taken either of those routes into the United States.

Then we go to four that were here at one time legally, but they were out of status and that means they were also illegal. They entered legally but overstayed the visa was Nawaf Alhazmi, admitted to the United States as a nonimmigrant visitor in January 2000. He appears to have overstayed his visa. Waleed M. Alshehri, admitted in June 2000 as a nonimmigrant; and on the date of the September 11 was in illegal status. Ahmed Alghamdi believed to have been admitted as a nonimmigrant student and appears to have overstayed his visa. The other, Hani Hanjour, admitted as a nonimmigrant student in December 2000. INS officials say they were unable to determine whether Hanjour was legal on September 11.

Another issue in the area of immigration that I feel we need to focus on is H1–B visas. These are the high-tech visas, and we recently in a prior Congress increased the maximum number from 65,000 to 110,000.

In my opinion and I know the gentleman has worked for this and others, we need a moratorium and H1–B visas. That is one thing that could help our economy now because American citizens need these jobs.

I want to just briefly lay out the job layoffs in the fifth district of Virginia.

□ 2015

In my home town of Rocky Mount, 500 jobs were lost at Lane Furniture. In Altavista, Virginia, 500 jobs were lost. In Clarksville, Virginia, I received a call from the Mayor today, 600 jobs at Russell Stover are lost. Last year, in Henry County, Virginia, we saw Tultex Corporation, which was the biggest sweat and fleece wear manufacturer in the country go completely out of business; JPS Converter, in Halifax County, 250 jobs, 2 months ago. And in Lunenberg, Mecklenberg, and Halifax Counties we have seen tobacco workers lose their jobs because of the change in climate in the tobacco industry. And there have been thousands of other textile workers.

We need to be retraining these persons so that they can do the jobs in the high-tech industry instead of bringing in persons from other countries under H–1B visas.

And if the gentleman will just give me a couple more minutes, one issue that is going to be facing us soon is going to involve an extension of 245(i).

Mr. TANCREDO. The gentleman should perhaps explain.

Mr. GOODE. Well, 245(i) is a way for persons in this country illegally, who have been here for some time illegally, to go around the process and immediately get legal status.

This is a real slap in the face to those from other nations that go through the process, that go through the interview process, that talk with the consuls, that talk with the INS people, who get fingerprinted, that wait in line for their turn. These people under 245(i) go around the line and get to the head of the line and they are immediately legal.

We are going to be asked, I feel, on the Commerce, Justice, State appropriations bill to extend 245(i). The Senate passed it for, I believe, an indefinite extension; and that measure has not made it through the House, so they are going to attach something, I am fearful, on that appropriations bill. And the message would be clear: if you can get in here illegally, if you wait it out, you can get amnesty.

We do not need amnesty at this time. An amendment putting forth 245(i) for an extension, even if it is just for 6 months or a year, would be the wrong message, in the wrong place, at the wrong time, on the wrong bill. And I hope our body will defeat it.

Mr. TANCREDO. I appreciate the gentleman's comments, and I want to reemphasize something he was talking about in terms of the economic stimulus package that was passed earlier today. It was a very controversial package of legislation, primarily dealing with tax cuts.

I hope that it will do the job. I hope that it will, in fact, provide the stimulus this country needs to put people back to work and to deal with the people in the district of my colleague, the gentleman from Virginia, in the district of my colleague from Minnesota, all of whom are looking at us for some way to describe what is happening to them, some explanation of what is going on and perhaps a way to help out.

We can do certain things. We can tinker with the monetary policy, and we can tinker with the fiscal policy, and we can hope that down the road apiece all that will kick in and in maybe 6 months or a year we will see the effects of it. But we could have done something today with an immediate reaction, immediate reaction, and, frankly, I had asked for permission to offer amendments to the bill but was not allowed to. We were not allowed to bring this issue up. But I am going to talk about it, and the gentleman brought it up tonight, and we are going to continue to talk about this because we are going to introduce a bill even in the next couple of days, and I hope my colleagues will join me on this, and that is to repeal the particular provision that the gentleman is talking about that has allowed us to expand the number of people who can come in here on visas and take jobs.

We were told by many people that we needed them; that we could not fill the

jobs with Americans; that no matter how hard they tried, no matter how many ads they put in the paper, and we are talking now about white collar jobs, these are not the folks that are coming in across the border to do some of the more menial tasks. We are talking about white collar jobs that are relatively highly paid, and we have been told for years that we cannot get enough people in here to do it. Well, I think we have people in the United States today, American citizens, who are willing to do the job. But what is happening to us, because of the visas we have allowed, the particular kind my friend refers to, and we raised the cap on that visa, that particular visa, we now have allowed 195,000 a year, and they can stay for 6 years.

Now, figure that out. That is 1.2 million people after that period of time, and that is only from this point on. It does not even count all the ones that have come here up to this year under that visa program. So there is 1.2 million potentially here in a relatively short time. And we could close the door on that and we could improve the opportunity for a lot of people in this country to get jobs again by simply saying that if you are here, and I am sorry, if you are not an American citizen and you are taking a job, you have to leave. Because, frankly, we have our own people that we have to employ.

I am telling the truth here, and I am as altruistic as the next guy, but I want to give the job to the American citizen before I give it to somebody overseas. It is not as if we do not have people who want the job. I have had people in my office, two just last week, both of them displaced because they had people come in here on visas and take their job. It was not because they did not want the job. That was not it at all; but they could be replaced with somebody who would work for less, pure and simple. So they are out of work.

And now, by the way, some of these visa holders have been thrown out of work. And their visa says very, very clearly that they must leave the country if that job ends. But the INS said just the other day, not to worry; to spend a few months, they said, and look for another job; compete with the Americans who have been thrown out of work, they said. This is the INS. This is the group that we charge with responsibility of monitoring our borders, of actually enforcing our immigration policy. But they are not on ''our side'' here.

I had a debate in Denver, Colorado, not too long ago, with a lady who was the representative of the INS in my region. During the debate the radio announcer, the host, said to her, I do not understand, why does the INS not go after these people who are here illegally and send them home? And she said, without hesitation, this lady said, because that is not our job. She said, our job is to help them find a way to become legal citizens.

I mean, I was flabbergasted. But I do not know why I should be flabbergasted any more about things I have heard with regard to this immigration issue because it is all mind-boggling. In fact, we are compiling in my office, and if anybody has stories out there that can be verified of these, what I call ''unbelievable but true stories,'' they can call our office, 202–226–7882, because we are compiling these stories, and I will bring them to the floor night after night. I am going to list the top 10 most incredible stories. We could be here every single night for the rest of this Congress talking about these incredible but true things like I have just described where an immigration official said that the responsibilities of the INS was not to go after people who were here illegally, but in fact to find a way to get them into the United States and make them legal.

Mr. Speaker, I yield to the gentleman from Minnesota.

Mr. GUTKNECHT. I will be real brief here, but the point the gentleman is really making, and this is what we need to debate and discuss here in Congress and for too long we have been cowed, and I want to come back to that, from having an honest debate about immigration, but Americans are being injured. We talk about what happened September 11, and the list was very, very instructive from my colleague from Virginia, but people are being injured every day by legal, semi-legal, and illegal immigration in America today because no one is minding the store.

They are losing their jobs, people are being injured through crimes, rape. We have had that actually happen in my town of Rochester, where illegal people or people who were here on visas have committed serious crimes, and yet there was no consequence. They are losing their jobs and they are losing their futures because of this immigration, and at the same time the INS is taking this unbelievably bizarre attitude. Worse than that, we in Congress, the people who are elected to set the policy for this country are cowed from debating this, or have been up until the last several months, because we are all sons and daughters and grandsons and granddaughters of immigrants.

We are a Nation of immigrants, and we understand that immigration is part of our culture. And as Ronald Reagan said, we are one of the only countries where people can come here and become Americans. I could go to Germany, and my heritage is of German heritage, but in all likelihood I would never become a German citizen. It is very difficult to get German citizenship. You can go to France, but you will probably never become a French citizen. And that is true of most of the other countries of the world.

We permit every year more people legally to come to the United States and become American citizens than all of the other countries combined in the world. And that is good, because we are a Nation of immigrants. But we have to have an honest discussion about illegal immigration and what happens when those people who come here on visas and they break our laws, when they take our jobs, when they do not play by the rules. What are we going to do about it?

And the fact of the matter is we have not even had an honest debate about that. But the good news is the American people are waking up on this and they are far ahead of the public policymakers. When I have my town hall meetings, when I talk on the radio, and when I meet with my constituents, they understand. They get it. And they are way ahead of us. And they are beginning to say, when is Congress going to begin to take some serious action about this issue.

I want to make one more point before I yield back my time, and that is to say, and our colleague from Arizona made this point, that we want to be careful that we do not sound here on the House floor that we are anti-immigrant or, more importantly, that we are anti-Arab or anti-Islamic immigrants. We have a large number, about 300 in my hometown of Rochester, folks who came here who are practicing members of the Islamic faith. And I have never been prouder than last Monday when they had a rally in Rochester, Minnesota, to hear people who could barely speak English shouting and chanting with American flags in their hands saying God bless America.

It reminded me of a country and western singer a couple of weeks ago when he said something so profound and so simple, and it needs to be repeated. He said, ''You know, the terrorists just don't get it. They do not realize that we don't just live in America. America lives in us.''

We do understand and appreciate the value of a balanced and fair system of immigration. But the system has become so skewed and so unfair. When we have 31 million people coming into this country and we do not keep track of them on visas, when there are 200, perhaps 300,000 people who are in fact subject to deportation and yet there is no real consequence, when there are people breaking our laws and no real consequence, then the system is broken and it really is the responsibility of the United States Congress to begin to fix it.

We want to work with the former Governor of Pennsylvania, Tom Ridge, who has a very, very difficult job, and we all understand and appreciate that. But we need to work with him, we need to work with the administration, we need to work within the confines of the Congress to make certain that we bring some sense of order out of this chaos, because what we have right now in immigration policy is absolute chaos.

When people can walk up and buy an airplane ticket and the INS knows in their computer files that they are members of potential terroristic groups and that information is not shared, we

have a serious problem. When people can take jobs from hardworking, law-abiding American citizens, and there is no recourse for those citizens, there is something wrong with the system.

We have a chance, we have an opportunity, and most importantly I think we have an obligation to fix that system.

□ 2030

We want to work with Governor Ridge. We believe he represents perhaps the best opportunity to begin to get control of all of this and working with the Congress to come up with a new immigration policy that recognizes we want immigrants in our country, we want to be that shining city on the hill that Ronald Reagan talked about, but we also want to have some rules and see to it that those rules are abided by, and that ultimately we do not have a system that literally invites terrorists to come into our country to set up shop, to be able to move freely around our country and never have to be accountable to anybody.

So I want to thank the gentleman from Colorado (Mr. TANCREDO) and the gentleman from Virginia (Mr. GOODE) for participating tonight to help tell that story because I am convinced the more the American people realize what is going on in this country, the more that they are going to demand from their Members of Congress, from this administration, from Governor Ridge and others that the system begin to change in a responsible way.

Mr. TANCREDO. Mr. Speaker, I sincerely appreciate the gentleman from Minnesota (Mr. GUTKNECHT) coming to the floor tonight, all of my colleagues, because frankly I could not have said it better and especially the gentleman's last statement in regard to his constituents and others who were recent arrivals to the United States and stood up there with an American flag and saying God bless America and saying God bless them.

Certainly, it is an interesting aspect when the gentleman talks about the idea of dual citizenships, the fact that someone cannot go to other countries and become a citizen, and it is very true that it is very difficult in many countries to become a citizen of that country. It is very easy here.

Another interesting aspect of all of this is that there is another phenomenon we are witnessing with this massive influx of immigrants, both legal and illegal, but the ones that eventually become legalized. There are today as we stand here six million people in the United States that hold dual citizenships, that have either refused to relinquish at one point in time the citizenship of the country from which they came or chose later to accept a second citizenship.

Mexico just recently passed a law a few years ago allowing for this to happen and the numbers exploded. Six million here. I do not know this of course, but I will bet my colleagues that not one of those people that stood up where the gentleman talked about and waved that flag and were singing God Bless America, I bet none of them have latched on to dual citizenship because you have to ask frankly, whose side am I on. When it really comes down to it, when a person takes the oath of allegiance to become a citizen, that person is supposed to relinquish any allegiance to any foreign potentate or power. That is the old wording of it.

If the person has another citizenship, have they really done that? Why is this happening? Should we allow it to happen?

I do not believe that United States citizenship should be conferred on anyone who has some other loyalty. It is just another part of the picture here that we have to bring forward and wonder about.

It has been a long time that I have been debating this issue, it is true, and it is also true that now some Members of the Congress are joining us. Those of us who have been in this caucus know that now we are getting people coming to us and saying they want to join, and I say that is wonderful. I hate the idea that it may have been the events of September 11 that brought it about. I do not want to win on that basis.

I wish that was not the reason why this whole focus has changed because it is such a horrific event, but we have to deal with reality here, and the reality of the situation is this: That immigration is an important part of this picture and immigration reform is a very important part of the solution. That is undeniable. There is not a Member of this body that can honestly look a constituent in the face or another Member in the face and say forget about immigration, open borders. Even organizations like The Wall Street Journal and others who have been for years on their editorial page pushing the issue of open borders, free trade and all this, and I am a free trader, so that is not the issue at all, but even they now, I have noticed, have some degree of reticence to come forward with those kinds of editorials and I am glad of it. I just wish it had not been anything quite so horrendous to force them into this position.

I yield to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, in town meetings and public forums, even before September 11, I saw in my district what the gentleman from Minnesota (Mr. GUTKNECHT) was describing in his district, grassroots America is fed up with massive illegal immigration, and they really want to see legal immigration curtailed, and that was that feeling in America before September 11 because these people are at the local level. They are in the counties and cities all across America, and they are seeing the impact in their communities.

The gentleman talked about the INS officials that do not deport. A factor in that is once we deport them, if we send them north or if we send them south, they can make a U-turn and come right back in. I know the gentleman from Colorado (Mr. TANCREDO) is the chief sponsor of the resolution focusing on the integrity of our borders, and I would like to see that resolution moved forward and get us tighter security on both the northern border and the southern border.

Mr. TANCREDO. Mr. Speaker, perhaps anecdotes are useful and I feel they are useful to sort of portray a much bigger problem.

Every day somebody comes up to me because I have become sort of involved with this issue and people know. So these people will tell me stories about something they have heard something else that just occurred. I will share with my colleagues and the Members here something that happened again a short time ago, and it is one of those things that one says no this cannot be, this is impossible.

Remember here, he was telling the story about, I thought at the time three-quarter of a million people who were running around the country, and I was saying to him, it is better to be a crook as an alien here in the United States than it is to be a citizen crook. A citizen crook goes to our justice system, to a regular justice system. In fact, if the person is found guilty he is going to go to jail. It is a very good chance if the person is found guilty as an alien, there is a very good chance the person will never see the inside of a prison cell.

He said, again, well, listen to this. He said, You think that is something, listen to this. This gentleman had been a member of the Committee on the Judiciary, the gentleman from California (Mr. GALLEGLY), a member of the Committee on Government Reform, and if I am not mistaken, chairman of a subcommittee at one point in time, but he was telling me about an immigration magistrate who had called him and said I have had the most amazing thing happen. This is about the third or fourth time.

He said a young man, I think it was 18 or 19 years old, came in, came before me, and he had just mugged an old lady, broke her leg, stole her purse. When the police arrested him, he had no ID, and so the policeman said what is your name, where are you from. He said I am an illegal alien, I am here from Mexico. So they took him to immigration court, and the judge said, well, you have two choices. I will either send you to jail or deport you right away. He said, well, judge, I will be deported. So they put him on a bus from San Diego, sent him back to Mexico.

He goes in as one somebody, the person he said he was, gets into Mexico, calls his mother in the United States. By the way, this young man I am talking about was born in the United States, parents were born in the United States, grandparents were born in the United States. He was a United States

citizen but he had learned the scam. He had learned that it was much better to go before an immigration judge and be turned over to the INS.

So he calls his mom after they deport him, after they send him back on a bus to Mexico, calls his mom and says bring down my ID. She gets in the car, drives 120 miles, hands him his ID. He now enters the country as John Doe, whoever he is, and of course, that record is completely erased of who he was, that he went in and the violation. They do not know anything about him. By the way, this magistrate was telling the gentleman from California (Mr. GALLEGLY) this was not the first time this had happened, that they had found this out.

Here is the thing. If the kid on the street, the average thug, a mugger has figured out that it is better to be sentenced by an immigration judge, what does that tell one about how many people are actually taking advantage of the system who are, in fact, aliens? They can with impunity violate our laws and do so and never fear that they will ever be caught.

I see that we are coming to the end of our time. I want to thank the gentlemen very much for joining me tonight, and I just want to end with a little comment here that was on the earlier thing I read.

The U.S. can bomb Afghanistan to dust but terrorism will remain. In some bizarre thought process understood only in Washington, D.C., the possibility of tightening up immigration laws paralyzes most politicians. Absolutely true, but not with the people who have joined me here tonight, and I want to thank my colleagues for their courage.

INCENTIVE TO TRAVEL ACT WILL STIMULATE ECONOMY

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Mrs. MALONEY of New York. Mr. Speaker, as we look to stimulate the economy, we should help the industries that have been hit the hardest, the airlines and tourism. The airlines are losing billions. They have laid off over 100,000 people. Tourism is New York State and New York City's second largest industry, and it is reeling. 15,000 restaurant workers and over 6,000 hotel workers in New York City have been laid off since September 11.

The Incentive to Travel Act, which has been introduced in a bipartisan way with the gentleman from New York (Mr. REYNOLDS) will help the economy. It will give Americans the incentive to take a vacation at a time when we all deserve one. For 1 year, the bill would provide tax deductions for families of up to $2,000 nationally, and an additional $1,000 for New York for travel and entertainment expenses.

It would immediately restore the deduction for business meals and entertainment to 80 percent from 50 percent. The Incentive to Travel Act is an incentive to stimulate the economy, unlike the Republican stimulus package, which is called the ''Special-Interest Payback'' in USA Today. They say it is time to take a vacation for the special-interest Republican payback.

Mr. Speaker, I request to put this editorial in the RECORD.

[From USA Today, Oct. 23, 2001]

SPECIAL-INTEREST PAYBACK

CRISIS BECOMES EXCUSE TO RAID FEDERAL TILL FOR FAVORED GROUPS

Just about everyone recognizes that the events of Sept. 11 and afterward impose new challenges and responsibilities on the nation and its leaders. But this new reality doesn't seem to have penetrated House Republican leaders. In the latest example, they take up today a special wartime ''stimulus'' bill that's little more than a good old-fashioned special-interest giveaway.

The case for a stimulus wasn't strong from the beginning. While the economy is clearly suffering, no one yet knows how bad it is or how long it will last. Given that uncertainty, the best bet is for a temporary jolt that eases the current slump without jeopardizing the nation's long-term economic health with a return to deficit spending.

Yet against Bush's advice, and that of experts such as Alan Greenspan and former Treasury Secretary Robert Rubin, the House has decided to repay corporate patrons for their years of campaign support. Among its many deficiencies, the House plan is:

Long-lived: More than a third of the tax cuts take effect in 2003. Even if there's a recession this year, it most certainly will be over long before those cuts kick in.

Unfocused: Rather than target relief at those who need help the most, the House lavishes tax benefits on just about everyone with a lobbyist. Companies get 70% of the tax cuts in 2002, and some of their breaks are permanent. Low-income families get a one-time rebate check.

Fiscally irresponsible: The House version blows through Bush's stimulus goal of $75 billion. And with many provisions long-lasting, it imposes costs on the country's fiscal health over the next decade. That means less money to pay down debt, higher mortgage rates and slower economic growth.

This is easy to dismiss as politics as usual. But that's the problem. These are times that require everyone, especially political leaders, to put aside petty self-interest and everyday horse trading for the country's good.

The House leaders showed an unwillingness to do that with their adamant refusal to consider federalizing the nation's airport-security system. Now they're at it again with their brazen attempt to use the current crisis to please well-heeled special interests.

Worse, they've weakened the hand of those in the Senate who are trying gamely to provide focused relief to the economy. If Republicans pay off their contributors under the guise of stimulus, what's to prevent Democrats from doing the same? Already, some Democrats have been trying to get a minimum-wage boost included along with money for road and school construction, among other longstanding party priorities.

History shows that Congress rarely gets the timing or the size of stimulus packages right. The Fed, which can act far more quickly and with greater precision, is best suited to manage the ups and downs of the economy. If stimulus is to be provided, it should be targeted at low- and middle-income families most in need of help. That would cost far less than the $160-billion House proposal. Ideally, any money used for stimulus should be repaid down the road so that the nation's debt-repayment schedule isn't also sacrificed in the war on terrorism.

If lawmakers can't rise above their traditional narrow focus and produce a stimulus that works, the country would be best served if they gave this idea a long vacation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HILL of Indiana (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Mr. STEARNS (at the request of Mr. ARMEY) for October 23 on account of a family emergency.

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. MCNULTY) to revise and extend their remarks and include extraneous material:

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

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

Mr. EHLERS, for 5 minutes, today.

Mr. GREENWOOD, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 146. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

H.R. 182. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Eightmile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 1000. An act to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes.

H.R. 1161. An act to authorize the Government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

H.R. 1668. An act to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor

former President John Adams and his legacy.

H.R. 2217. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2904. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, October 25, 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:

4381. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for FY 2002 that no United Nations agency or affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on International Relations.

4382. A letter from the Director for Executive Budgeting and Assistance Management, Department of Commerce, transmitting the Department's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations [Docket No. 980422101–1224–03] (RIN: 0605–AA09) received October 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4383. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2001–31 that it is in the security interests of the U.S. to provide assistance to Pakistan, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

4384. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification to authorize provisions to Pakistan, without regard to provisions of law within the scope of section 614 of the Foreign Assistance Act of 1961, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GANSKE (for himself and Mr. ANDREWS):

H.R. 3165. A bill to enhance the safety and security of the civil air transportation system; to the Committee on Transportation and Infrastructure.

By Mr. BORSKI (for himself, Mr. COSTELLO, Mr. OBERSTAR, Mr. HOLDEN, Mr. MCGOVERN, Ms. BERKLEY, Mr. RAHALL, Mr. LIPINSKI, Mr. FILNER, Mr. DEFAZIO, Mr. NADLER, Mr. MASCARA, Mr. CLEMENT, Mr. CUMMINGS, Mr. BARCIA, Ms. BROWN of Florida, Mr. LAMPSON, Mr. BAIRD, Mr. BLUMENAUER, Ms. MILLENDER-MCDONALD, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. PASCRELL, Mr. THOMPSON of California, Mr. INSLEE, Mr. MENENDEZ, Mr. SANDLIN, Mr. BERRY, Mr. HONDA, Mr. CARSON of Oklahoma, Mr. CAPUANO, and Ms. NORTON):

H.R. 3166. A bill to provide funding for infrastructure investment to restore the United States economy and to enhance the security of transportation and environmental facilities throughout the United States; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Energy and Commerce, Armed Services, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. LANTOS, Mr. HASTERT, Mr. BONIOR, Mr. ARMEY, Mr. HYDE, Mr. GILMAN, Mr. GOSS, Mr. COX, Mr. GALLEGLY, Mr. MICA, and Mr. TANNER):

H.R. 3167. A bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes; to the Committee on International Relations.

By Mr. HOUGHTON:

H.R. 3168. A bill to amend the Internal Revenue Code of 1986 to designate an area of lower Manhattan as 1 of the empowerment zones authorized by the Community Renewal Tax Relief Act of 2000; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 70. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes; to the Committee on Appropriations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. JEFF MILLER of Florida.

H.R. 440: Mr. TANCREDO.

H.R. 2951: Mrs. EMERSON.

H.R. 3015: Ms. KAPTUR, Mr. FROST, Ms. MCKINNEY, and Ms. BERKLEY.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, WEDNESDAY, OCTOBER 24, 2001 No. 143

Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable BEN NELSON, a Senator from the State of Nebraska.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Imam Yusuf Saleem.

PRAYER

The guest Chaplain, Imam Yusuf Saleem, Resident Imam of Masjid Muhammad and National Educational Director for the Muslim American Society, offered the following prayer:

With God's name, the Merciful Benefactor, the Merciful Redeemer. We seek Your guidance, Your mercy, and Your forgiveness, that this body of servants to God and this country will be blessed with hindsight, insight, and foresight as only You can provide. Supply this elected assembly, entrusted by our Nation's citizens to ultimately trust the Creator of us all. As defined by humans, these are delicate times, but still we know it is Your times. So let truth, excellence, justice, and service lead the intellect and souls of our Senate. Yes, God bless America. Yes, God has blessed America. Yes, God is still blessing America, a land of diversity in every imaginable way. For in the Holy Qur'an Guidance to humanity, it states: ''God has honored all of the children of Adam,'' and in America's Declaration of Independence, ''all men are created equal.'' So with resources—material, spiritual, and mental—we thank You, God, for engineering the tradition of this land to witness that life and liberty must be secured by submitting our wills to Your plan.

Finally, we see the objective of life to nourish a world, a nation, a city, a neighborhood, a home, where the soul is at peace. The soul is not female or male, not rich or poor, nor African-American or Caucasian. As You have created us, aid us—really help us to struggle and realize, ''Thy kingdom come, Thy will be done on Earth as it is in Heaven,'' as stated in Your guidance to humans in the Bible.

Help us use all our resources to preserve, maintain, and promote inherent freedom, not to be denied by the destiny of God until the world, Nation, city, neighborhood, and home cry out; one voice, one interest that life is sacred. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BEN NELSON 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 24, 2001.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

Mr. NELSON of Nebraska thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

WELCOMING IMAM YUSUF SALEEM

Mr. REID. Mr. President, before we move to the bill, I want to take a minute and express the appreciation of the entire Senate, especially that of Majority Leader DASCHLE, for the groundbreaking prayer today. Imam Saleem appeared at our weekly prayer breakfast this morning at 8 o'clock.

Now for the first time in the history of this country, at least to my knowledge—I have been here awhile—we have had a Muslim offer our invocation. I not only was impressed with the content of the prayer but the manner in which it was delivered.

We should all feel so good about today. Dr. Ogilvie, who is present today, is to be commended for inviting one of his colleagues to be the guest Chaplain and allowing him to take his place. No one can take his place, but certainly he adequately represented him; that is for sure.

We are effusive in our praise for Dr. Ogilvie always but especially today for his insight into having Imam Saleem, the Resident Imam of Masjid Muhammad and also the National Educational Director for the Muslim American Society, with us. We are so grateful that he is here. We hope he returns and again blesses us with his prayer.

We have over 6 million of his faith in America. We have thousands of Muslims in Nevada. I hope some of them had the pleasure of watching today. For those who didn't, I will broadcast it every chance I get to make sure they do know he was here today.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I know there are several Senators who wish to speak. I will quickly yield the floor.

While the Imam is still here, I join Senator REID in welcoming him to the Senate Chamber. Of course, I thank Dr. Ogilvie for making him available as a visiting Chaplain. It provides an example of the nature of the United States where we do not subscribe to one religion but have the advantage of many religions; the fact that our country has been stronger and better for that, that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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we make the Nation available to all religions and respect all religions and an individual's right to practice the religion they choose.

We were honored this morning by having the Imam here at the opening of our session. He demonstrated to our Nation that we are a diverse nation, diverse in our heritage. We are all either children or grandchildren or great grandchildren of immigrants, certainly in my family, my mother and my wife, first-generation Americans, speaking in a different language than English until they learned English. But we are also so different in all our religions. Look across the Senate floor. There are a number of different religions represented right here. We have Mormons, Protestants, Jews, and Catholics. It is a wonderful example of the diversity of this Nation. So I was pleased to hear Senator REID's comments. I associate myself with them. I thank the Imam for opening our session.

Mr. REID. Is the Senator from Vermont aware that this is the first time in the history of our country that a Muslim has offered the invocation for the Senate?

Mr. LEAHY. I was not aware of that. I certainly hope it will not be the last. I hope this will happen often. I also know that the visiting Chaplain honors us, but I also hope he knows the Senate honors him. My wife's brother is a Catholic priest. One of his great moments in his priesthood was when he opened the Senate session. He reminded us of that often. This is something we should do often, and I applaud the Chaplain in using his prerogative to make this opportunity available to so many others.

Mr. KENNEDY. Mr. President, I join with my colleagues in welcoming the opening prayer this morning and say how much all of us appreciate this very important expression and how we value the message that was given to all of us today. I thank our leadership for giving us the opportunity to listen to this voice of peace and restraint and wisdom. I am personally very grateful to the guest Chaplain for his presentation.

RESERVATION OF LEADER TIME

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

SCHEDULE

Mr. REID. Mr. President, the Senate will resume consideration, under the direction of Chairman LEAHY and Ranking Member MCCONNELL, of the Foreign Operations Appropriations Act. Rollcall votes on amendments to this bill are expected as the Senate works to complete action on this bill today. Hopefully by this afternoon sometime we can complete this most important piece of legislation.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

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

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

The ACTING PRESIDENT pro tempore. The Senate is prepared to lay down the bill. Under the previous order, the Senate will now resume consideration of H.R. 2506, which the clerk will report.

The senior assistant bill clerk read as follows:

A bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I thank both Senator LEAHY and Senator MCCONNELL for their work. I will have a number of amendments. Senator KENNEDY wants to speak briefly, and I ask my colleague from Illinois whether he also wants to speak.

Mr. DURBIN. Not at this point.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I follow Senator KENNEDY and be able to lay down the first amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

THE ECONOMIC STIMULUS PACKAGE

Mr. KENNEDY. Mr. President, since September 11, the courageous acts of countless Americans have set a new standard for the Nation. As the whole world watched the horror on television, it also witnessed what is best in our country and our character. As buildings collapsed, the American spirit soared.

The indelible images of the first days will live on in all the days of our history. Firefighters and police risked their lives and gave their lives to save others, and hundreds of rescuers paid the ultimate price. The brave passengers of flight 93 fought and defied the terrorists, and in the face of their own inevitable death, they prevented the killing of so many others.

Construction and health workers went into the shadow of constant danger to search for the missing and help the survivors. The mayor of New York City went everywhere sustaining the city. New Yorkers lined up for blocks to give blood, and so did thousands more across the country. Hundreds of millions of dollars poured in for the families of the victims, as valiantly, tearfully, and quietly they said goodbye to a mother, father, son, daughter, or friend in funeral after funeral.

And through it all Americans have begun to think deeply about our country again. We have a new sense of the precious nature of our freedom which, in the years after the cold war, we have increasingly taken for granted. We have learned anew to prize the experiment called America—a nation based not on sameness, but on diversity—a nation of different races, backgrounds, and faiths, defined not by an accident of geography or history, but by the high aspirations for a better life and greater opportunity that brought so many millions to these shores from every continent and country on the Earth.

Now, we have seen, perhaps more clearly than ever before in our lives, how we are all in this together—how, if even one of us is hurting all of us hurt. Our first thoughts on September 11 were about others, not ourselves.

That spirit must now live on. It is the new standard by which we must measure everything we do.

Today, brave young Americans are on the front lines of the fight for freedom from fear. Here at home, we must stand together to face and defeat the terrorists who would poison our people, panic our society, and paralyze our democracy. An essential point of protecting our homefront is protecting our economy—because the state of our Union cannot be strong, if the state of our economy is weak.

We need to speak honestly and directly about the choices we face—and we need to do so in the same spirit which has rallied Americans sine September 11. The standard is clear—to seek what is right for our country, and not just for ourselves; not to strive for private advantage in a time of national need. And that standard should be bipartisan—not the false bipartisanship of merely going along, but true bipartisanship, which is a two-way street, where we genuinely seek and respectfully debate what course is best for our economy, for rebuilding and restoring, and especially for all those who have been hurt in the downturn. As President Bush eloquently said when he spoke to the Congress. ''We will come together to strengthen America's economy, and put our people back to work.'' Now all of us, in both parties, in both Congress and the administration, must live up to that all important responsibility.

Fundamentally, this, too, is a question of national security. For a strong economy is the basis of a strong Nation. It assures opportunity for all. It is the foundation of a decent and free society at home, without which we cannot fight for decent and free societies abroad.

Before September 11, the Nation's economy was already weakening. The unemployment rate had been climbing for months. Relatively few new jobs were being created. Companies were announcing successive rounds of layoffs. Business investment was being drastically reduced, and profits were rapidly falling.

Many economists believed we were in a recession, or that a recession was inevitable. And then came September 11, which was an attack not just on our cities and citizens, but on the entire American economy. No one can truly weigh the loss of life. But the loss of property amounts to tens of billions of dollars. We can redress that, and we will. But the loss and the risk went far beyond Ground Zero—in New York or at the Pentagon.

Americans stopped flying and stopped buying. Corporations put investment decisions on hold. Hundreds of thousands lost their jobs in companies across the economy, from airlines and hotels, to restaurants, retailers, and manufacturers of high-technology equipment.

Never before has it been so clear how inter-connected our society is. Two buildings go down tragically in New York City, and the entire economy suffers across the land. Economic models do not account for this. The most important of all our resources, our national confidence, has been more damaged than anyone initially realized.

It is crucial to recognize that once underway, a recession has no clear bottom. Unless we respond, it can spiral downward out of control, raising unemployment to higher and higher levels, and sharply reducing the flow of revenues for both government and business.

Consider this: Americans on average were saving very little of their income before September 11. If they now increase their savings by only 1 percent because they are afraid to spend, they will withdraw more than $100 billion from the economy. It is not enough just to tell people to go out and spend and live normal lives. This is an extraordinary time—and we cannot talk the economy out of recession. Congress must act.

This week, as the Senate and the House continue the very important debate on what must be done to revive our economy, there is at least one overriding principle on which Republicans and Democrats both agree: Urgent action is required.

We all know that cutting interest rates is the first line of defense in a downturn. But we also know that in this time of clear and present danger, lower interest rates alone cannot reverse the decline in confidence, consumer spending, and business investment. Consumers and companies will not buy more and invest more in a time of great uncertainty simply because borrowing costs are lower.

We need a direct and sizable injection of resources by government to stimulate the economy.

But if we do this in the wrong way, a stimulus package could actually harm the economy. Some would rely almost exclusively on permanent tax cuts that will do little or nothing to promote growth when we need it most—which is right now. Their proposals are neither fair nor will they work. They do not measure up to the new and honest standard of this time. A true stimulus package cannot be a disguise for special interests.

Nor can it run the risk of imposing large new long-term deficits on the Federal budget. Permanent new tax cuts—on top of nearly $2 trillion in tax cuts enacted earlier this year—would actually hurt the economy by increasing the cost of long-term borrowing. Such cuts would deter the kind of business investments we need most.

Instead, a true economic stimulus program for our time must meet three criteria:

First, it must have an immediate impact on the economy. Every dollar of the stimulus package must be spent in the economy as soon as possible. The best way to accomplish this goal is to target the dollars to the low- and moderate-income families who are most certain to spend, rather than save it. When it is spent, its impact will be multiplied as it flows from consumers to business and back to workers. In fact, every dollar given to unemployed workers in unemployment insurance payments expands the economy by $2.15.

Second, all the tax cuts and spending provisions in the plan must be temporary. They must focus on the immediate need to generate economic activity. They must not impose substantial new long-term costs on the Federal budget.

Third, the package must be fair and compassionate. It must focus on those who need and deserve the help, who are suffering the most in these difficult days. It must reflect the renewed spirit of taking care of each other. Let us here in Congress set a standard for our work equal to that set by so many after September 11. Leave no American behind—no victim of the terrorist attack, and no victim of its economic aftershocks.

The House Republicans have proposed a stimulus package that fails all three of these criteria. Sadly, this House Ways and Means Committee proposal does not rise to the higher standard required in this time of national crisis. It fails the economy. It merely repackages old, partisan, unfair, permanent tax breaks, which were rejected by Congress last spring, under the new label of economic stimulus. The American people deserve better.

The long-term cost of the House plan is much too high. More than half of the dollars would not even reach the economy for more than a year. The stimulus is needed now—not in 2003, 2004, or later. The House package spends $46 billion on permanent new tax breaks for multinational corporations and large businesses. It gives many large businesses a $25 billion windfall, not only by permanently repealing the corporate minimum tax, but also by refunding the minimum taxes already paid by them over the past 15 years. It also permanently reduces the tax on capital gains. It provides $60 billion in permanent new tax cuts for upper income taxpayers—only a small percentage of which would even go into the economy in the next year.

The wealthy individuals and big businesses that would receive these tax breaks will not spend most of the windfall. They will save it. Corporations will not invest more unless business itself improves. We cannot afford to waste valuable Federal dollars in ways that will not have a full and immediate impact on economic growth.

The House package also runs a grave risk of frightening financial markets and driving long-term interest rates up, because investors will expect future federal deficits to rise as a result of additional, permanent and unaffordable tax cuts. Already, mortgage rates have stayed stubbornly high in response to the tax bill passed earlier this year.

The House proposal is plainly unfair. In contrast to more than $115 billion in permanent new tax cuts for wealthy individuals and corporations, it provides less than $14 billion in tax cuts for lower and moderate-income families. While the tax cuts for these corporations and wealthy individuals are permanent, the cuts for working families are limited to just one year.

After passing nearly $2 trillion in tax cuts heavily slanted to the richest taxpayers 4 months ago, it is wrong to give the wealthy still more tax breaks when there is a better, more effective way to move the economy. It makes no sense to offer indiscriminate long-term tax breaks, when what is needed are realistic incentives to invest now. And, if this Congress chooses to violate that basic stimulus principle, it would be grossly irresponsible and grossly unfair not to include the fair increase in the minimum wage that has been delayed for too long already.

The new standard set by September 11 calls for a new course of action—one that places national need above personal interests, one that will truly stimulate our economy. We need a Government stimulus package of $71 billion, a package of targeted and effective support for middle and lower income working families that would be immediate, temporary, and fair, and that should include the following essential steps:

We must immediately extend unemployment insurance coverage an additional 13 weeks. The unemployed are on the front line of the economic battle, and they will spend their money immediately.

We must also extend unemployment insurance coverage to part-time and low-wage workers, who often do not qualify for any benefits at all, and who can least afford to lose their wages.

We must raise unemployment benefits by 15 percent for all workers. An average payment of $230 a week is not enough.

We must add $2 billion to job training programs to help workers prepare for and find new jobs.

These changes will cost $18 billion, but an economy returning to prosperity will more than repay the expense.

We must protect health insurance for working families by having the Federal Government cover 75 percent of the cost of insurance premiums for 12 months after a worker loses a job. We must also support coverage for workers who do not qualify for such a plan. We know that when workers lose their jobs, they lose their health insurance, too.

This program would provide an additional $17 billion of stimulus that will help keep the health care sector strong while keeping our workers healthy.

These elements—unemployment insurance, job training and health coverage for workers between jobs—are essential to any economic stimulus plan, which is why Senator BAUCUS and I have come together to propose these key changes to help workers get their feet back on the ground.

In addition to the Baucus proposal, an economic stimulus plan must add $5 billion to help our communities: $2 billion to food stamps and WIC, $1 billion to heating assistance for families, and additional funds for expanded community service and opportunities for voluntarism.

We must also invest more now in the public works that will expand employment and stimulate the economy. As we make public buildings, airports, and our water supply more secure, we must also build and modernize schools, rail lines, and infrastructure. I propose a new, $10 billion investment for these vital national purposes: $3 billion for highways and bridges; $3 billion for drinking water and wastewater treatment systems; $3 billion for school safety and construction; and $1 billion for our railways and mass transit systems.

In addition, it will not do much good to spend more at the Federal level if there are significant cutbacks at the State and local level. We do not want State and local governments, most of which have annual balanced budget requirements, to be forced to either raise taxes or cut essential services. Any such steps would be counterproductive at this critical time.

We are seeing State cuts in Medicaid, child care, job training, education, and transportation. Tennessee officials have proposed cuts that could cause 180,000 people to lose health insurance. Florida is debating a reduction in coverage for its medically needy population under Medicaid. Mississippi, Ohio, and South Carolina have already cut spending across the board. Other States are convening special sessions of their legislatures to address the crisis in their State budgets.

All this is hurting the very people who need help the most today—working families, single parents, poor children. And such cutbacks will clearly undermine the effects of any stimulus package.

The answer is for the Federal Government to provide an additional $7 billion in the stimulus package to help the States to continue their existing human services programs. The most timely and effective way to accomplish this goal is to temporarily increase the Federal contribution to programs where there is already a State-Federal partnership. The largest of these is Medicaid. In a recession, the number of families eligible for Medicaid increases substantially. In fact, some estimate that if unemployment rises 2 percent, the number of Medicaid recipients could increase by 2.5 million, dramatically increasing State costs.

We should temporarily enhance the Federal matching rate for Medicaid by 2 percentage points for States that agree to maintain their current eligibility standards and benefits. This would serve as an incentive for those States.

We should also help States temporarily by increasing the Federal Social Services Block Grant Program, which is used by States to pay for a variety of services to low-income families. It is important that State governments not be forced to curtail assistance when it is needed most—and, once again, these are dollars that will also go directly and quickly into the economy.

This spending will lift the economy in the short term; and strengthen it for the long-term.

A stimulus package must also include the right kind of temporary tax cuts that actually increase spending and growth. Seventy percent of Americans pay more in payroll taxes than in income taxes. Yet many of them received no tax rebate earlier this year. The rebate unfairly ignored these low- and moderate-income families. A one-time rebate of payroll taxes would immediately inject $15 billion into the economy, placing the dollars into the hands of people who will spend it immediately.

I do not see how anyone can defend permanent tax cuts over the next 10 years that primarily benefit the wealthy who will save most of the money, when that same money can and should be used to cut taxes now for middle- and lower-income families who will spend the gains immediately.

In the days and weeks ahead, there will be debates and compromises. But surely we can fashion a comprehensive stimulus package that meets America's new high standard—injects needed funds into the faltering American economy as quickly as possible—and that is fair and just.

In this case, fairness is also the deepest practical wisdom—the way to get the economy back on its feet as soon as possible and without jeopardizing the foundations of our future prosperity.

It would be wrong in principle and wrong economically to pass a false stimulus package of unfair tax cuts that would go largely unspent, giving the largest benefits to the few, with limited benefits to consumption and production, and long-term damage to fiscal and monetary stability. After September 11, we cannot afford businesses as usual, or the clever politics of repackaging previous goals as if they were a real response to the need for national renewal.

We need a real response and real results—now. But this stimuls is only a first step in a new and greater project—for our economy and our society.

Let us be frank. For a long time now, our first thoughts have too often been about ourselves, not others. In the process, we have neglected the future and some of our best ideals. It is time to change that, too.

Our wartime leaders have always understood that we cannot ask people to sacrifice and to fight abroad if we fail to fight for a more decent and more just society here at home.

Our leaders have always understood that the war front and the home front are really the same front. Never has this been more true than in this new kind of war against terrorism, fought both thousands of miles from our shores and in our own airports, our own mailrooms, and potentially in any American community.

In the late 1950s Dwight Eisenhower saw the relationship between our national security and education when he created the National Defense Act. He had the vision to invest in both—through support of local public schools, improvements in math, science and technical education as well as loans so that more people could go to college. President Eisenhower would have met the September 11 standard.

As he led the Nation through World War II, Franklin Roosevelt fought to make the home front stronger, too. He demanded progressive income taxes, defended unions, opposed discrimination, and created new partnerships with business. He would have met the September 11 standard.

Beyond the stimulus package, how can we meet that standard now?

America would not be the America it is today if our nation and our people had not dared again and again to reach higher across our history. Once more today, a new economy demands a new era of public purpose and progress.

The first priority is education. The information age requires an ever-more sophisticated work force. I commend President Bush for the new and effective attention he has given to higher standards in our schools. Now, we must get this bill. And this bill is only the beginning of our effort, not the end. We must do more and invest more to improve education and to secure for every person the chance to go as far as their talents can take them. Maximum opportunity for each is the only path to maximum prosperity for all, and maximum strength for America.

The next priority is health care. Before September 11, we needed a Patients' Bill of Rights to guarantee that medical decisions will be made by doctors, not accountants, and that people

will have access to the best treatments, not just the cheapest. Terrorism is no excuse for delay. We need a Patients' Bill of Rights just as much today as we did before September 11. I urge the Congress to pass it now, and the President to sign it. And I urge the President and Members of Congress to keep the promise we all have made to guarantee all our seniors access to affordable prescription drugs. They need that help now, just as much as they did before.

There is something we need now even more than we did then: We must strengthen our fragile public health infrastructure to deal with the clear and present dangers of chemical and biological attack. On Capitol Hill, we know the threat first hand; we must defeat it, and we will.

Today, Senators and Members of Congress have the best of the Nation's health care at our disposal. Imagine the millions who do not. Many Americans do not even know where to go to find a doctor's help immediately. We need an emergency health care system sufficient beyond doubt to meet the dangers we may face—not just tomorrow, but over the next decade.

The bioterrorist threat should remind us of an ideal too long denied in this country: Health care is a fundamental right, not just when a terrorist attacks, but when cancer or diabetes or any other disease strikes. We have made progress; we must keep moving forward; we must get there.

Finally, the new economy has produced vast new wealth and opportunities, and reduced poverty by 25 percent since 1993. But millions are still left behind, and working families have not gained their fair share of this new national wealth. So when prosperity returns, we must ensure that we can all advance together. We must open new doors for every American. We must help 21st century mothers and fathers cope with the stresses of choosing between the jobs they need and the children they love. We must make the workplace more flexible, so that workers cannot only provide for their families, but also care for them. We must also provide a more decent living to the Nation's caregivers, to teachers, nurses, and child care workers, who give so much, yet earn so little. We must make sure the new economy works for all Americans.

Some say we cannot fight for a safer society and a more just society at the same time. I say, we weaken ourselves abroad if we do not strengthen ourselves at home. We cannot defend democracy abroad unless we extend democracy at home. In America and Britain, World War II was accompanied and followed by a period of great reform and historic transformation in society. Now, in this time of crisis, we cannot settle for anything else.

The spirit of September 11 points the way. In that spirit, we must continue to care about each other, and fulfill the promise and opportunity of America for all our people.

This spirit of September 11 has compelled so many of our citizens to do more for our country, our communities and our fellow Americans. This time calls for active citizenship, whether by children getting involved in service learning programs at school or senior citizens signing up for the Retired Senior Volunteer Program. This Saturday is Make A Difference Day, sponsored by America's Promise and the Points of Light Foundation. All Americans should use this occasion to find new ways to make their own contribution.

We are one American community. September 11 proved that. Active citizenship will nourish that spirit and sustain us in the challenges ahead. So we must reject any attempt to misuse the terrorist threat as an excuse to deny or delay our obligations to teach our children well, to treat the sick, help the needy, and make the new economy a new foundation for a stronger family life and a higher standard of life for all our families.

We have heard such excuses for inaction in the past. We will hear them again in this crisis, that the war on terrorism will deplete our resources and delay our commitment to ''a more perfect union.'' Always in the past, there were doubters in America. But always we kept faith with America's ideals, and came together to fight the hardest battles and respond to the greatest social needs. We mobilized our government and our whole Nation, wisely and well, to defeat our enemies and meet the demands of our best ideals.

It has never been more critical to do so than it is today.

Let us start with a stimulus package that truly lifts our economy. And then let us finish the great work we are in—which is not just to win a war, but to build a future of ''liberty and justice for all.''

So my message now is fundamental. We need not and we must not sacrifice the home front to the war front. they are one and the same. We are all in this together, as we always have been throughout our great history.

If we meet the new standard of September 11, no one will stand in our way, and many more will join us. And the heroes of that day will have left an undying legacy—a proud new chapter in annals of America's greatness.

Let us pledge our energies to this cause. Let us show, that as the battle goes on for a world free from fear, the work goes on to move America forward.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I honestly and sincerely say it is one of the best speeches I have heard on the floor of the Senate in the 11 years I have been here. It is very connected to values I hold dear. I think what Senator KENNEDY just said, especially if it gets translated into our doing the work and passing this legislation, is so important. These times call on all of us to be our own best selves. I believe that is what the Senator's speech has called for us to do here, and for all Americans, we need each other as never before. We need each other as never before in relation to the physical security challenges, in relation to the uncertainty of the world, and we need each other as never before in terms of how we help one another to be strong in our own Nation.

I thank the Senator from Massachusetts for a marvelous speech.

Mr. REID. Will the Senator yield?

Mr. WELLSTONE. I yield.

Mr. REID. I agree with the Senator. It is one of the finest speeches I have heard on the Senate floor. It covers areas that needed to be covered. It was an elaborate speech, very substantive. I agree with the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, we have to make sure it translates into getting work done.

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

AMENDMENT NO. 1922

Mr. WELLSTONE. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself and Mrs. BOXER, proposes an amendment numbered 1922.

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

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

The amendment is as follows:

At the appropriate place, insert the following:

(1) Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

(2) as the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe; and

(3) the United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

Mr. WELLSTONE. Mr. President, I thank both my colleagues. I think there may be support for this amendment. I think there should be. I will not take a lot of time. Let me explain why I think it is so important the Senate go on record.

I will not spend a lot of time on statistics. There are 7.5 million people inside Afghanistan who are threatened

by famine or severe hunger as cold weather approaches. President Bush has made it crystal clear that our military action is not against ordinary Afghans; it is against terrorists and their supporters. Ordinary Afghans are among the poorest and most beleaguered people on the planet. They were our allies during the cold war.

By the way, this amendment I send to the desk with Senator BOXER, as well.

Yet right now, on present course, time is not neutral and time is not on our side, and, more importantly, time is not on the side of ordinary Afghans. There will be at least another 100,000 children who will starve to death. The winter months are approaching.

Even before the world focused on it as a sanctuary for Osama bin Laden and other terrorists, Afghanistan was on the brink of a humanitarian catastrophe, the site of the greatest crisis in hunger and refugee displacement in the world. Now the worsening situation on the ground is almost unimaginable. After four years of relentless drought, the worst in three decades, and the total failure of the Taliban government in administering the country, four million people have abandoned their homes in search of food in Pakistan, Iran, Tajikistan and elsewhere, while those left behind eat meals of locusts and animal fodder.

Mr. President, 7.5 million people inside the country are threatened by famine or severe hunger as cold weather approaches, according to the United Nations.

As President Bush made clear, we are waging a campaign against terrorists, not ordinary Afghans, who are some of the poorest and most beleaguered people on the planet and were our allies during the cold war.

Yet, the current military air strikes and the disintegration of security is worsening the humanitarian situation on the ground.

Aid organizations are increasingly concerned about their ability to deliver aid to Afghanistan while the United States continues its bombing campaign. Several aid organizations have been accidentally bombed by the U.S. in the last week. In addition to these accidental bombings, law and order are breaking down inside Afghanistan. Reports indicate that thieves have broken into several aid organization offices, beat up the Afghan staff and stolen vehicles, spare parts, and other equipment.

Warehouses of the International Red Cross in Kabul were bombed yesterday. The ICRC says that the warehouses were clearly marked white with a large red cross visible from the air. One worker was wounded and is now in stable condition. One warehouse suffered a direct hit, which destroyed tarpaulins, plastic sheeting, and blankets, while another containing food caught on fire and was partially destroyed. The Pentagon claimed responsibility for the bombing later in the day, adding that they ''regret any innocent casualties,'' and that the ICRC warehouses were part of a series of warehouses that the United States believed were used to store military equipment. ''There are huge needs for the civilian population, and definitely it will hamper our operations,'' Robert Monin, head of the International Red Cross' Afghanistan delegation, said in Islamabad, Pakistan.

Another missile struck near a World Food Program warehouse in Afsotar, wounding one laborer. The missile struck as trucks were being loaded for an Oxfam convoy to the Hazarajat region, where winter will begin closing off the passes in the next two weeks. Loading was suspended and the warehouse remains closed today.

Last week, four U.N. workers for a demining operation were accidentally killed when a bomb struck their office in Kabul.

In response to the dangers threatening humanitarian operations, the Oxfam America president said, ''It is now evident that we cannot, in reasonable safety, get food to hungry Afghan people. We've reached the point where it is simply unrealistic for us to do our job in Afghanistan. We've run out of food, the borders are closed, we can't reach our staff, and time's running out.''

The World Food Program was feeding 3.8 million people a day in Afghanistan even before the bombing campaign began. These included 900,000 internally displaced people at camps. Although the U.S. military has dropped thousands of ready to eat meals, everyone agrees that only truck convoys can move sufficient food into Afghanistan before winter. As of last Friday, there were only two convoys confirmed to have gotten through. WFP announced that two more convoys since the bombing campaign started were nearing Kabul.

Complications and delays in delivering emergency food supplies to Afghanistan could cause rising death rates from starvation and illness as winter sets in. Many of the high mountain passes will be closed by mid-November due to 20–30 foot snows.

Aid agencies are falling behind in their efforts to deliver enough emergency relief to Afghans to avoid a large loss of life this winter. UNICEF estimates that, in addition to the total of 300,000 Afghan children who die of ''preventable causes'' each year, 100,000 more children might die this winter from hunger and disease.

The main reasons for this shortfall in aid are related to security concerns. Aid agencies have withdrawn their international staff, and local staff have attempted to continue the aid programs but have been subjected to intimidation, theft, and harassment. As the United States continues to pound Taliban targets, law and order in some cities is reportedly also breaking down. Truck drivers are unwilling to deliver supplies to some areas for fear of being bombed by the United States, or being attacked by one faction or another. Taliban supporters have obstructed aid deliveries on some occasions.

Despite these nightmares, shipment of food and non-food emergency items arrive in Afghanistan daily—but the total shipped is only about one-half of what is needed. The situation is particularly urgent as some of the poorest and most needy areas will be cut-off from overland routes by mid-November. An estimated 600,000 people in the central highlands are dependent upon international food aid, and little is on hand for them now.

The food shortfall in Afghanistan may result in an increased flow of refugees to the borders. A flood of refugees to the border would present a different but also challenging set of problems. Clearly, as everyone has said, it is better for them to remain at home than flee to neighboring countries out of hunger.

There is no easy solution to this humanitarian crisis. It is complex and requires the international community to take urgent and imaginative action to boost the flow of food inside. The United States should take the lead in helping to devise aggressive and imaginative ways to expand the delivery of food. These could include the creation of humanitarian corridors, the use of existing commercial trading companies and air deliveries to airports that have not yet been bombed.

The establishment of humanitarian ground and air corridors should be considered for the secure transportation and distribution of emergency aid. The Administration should push to have some roads or air routes in areas of limited conflict be designated as protected humanitarian routes. Such possible ground and air corridors include Northern Alliance held territory along the border of Tajikstan, and Northern Alliance airfields which have not been bombed. These airfields could be used for a Berlin style airlift to get massive amounts of aid into the country quickly.

The United Nations High Commissioner for Refugees estimates that 1.5 million additional Afghans could seek to flee the country in coming months due to the ongoing military conflict.

All six countries neighboring Afghanistan have closed their borders to refugees both on security grounds and citing an inability to economically provide for more refugees. Thousands have been trapped at borders with no food, shelter, water or medical care.

I am introducing a resolution today which addresses this crisis. The text of the resolution states the following:

Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

As the United States engages in military action in Afghanistan, it must

work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe;

The United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

I urge my colleagues to support this measure.

There has been a lot of focus on airdrops. The truth of the matter is, airdrops from 50,000 feet—and I know the Presiding Officer was present during the committee hearing we had—are not all that effective. Basically, all of the United Nations, the nongovernment organization, people on the ground have all said that not even 1 percent of the people are helped this way. Secretary Powell and the administration know this. At the same time, the reality is we have to do a couple of different things. If we don't, there will be a lot of innocent people who will starve to death. That is a reality. That is not consistent with our values; that is not who we are.

Frankly, if I were to make a political national interest argument—which I am not comfortable making because I think values enough should dictate what we do—I would say absolutely the worst thing imaginable would be, in the next several weeks or months to come, for there to be a situation where the Bin Ladens of this world were able to use the pictures of starving children in Afghanistan against our country. We don't want that.

Colleagues, on present course, that is what will happen. Therefore, there are a number of things we can do. I will go to the wording of the amendment. One is, we need the highest level United States engagement to open the borders, especially the Pakistani border. The administration has spoken about this. It is extremely important. Right now there are lots of refugees amassed at the border who cannot get over. It is a humanitarian crisis.

By the way, probably more serious than the 1.5 million refugees we will have, given the dangerous situation for themselves and their loved ones, is the people left behind in Afghanistan. The people who do not try to cross the borders are the poorest of the Afghans. They are the elderly, the most infirm.

The second thing I mention today is we have to do a better job. Our Government has to do a better job of efficiently making sure the money we have committed—we have made a generous commitment—actually flows to the United Nations organizations and nongovernmental organizations that are delivering the food. It wasn't until last weekend that the first installment was made. That was $10 million to the United Nations; yesterday, $20 million to the NGO. Some of this was held up by Osama bin Laden. We have to be much more efficient at making sure the money flows to the people who are on the ground to deliver the food.

The third point is we are just going to need a more imaginative response, more imaginative action.

There are a number of different proposals that have been made, and the resolution is broad and just says we need to make that commitment, for example, opening up humanitarian response corridors. The most effective way to get food to people is going to be over land, by truck convoy. We may need to do a better job of coordination vis-a-vis our military action to open up those corridors and make sure the trucks can move and the food can flow.

Another thing is we are probably going to need to take a very serious look at these different airstrips. Airstrips that are in low conflict areas, we have to make sure they are going to be maintained because we may need to do a Berlin-style airdrop and planes actually land and we then get the food to people, which can be very effective.

What I am saying today is that we need to put every bit as much effort into the humanitarian relief right now as to the military effort. Both are extremely important.

I will just read the wording of the amendment which basically calls on Afghanistan's neighbors to open their borders for safe passage and makes it clear we are going to help with the economic costs and the plight of desperate Afghan civilians.

Second, it makes the point that in partnership with humanitarian agencies we have to do everything we can to deliver the food assistance in the most imaginative and effective ways possible. And then third, it talks about the obvious contribution we will make with the international community in terms of long-term sustainable reconstruction development and assistance for the people of Afghanistan.

I have decided not to take a lot of time because I believe there will be support. The aid agencies are falling behind in their effort to provide the emergency relief. UNISEF estimates that in addition to the 300,000 Afghan children who die of preventable causes each year, 100,000 more children are going to die this winter as a result of hunger and disease. That is unacceptable. That is unconscionable.

So what this first amendment that I have introduced does is it puts the Senate on record with a strong statement that we understand the urgency of getting the humanitarian assistance to the innocent people of Afghanistan. Again, I think this is a powerful and important message for us to deliver. We cannot be silent about this. We cannot put the fact that many, many people could and will starve to death in parentheses. We can't do that.

Moreover, I think we can and should and must, as responsible lawmakers, make it crystal clear that there are some things we know need to be done: opening the borders to people, making sure the money flows more efficiently from the United States to these relief organizations, and again find creative new ways of getting them the food. Airdrops alone from 50,000 feet are not going to do the job.

I think the administration knows this. I hope there will be yet an even stronger commitment. I believe this statement from the Senate is extremely important. That is why I introduced this first amendment.

Mr. President, I think what I am going to do in order to move things forward is I am going to move to the second amendment which deals with Uzbekistan. Basically, it is a reporting requirement that not later than 3 months after the date of enactment of this act and then 6 months thereafter, the Secretary of State shall submit to the appropriate congressional committees the following. This basically we want to get an accounting of how our money is used by the military there. This is a human rights amendment. I will explain it in a moment, after I send the amendment to the desk.

The PRESIDING OFFICER. Is the Senator asking unanimous consent to lay aside the pending amendment?

Mr. WELLSTONE. Until both managers are on the floor, I will lay aside the first amendment and then we can deal with both of them. I think both amendments will be accepted.

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

AMENDMENT NO. 1923

Mr. WELLSTONE. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 1923.

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

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

The amendment is as follows:

At the appropriate place, insert:

SEC. . UZBEKISTAN.

REPORTS.—Not later than three months after the date of the enactment of this Act, and then six months thereafter, the Secretary of State shall submit to the appropriate Congressional committees on the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to Uzbekistan during the six-month period ending on the date of such report.

(2) The use during such period of defense articles and defense services provided by the United States by units of the Uzbek armed forces, border guards, Ministry of National Security, or Ministry of Internal Affairs.

(3) The extent to which any units referred to in paragraph (2) engaged in human rights violations, or violations of international law, during such period.

Mr. BYRD. Mr. President, reserving the right to object, I did not understand the request. May I inquire of the Senator how long he will be speaking?

Mr. WELLSTONE. Mr. President, I say to my colleague from West Virginia, I am actually trying to help the managers move along. I think I will probably be able to do this in less than 15 minutes.

Mr. BYRD. Mr. President, would the Senator include my request that I follow his remarks with a statement of my own?

Mr. WELLSTONE. Mr. President, I ask unanimous consent that following my remarks regarding this amendment, the Senator from West Virginia have the floor.

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

Mr. BYRD. I thank the Senator and I remove my reservation.

Mr. WELLSTONE. The reason I offer this amendment requiring a report to Congress with respect to our efforts in Uzbekistan is that prior to the tragedies of September 11, few of us knew anything about this central Asian country. Yet today Uzbekistan has become one of our most important allies in this battle against terrorism. In fact, it is one of only two states bordering Afghanistan which is willing to host overt U.S. military operations to find Osama bin Laden.

Although we should welcome the cooperation of Uzbekistan in our efforts, we cannot overlook what is happening in Uzbekistan itself. Since 1997, this Government has used the threat of terrorism to justify a total crackdown on independent, peaceful Muslims who pray at home, study the Koran in small groups, belong to peaceful Islamic organizations not registered with the state, or disseminate literature not approved by the state.

Colleagues, I am pointing to a real dilemma for us. On the one hand, we understand the need for support. On the other hand, it is terribly important that we not uncritically align ourselves with governments which torture citizens.

This amendment is an important one, and I want to be clear about what it does. First and foremost, it in no way limits our ability to cooperate with Uzbekistan. We need Uzbekistan in the fight against terrorism, and we must be able to fully cooperate with their Government in that fight. But given the reports of grave abuses against civilians in the name of fighting terrorism, we need to monitor the cooperation. That is what this amendment is about.

The amendment requires that not later than 3 months after its enactment the Secretary of State report to appropriate congressional committees on, No. 1, the defense articles, services, and financial assistance provided by the United States to Uzbekistan; No. 2, the use of such articles, services, and assistance by the Armed Forces there, border guards, Ministry of National Security, and the Ministry of Internal Affairs, and, No. 3, the extent to which any units of these groups engage in a pattern of human rights violations or violations of international law during that period.

In his national address on September 20th, President Bush linked the Islamic Movement of Uzbekistan, IMU, to Osama bin Laden, suggesting the IMU may be a target of U.S. counterterrorism attacks. Last year, the United States included the IMU on its list of terrorist organizations. The Government of Uzbekistan has also targeted the IMU as part of its own counterterrorism efforts. But according to the most recent Department of State Country Reports on Human Rights Practices, the Government of Uzbekistan has responded to the threat of terrorism by arresting ''hundreds of Islamic leaders and believers on questionable grounds.'' In short, it has used the issue of terrorism to justify a far broader crackdown on peaceful Muslims. It has branded ''independent'' Muslims as ''extremists,'' and sentenced thousands of them to long prison terms without connecting them to the IMU or to any acts recognized as crimes under international law.

The Uzbek government has particularly targeted a group known as the Party of Liberation. This is an Islamic group that supports the re-establishment of an Islamic state by peaceful means. Membership in this group or even possession of one of its pamphlets is deemed grounds for arrest and is punishable by up to twenty years in prison. Even prayer draws suspicion and has been cited in court as evidence of subversive intent. According to Human Rights Watch, in one verdict condemning an alleged Party of Liberation member to 18 years in prison, the Judge declared: ''He confessed that in 1996 he started to pray.'' Increasingly, police arrest relatives of those accused of belonging to an unregistered Islamic group. In April 1999, the President of Uzbekistan declared that fathers would be punished for the supposed wrongs of their sons, and brothers and often arrested together and even tortured in each other's presence.

According to the Human Rights Watch World Report for 2001, those arrested in Uzbekistan endure the worst torture. The Reports states: ''In addition to hundreds of reports of beatings and numerous accounts of the use of electric shock, temporary suffocation, hanging by the ankles or wrists, removal of fingernails, and punctures with sharp objects, Human Rights Watch received credible reports in 2000 that police sodomized male detainees with bottles, raped them, and beat and burned them in the groin area. Male and female detainees were regularly threatened with rape. Police made such threats in particular against female detainees in the presence of male relatives to force the men to sign self-incriminating statements. Police also regularly threatened to murder detainees or their family members and to place minor children in orphanages.'' Human Rights Watch reports that police torture in Uzbekistan has resulted in at least fifteen deaths in custody in the past two years alone.

According to our own Department of State Country Reports on Human Rights Practices for 2000, the government of Uzbekistan's ''poor human rights record worsened, and the Government continued to commit numerous serious abuses.'' ''There were credible reports that security force mistreatment resulted in the deaths of several citizens in custody. Police and the National Security Service tortured, beat, and harassed persons. The security forces arbitrarily arrested or detained pious Muslims and other citizens on false charges, frequently planting narcotics, weapons, or forbidden literature on them.'' ''The Government continues to voice rhetorical support for human rights, but does not ensure these rights in practice.''

Just listen to some of these accounts:

Thirty-year-old Komlidin Sattarov was arrested in February 2000 for alleged possession of Party of Liberation leaflets, following his elder brother's conviction for membership in the group. His defender summarized some of the young man's court testimony of his torture by police:

> He stuck it out for the first one or two days, but then they used electric shock. . . . They put him in a chair and strapped electrodes to his hands, feet, and neck and gave him electric shock. He lost consciousness and then they did it again. He confessed to some of the charges. Then they began to beat him with truncheons, and he agreed to sign everything.

Prior to a July and August 2000 trial of seventeen men on charges of Wahabism, a form of Islam, the defendants were held by police and tortured over several months. Gafurjon Tohirov testified in court that he was tortured for more than 2 months, that officers had beaten him on the bottoms of his feet and that the white clothes he had been wearing—he had just returned from a pilgrimage to Mecca—were covered with blood. While beating another defendant, police allegedly concentrated their blows on the young man's already injured kidneys, due to which, according to one source, the defendant agreed to sign a confession. Another accused was allegedly burned with cigarettes and subsequently raped in custody; investigators also allegedly threatened to rape his wife if he refused to give a self-incriminating statement. Once transferred from custody of the National Security Service, SNB, to Tashkent police headquarters in January 2000, this defendant continued to be tortured. A state appointed lawyer allegedly requested medicine for him from his family on January 10, as well as dark trousers to replace his bloodied white ones. They man was kept incommunicado in the basement of police headquarters in Tashkent for sixty-eight days. Dismissing his and other defendants' detailed allegations of torture, a judge of the Tashkent City Court declared on the day of the verdict, ''No one tortured them. There was no written complaint that they

were tortured. When they were asked, they couldn't name their torturers . . . [W]e consider their testimony [on torture] as having no grounds.''

When brothers Oibek and Uigun Ruzmetov were arrested on charges of attempting to overthrow the government, on January 1, 1999, their parents were also arrested. Their father on the same day, their mother on January 5. Their mother recounted that she was held for one night in solitary confinement in the district police station, handcuffed naked and given no water. Then they showed her to her son Uigun:

They . . . stripped me naked . . . Twice they walked him by me. He looked so bad, he had been completely beaten up. I could only cry, I could not talk to him. They told him. ''Your parents and your wife are also in prison. Your children are in an orphanage. If you don't sign these documents, we'll do something very bad to your wife.'' My son at his trial said that he was told they would rape his wife before his eyes if he did not confess.

Mr. President, these stories are incredible. We can not ignore them. To do so implies that in the war against terrorism, anything goes. That kind of attitude will only weaken our war on terrorism, not strengthen it. Eighty percent of the population of Uzbekistan is Muslim. To ignore Uzbek abuses could add fuel to the fire that this is not truly a war on terrorism, but is a war on Islam. We must ensure that anti-terrorism efforts are conducted in a manner that protects religious freedom and other human rights, and we must carefully monitor our cooperation with Uzbekistan to ensure that protection. The amendment I offer here today requiring a report to Congress on the extent to which any Uzbek units receiving US assistance engaged in human rights violations, or violations of international law, will remind the Uzbek government that although we welcome their cooperation, we are also watching them.

All I am saying is when you have a group of people in a country who, because of the practice of their faith, are being crushed in this way, and you have examples of torture and rape, to the extent that we are involved with such a country, we ought at least have a monitoring of how the money is spent.

I think I will send the statement to Senators because, frankly, it is so graphic, it is difficult to go over in great detail.

You are talking about a government that has been involved in widespread abuse of human rights. You are talking about a government that has systematically tortured its citizens. I think at a very minimum in our work with this government, we have to make sure there is a very rigorous reporting of how our money is spent in relation to the military.

Mr. President, I ask unanimous consent that my amendment be set aside to be accepted as modified.

Mr. BYRD. Mr. President, what is the Senator's request?

Mr. WELLSTONE. Mr. President, after both amendments are accepted, I will yield the floor.

Mr. MCCONNELL. Mr. President, we have looked at both amendments. They are certainly acceptable on this side of the aisle.

Mr. WELLSTONE. I ask whether we might have a voice vote on the amendments, as modified.

Mr. President, I ask for a voice vote on both amendments, as modified.

The PRESIDING OFFICER. Is there further debate on the amendments, as modified?

Without objection, the amendments are agreed to.

The amendments (No. 1923 and No. 1922) were agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the votes.

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

The motion to lay on the table was agreed to.

Mr. WELLSTONE. Mr. President, I want to remind colleagues, independent of the amendments, that I later on today will have a colloquy with Senator BROWNBACK dealing with the whole question of women and girls being forced into prostitution. We want to talk about appropriations for that. I will probably be joined by my colleague, Senator FEINGOLD, in some discussion about Plan Colombia. I want to talk about the number of trips I have taken to Colombia and what I have seen focusing on human rights and having a chance to speak on the human rights position; in particular, the work I have been able to do with a very powerful Jesuit priest, Francisco De Roux, and something I think we can learn from his wisdom.

I want to move those amendments along.

I want to say two other things very quickly.

Last week, we passed a resolution which I have been trying to make long enough so that it can be in the Capitol Hill Police Office thanking the Capitol Police for their work.

This may be gratuitous—my guess is that Senators are doing this all the time anyway—for which I apologize. I suggest to Senators when they are passing by the Capitol Police to be sure to thank them. I met, for example, a young officer today. He told Sheila and me that he has little children. He sees them 1 hour a day. He is working six 12-hour days. He says that is better than 17-hour days.

They are working under a lot of pressure. I want on the floor of the Senate to again thank them for their work. I appeal to Senators to go out of their way to thank them.

If you look at the Capitol Hill Police men and women, you can see a lot of exhaustion in their faces. I think we owe a real debt of gratitude to them.

I yield the floor.

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

Mr. REID. Mr. President, I have spoken to the Senator from West Virginia. We have some amendments that are cleared.

Mr. BYRD. Mr. President, I yield to the distinguished whip for the purpose that he is now requesting. I ask unanimous consent that upon the completion of his remarks and the action on amendments I be recognized.

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

Mr. REID. Mr. President, I express my appreciation to the Senator from West Virginia.

Senator MCCONNELL and Senator LEAHY have every intention of moving this bill as quickly as possible. If Members have amendments, they had better bring them because the managers aren't going to wait around all day long for Members to bring amendments to the floor. After reasonable time goes by and Members haven't gone to amendments, we are going to move to third reading of this bill.

AMENDMENTS NOS. 1924 THROUGH 1939, EN BLOC

Mr. REID. Mr. President, I ask unanimous consent that it be in order for the Senate to consider, en bloc, 15 amendments; that the amendments be considered and agreed to en bloc; that the motions to reconsider be laid upon the table en bloc; that the consideration of these amendments appear separately in the RECORD; and that any statements or colloquies be printed in the RECORD.

These amendments have been reviewed very closely by the managers of the bill and their staff.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. MCCONNELL and others, proposes amendments numbered 1924 through 1939.

The amendments (Nos. 1924 through 1939) were agreed to, as follows:

AMENDMENT NO. 1924

(Purpose: To make avaialble funds to assess the cause of the flooding along the Volta River in Accra, Ghana, and to make recommendations on how to solve the problem)

On page 125 line 16, before the period at the end of the line insert the following: '': *Provided further*, That, of the funds appropriated under this heading, up to $100,000 should be made available for an assessment of the causes of the flooding along the Volta River in Accra, Ghana, and to make recommendations for solving the problem''.

AMENDMENT NO. 1925

On page 133, line 17, after ''States'' insert the following: '', of which not to exceed $28,000,000 shall be available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for the Federal Republic of Yugoslavia''.

AMENDMENT NO. 1926

On page 229, line 12, after ''steps'' insert the following: '', additional to those undertaken in fiscal year 2001,''.

On page 229, line 16, strike everything after ''(3)'' through ''law'' on line 17, and insert in

lieu thereof: ''taking steps, additional to those undertaken in fiscal year 2001, to implement policies which reflect a respect for minority rights and the rule of law, including the release of all political prisoners from Serbian jails and prisons''.

AMENDMENT NO. 1927

On page 176, line 15, strike ''$14,500,000'' and insert in lieu thereof ''$15,500,000''.

AMENDMENT NO. 1928

At the appropriate place, insert:

DISABILITY ACCESS

SEC. . Housing that is constructed with funds appropriated by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and to carry out the provisions of the Support for East European Democracy (SEED) Act of 1989, shall to the maximum extent feasible, be wheelchair accessible.

AMENDMENT NO. 1929

On page 142, line 18, after ''That'', insert the following: ''of the amount appropriated under this heading, not less than $101,000,000 shall be made available for Bolivia, and not less than $35,000,000 shall be made available for Ecuador: *Provided further*, That''.

On page 142, line 25, strike everything after ''with'' through ''General'' on page 143, line 1, and insert in lieu thereof: ''the Administrator of the Environmental Protection Agency and the Director of the Centers for Disease Control and Prevention''.

On page 143, line 6, strike ''according to the'' and insert in lieu thereof: ''in accordance with Colombian laws and regulations, and''.

On page 143, line 10, strike ''in place'' and insert in lieu thereof: ''being utilized''.

On page 143, line 12, after ''and'' insert: ''to''.

On page 216, line 14, strike ''concerning'' and insert in lieu thereof: '', including the identity of the person suspended and''.

AMENDMENT NO. 1930

On page 127, line 12, strike everything after ''rehabilitation'' through ''Maluka'' on line 13, and insert in lieu thereof: ''and reconstruction, political reconciliation, and related activities in Aceh, Papua, West Timor, and the Malukus''.

On page 220, line 23, after ''Indonesia'' insert the following: '', including imposing just punishment for those involved in the murders of American citizen Carlos Caceres and two other United Nations humanitarian workers in West Timor on September 6, 2000''.

On page 221, lines 17 and 18, strike ''having in place a functioning system for''.

On page 221, lines 19 and 20, strike ''that fund activities''.

AMENDMENT NO. 1931

On page 128, line 9, insert the following:

LAOS

Of the funds appropriated under the headings ''Child Survival and Health Programs Fund'' and ''Development Assistance'', $5,000,000 should be made available for Laos: *Provided*, That funds made available in the previous proviso should be made available only through nongovernmental organizations.

AMENDMENT NO. 1932

On page 127, line 19, strike ''should'' and insert in lieu thereof ''shall''.

AMENDMENT NO. 1933

(Purpose: To prohibit humanitarian assistance inside Burma unless certain conditions are met)

On page 127, line 26, after ''law:'' insert the following: ''*Provided further*, that none of the funds appropriated by this Act may be used to provide humanitarian assistance inside Burma by any individual, group, or association unless the Secretary of State certifies and reports to the Committees on Appropriations that the provision of such assistance includes the direct involvement of the democratically elected National League for Democracy:''.

AMENDMENT NO. 1934

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

COMMUNITY-BASED POLICE ASSISTANCE

SEC. . (a) AUTHORITY.—Funds made available to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority in Jamaica through training and technical assistance in internationally recognized human rights, the rule of law, strategic planning, and through the promotion of civilian police roles that support democratic governance including programs to prevent conflict and foster improved police relations with the communities they serve.

(b) REPORT.—Twelve months after the initial obligation of funds for Jamaica for activities authorized under subsection (a), the Administrator of the United States Agency for International Development shall submit a report to the appropriate congressional committees describing the progress the program is making toward improving police relations with the communities they serve and institutionalizing an effective community-based police program.

(c) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committee on Appropriations.

AMENDMENT NO. 1935

On page 179, line 7, after ''democracy'' insert '', human rights''.

On page 179, line 8 after ''which'' insert: ''not less than $5,000,000 should be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, for such activities, and of which''.

AMENDMENT NO. 1936

At the appropriate place, insert:

SEC. . SEPTEMBER 11 DEMOCRACY AND HUMAN RIGHTS PROGRAMS.

Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $15,000,000 shall be made available for programs and activities to foster democracy, human rights, press freedoms, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: *Provided*, That funds appropriated under this section should support new initiatives or bolster ongoing programs and activities in those countries: *Provided further*, That not less than $2,000,000 of such funds shall be made available for programs and activities that train emerging Afghan women leaders in civil society development and democracy building: *Provided further*, That not less than $10,000,000 of such funds shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy Human Rights and Labor, Department of State, for such activities: *Provided further*, That funds made available pursuant to the authority of this section shall be subject to the regular notification procedures of the Committees on Appropriations.

AMENDMENT NO. 1937

At the appropriate place in the bill insert:

SEC. . UZBEKISTAN.

REPORTS.—Not later than three months after the date of the enactment of this Act, and six months thereafter, the Secretary of State shall submit a report to the appropriate congressional committees describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to Uzbekistan during the six-month period ending on the date of such report.

(2) The use during such period of defense articles and defense services provided by the United States by units of the Uzbek armed forces, border guards, Ministry of National Security, or Ministry of Internal Affairs.

(3) The extent to which any units referred to in paragraph (2) engaged in human rights violations, or violations of international law, during such period.

AMENDMENT NO. 1938

At the appropriate place, insert:

SEC. . HUMANITARIAN ASSISTANCE FOR AFGHANISTAN.

It is the sense of the Senate that:

(1) Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

(2) as the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe; and

(3) the United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

AMENDMENT NO. 1939

On page 153 line 7, after the colon insert the following: ''*Provided further*, That of the funds appropriated by this paragraph, not less than $2,300,000 shall be made available for assistance for Thailand:''

AMENDMENT NO. 1926

Mr. MCCONNELL. Mr. President, I offer this amendment along with Senators HELMS and LEAHY out of concern with the continued detention of political prisoners in Serb jails. Our amendment is simple and straightforward: It makes absolutely clear that among the certification requirements contained in section 575 of this bill is the release of these prisoners. I urge the democrats and reformers in Belgrade to take notice of our actions, and to release the political prisoners immediately. I yield the floor to my friend from North Carolina.

Mr. HELMS. I find it incomprehensible for a government that claims to

be democratic and just to sustain this cruel vestige of the Milosevic era.

Last August, I asked my staff to travel to Serbia and visit these Albanian political prisoners. My intent was the following: I wanted to check on the physical conditions of these prisoners. I wanted to ensure that they and their families know the United States has not forgotten about their suffering. I wanted to underscore to authorities in Belgrade that they must release these political prisoners who were arrested, too often brutally tortured, sentenced and jailed by Milosevic and his system of kangaroo justice. And, I wanted to remind Belgrade that failure to do so will have consequences for their relationship with the United States.

Serbian Justice Minister Batic cooperatively arranged meetings for my staff. These took place in two Serbian jails with four Kosovar Albanian prisoners: Kurti Aljbin, Isljam Taci, Berisa Petrit, and Sulejman Bitici. These four individuals, I might add, were chosen at the recommendation of an extremely courageous woman, Natasa Kandic of the Humanitarian Law Center in Yugoslavia. Ms. Kandic is Serb, who at great risk to her personal safety, has provided these and other Albanian political prisoners legal and humanitarian assistance.

The stories of these four political prisoners speak volumes to the atrocities and injustice of the Milosevic regime. Imagine being arrested because you are an Albanian student, thrown in jail only to learn later that there were no formal charges brought against you, and even if there were you couldn't appeal them because your file had ''disappeared'' or it was burned. Imagine being thrown out of a fourth story window so that your legs would break, or being subjected to repeated beatings, shock torture, and mock executions. That is exactly what happened during the Milosevic era.

The good news is that these tortures have ended. However, ending the torture is not enough. Each day Belgrade keeps people like Kurti Aljbin, Isljam Taci, Berisa Petrit, and Sulejman Bitici locked behind bars is another day that Belgrade has continued the horrors and injustice of the Milosevic regime. And this is totally unacceptable.

One prisoner asked the poignant question: ''If Milosevic is in jail, why are we still here?'' The fact is there is no justifiable answer to this question. I yield the floor to the Senator from Vermont.

Mr. LEAHY. It has been almost a year since the fall of Milosevic, and more than five months have passed since his arrest. While some Albanian prisoners were released earlier this year, there are still more than 100 Albanian political prisoners languishing in Serb jails. There is no justification under any circumstances, to imprison innocent people. Serb officials know this. These people should never have been arrested, and they should have been released long ago.

Mr. McCONNELL. Would the Senator yield for an additional comment? I continue to be keenly interested in the investigation into the murder of the three American brothers of Albanian descent from New York who were recently found in a mass grave in Serbia. Justice must be served for their murders, which occurred at the end of the war in Kosova.

Mr. LEAHY. I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from West Virginia is recognized under the previous order.

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

I also congratulate and thank Senator KENNEDY who spoke earlier for the proposals and suggestions, and the good counsel that he offered to the Senate at this critical time.

REMAINING A SENSE OF SECURITY

Mr. BYRD. Mr. President, this morning the U.S. Postmaster General warned Americans that their mail is not guaranteed to be safe.

The American people have been on an emotional roller coaster ride ever since September 11. In the days and weeks following the terrorist attacks on the World Trade Center and the Pentagon, the American people collectively have experienced a national anxiety attack—fear, remorse, outrage, despair, confusion, depression, and unease have all manifested themselves in recent weeks.

Before the brutal terrorist attacks of September 11, American consumers were already nervous as layoff announcements rolled out of auto factories, and stock market retirement savings dissipated into thin air. Since that dark day, the economy has grown even more unstable as consumers, seized with fear—Franklin D. Roosevelt said, there is nothing for us to fear but fear itself, but fear is here, and it permeates throughout this city and throughout the Nation—consumers, seized with fear, have stayed riveted to their television sets and away from shopping malls.

American consumers have postponed taking that much-deserved family vacation out of fear of getting onto an airplane. I would share that same fear. I know it is all right for some to say, go ahead and ride an airplanes if you have the Secret Service there to protect you and you can go on a special plane, but I would not ride on a commercial plane right now because I share that fear. Consumers are shunning restaurants, avoiding movie theaters and other public gathering places which they fear might be the target of new terrorist attacks.

Although the initial shock has begun to wear off, and economic activity has recovered somewhat from the weeks immediately following the terrorist attacks, nearly 200,00 Americans lost their jobs last month—the largest monthly decline since February 1991, more than 10 years ago—and the unemployment rate is expected to soar to well over 5 percent in this month alone. This on top of the fear that has kept people away from the streets of Washington.

Just a few days ago, I recall, Metro was offering free tickets to people in the suburban areas in an attempt to entice them to come into the city of Washington and go to the restaurants and go to the stores. And the restaurants were offering free food in some instances or a free glass of wine to encourage people to come into this city, the Capital City, which was burned by the—I hope the distinguished Senator from Massachusetts will wait just a moment. I want to mention something he will remember.

This Capitol was burned during the War of 1812 by the British. It is practically empty now. The Senator from Massachusetts will remember, with me, something that was occurring in this city 39 years ago right now. I was here on October 22, 1962—1962 or 1963?

Mr. KENNEDY. It was 1962.

Mr. BYRD. The late President John F. Kennedy delivered an ultimatum to the then-leaders of the Soviet Union to get their missiles out of Cuba. That was on Monday of this week, 39 years ago. We Senators then felt the same angst that we do now.

The President, in a television address, delivered this ultimatum. President Kennedy also suggested that there be regional meetings where we Members of Congress—I was a Member of the Senate—could go to regional meetings and get briefings. The Senate was not in session. The Senate had gone out of session on the October 13 sine die. And the late President John F. Kennedy informed Members of Congress that he would give them notice to come into Washington if the necessity arose.

There was fear throughout the land. That was 39 years ago this week. On Sunday of this week 39 years ago Nikita Khrushchev capitulated to President Kennedy's demand that those missiles, be pulled out of Cuba.

President Kennedy instructed our naval ships to stop any ship that approached Cuba and to search that ship. And there was a ship that approached Cuba. I forget what flag it was flying, but our naval units stopped it, searched it; and when we finally determined that Nikita Khrushchev really meant what he said, that he would get those missiles out of Cuba, then we relaxed.

I had no intention of bringing my wife into this city during those days. They were very tense days. The people were not just thinking of anthrax; they were thinking of nuclear war. We had strong leadership—strong leadership—that laid it down to the Soviet leaders. Mr. Khrushchev, who had once beaten his shoe upon the desk and said: We will bury you—that was Khrushchev—he was soon relieved of his leadership

position in the Soviet Union. Mr. Brezhnev then became the First Secretary, and who Nikolai Bulganin who became the Premier of the Soviet Union. But those were the conditions 39 years ago right now in this city.

Well, fortunately, we are not facing what appeared to then be perhaps an immediate nuclear attack on this country. And some of the nuclear missiles could have emanated from Cuba. Here we are again now, and we have received a terrorist attack on the World Trade buildings in New York City and on the Pentagon. We are faced now with an even more subtle and sinister attack on the people in this city. As I said earlier, the Postmaster General indicated just this morning that the American people cannot be guaranteed their mail is safe.

I say to my wife—my wife of 64 years, I hasten to add—Don't you go to the mailbox. Leave the mail in that box until I come home. I will get the mail out of the box.

That is the kind of fear that is permeating this whole country, this whole city, this whole complex from which I speak today.

Our staffs are warned about the mail that comes to us from our constituents. It may be a letter, a package, something that was not sent by a constituent in our mail. So our staffs are in fear.

The unemployment rate is expected to soar to well over 5 percent in this month alone. The Congress will soon consider a stimulus plan. It is being discussed. Preparations for such a plan are going forward. I have had my Appropriations Committee staff working on a stimulus package, one that will include funds for homeland security, homeland defense. This stimulus plan is aimed at providing a shot in the arm to our flagging economy.

We hear a lot about business tax cuts. I have already voted against a gargantuan $1.3 or $1.6 or $1.8 or $2 trillion tax cut earlier this year. Now we hear that there are going to be further tax cuts. A measure is making its way in the House of Representatives, I understand, that would provide up to $100 billion in tax cuts and almost $200 billion, $195 billion over 10 years. Business tax cuts, increased unemployment benefits, subsidized health insurance premiums are all on the table. But none of these—none of these—will help to assuage the psychology of fear that grips this land of ours.

The surest way to stabilize the economy and encourage Americans to get back on airplanes, to go back to the shopping malls, to go back to the automobile dealerships—look over those shiny automobiles, kick the tires, see if the windshield wiper works, raise the lid of the trunk—the way to get people back to those dealerships, the way to get people back to those neighborhood restaurants, the way to get people back to the movie theaters and to take their children is to take positive steps to address their fears, the fears of the American people about future terrorist attacks.

I might as well talk about this fear. We all know it is here. The distinguished Senator from Florida, who is a former astronaut, who presides over the Senate today with such a degree of skill and dignity, he knows this, he knows what we are talking about. The people at the desk here in front of us, this is no secret to them; they know what fear is. The pages know about it. Why not say it?

The best way to make our people feel safe again and to defeat the intentions of the terrorists is to go ahead with this stimulus package, certainly to move ahead with funding for homeland security in its many forms.

We can start by addressing our woefully inadequate border security; put more Immigration and Naturalization Service personnel on our borders; put more Customs agents on our borders; enhance this woefully inadequate border security. I doubt that many Americans find comfort in learning that the Immigration and Naturalization Service cannot account for how 6 of the 19 hijackers involved in the September 11 attacks got into the United States. Likewise, how much comfort do the American people find in knowing that the U.S. Customs Service—get this now—inspects only 2 percent of the cargo that enters the United States? We are wide open—wide open. And the terrorists have known that. As a matter of fact, we have been lucky not to have been hit many times prior to September 11.

We can reassure the American people that the Government of the United States is doing all it can to prepare for a biological or chemical act. The American people have learned firsthand in recent days that chemical and biological weapons are no longer the stuff of fiction but are real threats that can suddenly claim the lives of American citizens. We must train our doctors and nurses to diagnose and care for victims of bioterrorism as well as to contain any possible resulting outbreak.

We must expand our Nation's reserve of vaccines and antibiotics, and we must provide our local health departments, in Beckley, WV, Parkersburg, Clarksburg, Martinsburg, in cities all throughout this land, in towns all throughout this land, in hamlets all throughout this land, provide our local health departments, so many of which are in rural isolated areas, with access to the Nation's computerized networks of medical response information.

Our Nation's transportation network faces a similar daunting upgrade. In the days immediately following the September 11 attacks, airport security was improved, but much remains to be done. New scanning equipment must be built and installed as quickly as possible. Better trained inspectors must be hired. Security enhancements must be made at our Nation's airports, and the same case must be made for improvements to our roads and bridges, our railroads, our water and sewer systems, our law enforcement capabilities that have suffered due to years of neglect. Hear me now! Due to years of neglect, we have allowed our infrastructure to become antiquated! With the threat of further violence on American soil, everything from dams and reservoirs and locks and dams to nuclear powerplants to the method of transporting the Nation's food supply, we need to beef up the inspections of our meat, our poultry, our imported food—all these things must be examined in terms of their potential vulnerability. By renewing our commitment to investments in our own country, we can help to mend the holes in America's homeland security.

Mr. President, the American people are looking to the Congress for reassurance. The American people want to know that their representatives understand their fears—the people's fears—and the people's uncertainties. They want to know that the men and women in this legislative branch—the Senate and the House—understand these things and are taking steps to deal with potential threats.

Partisan disputes breed uncertainty in our financial markets and in our economy. All of us ought to be ashamed of the slowness with which we have dealt with the appropriations bills. They are ready. We have completed conferences on and we have acted upon the conference reports on 2 bills—2 out of 13 bills. And here we are. We have had two continuing resolutions, and we are now somewhat in the midst of the time allotted by the second continuing resolution. We have instead been arguing over other things—things that didn't have anything to do, as far as I am concerned, with getting on with the appropriations bills.

Partisanship. Partisanship must no longer reign over this Senate or over the House of Representatives—at least until we get our appropriations bills completed. And we had better be busy about that. We should allow the President 10 days after we send him the last appropriations bill. He should be allowed 10 days in which to sign the last appropriations bill or to veto it. He should not be given the opportunity to pocket veto an appropriations bill. We need to be busy about the people's business.

The American people want to regain that sense of security that they lost on September 11. They want to get on an airplane without worrying about hijackers. They want to go to work free of angst about every piece of mail that comes into the office. Those who go to movies want to relax while they are there, and they are entitled to that. Those who go to the shopping malls want to relax without looking over their shoulders, as it were. Unless we take—when I say ''we,'' I mean us folks—unless we take immediate and serious steps to address these fears, all of the rhetoric about normalcy is just plain old hot air.

This Government's most basic responsibility is to take all—not just a few but all—feasible steps to protect its citizens. The conflict is not just in the steep mountains of the Himalayas in Afghanistan. I was there 46 years ago. Let me tell you folks, you have seen the Rockies. Go to the Himalayas; spend some time in Afghanistan. The winter is coming on, and soon. And there are millions of landmines waiting on a footstep.

The conflict is not just in the mountains of Afghanistan. Our people are at risk on our own soil. Congress, therefore, must act now to ensure the security of the Nation and the American people. By investing in measures that strengthen our ability to guard our citizens right here at home, we can take an important step toward removing the paralysis—the paralysis—go look that word up in the dictionary, and if you haven't noticed it before, you will see it—the paralysis of fear. Look at our empty office buildings on Jenkins Hill right here.

We can take an important step toward removing the paralysis that results from living in fear. This should be our mission in the days ahead as we craft a stimulus package. Whether or not we craft a stimulus package, we have 11 appropriations bills awaiting action here in one form or another. They will be coming along in conference reports. There are appropriations bills such as the one before the Senate now that will be up for action in this body. So let's get busy about our work. This should be our mission in the days ahead as we craft a stimulus package that can restore confidence, which is the backbone of a strong economy.

Mr. President, I thank all Senators and I yield.

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

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I rise to speak about an amendment to the foreign operations bill. I understand it has been accepted. It deals with funding for leadership training for Afghan women. I think this is an important amendment. Even though it is not a great deal of money that is involved, I think it is important for us to do.

The proposed amendment funds a specially created training program for Afghan women involving civil society development, democracy building, and leadership, at a cost of $2 million. It is not a large amount of money, but if we can get women involved back in the Afghan society, it is an important amount of money.

This funding has two purposes. First, it helps talented but direly disenfranchised Afghan women to strategically participate in nation building. Second, this is a symbolic expression of support from the Congress for Afghan women under the present Taliban regime.

The American people are engaged in a war right now. It is a war against those who want to destroy our physical well-being, our peace of mind, and our way of life. It is a war against the Taliban, which continues to provide fertile soil and a shield for terrorists. It is not, however, a war against the Afghan people, as the President repeatedly stated and as Members of this body have stated. In fact, the Afghan people are the victims of the Taliban, and no one group has suffered more than the women.

We have all heard the horrible stories by now: How women are forced to hide behind closed doors, prisoners in their own homes, some even starving because there is no male relative to take them to market; how they are barred from schools and jobs and from desperately needed health care; how they are beaten in the streets if their ankles are showing; how they are beaten for begging, even though they are forbidden to work; how they are beaten for no reason at all; how they are continually silenced, hidden, and treated as less than human—all of this in the 21st century.

I am sure some of my colleagues and others recall the images on CNN of Afghan women fleeing Afghanistan into Pakistan dressed in burqas that completely cover them. All she has is a small mesh area through which to look and breathe. That is so dehumanizing, as if this is not a person; they are not recognized as a separate individual.

It has not always been like that in Afghanistan. That is important for us to know and remember as well. These same women who now hide with fear and are forced into these burqas once had a voice in their country. Some choose to wear a certain traditional garb, and that is wonderful, but they should not be forced to do it.

In Afghanistan, women once represented half the students, half the civil servants, and 40 percent of the doctors in Kabul were once women. Once they were valued members of their society, and they must become this again. To accomplish this, they will need our help and support, and we should give it.

I am pleased to offer this amendment with Senator BOXER. She and I helped pass a resolution 2 years ago condemning the Taliban regime. This amendment has been accepted by the managers of the bill. I am very pleased with that.

This amendment funds $2 million for scholarships for Afghan women. There will be approximately 300 women selected to participate in training programs for emerging leaders. They will be instructed in civil society development, including effective governance, economic development, establishing nongovernmental organizations, and an independent press, among other fundamentals of a free society, including the right to vote for all citizens in Afghanistan and human rights, including religious freedom for all citizens and people of Afghanistan.

The Afghan women will learn from top professors and experts in the field. Their curriculum will be developed in close consultation with Afghan women's groups on the ground in South Asia and in the United States. A selection of candidates will be made in close consultation with leading Afghan women in exile and leading Afghan women still in Afghanistan today, and United States embassies abroad.

I believe programs such as these can help play a key role in stabilizing the region and rebuilding the lives of its citizens. The United States is at its best when it stands up for our fundamental principles, and that includes the right to vote for everybody, the right of participation for everybody, democracy, freedom, religious freedom, and human rights.

This amendment can give the women who have far too long been victimized by the Taliban brutality the tools to rebuild a new Afghanistan on the foundation of democracy, tolerance, human rights, and equality.

Lastly, this funding not only helps Afghanistan; it also helps America. As Afghan women promote democratic values in their society, they inherently prevail over the forces of terrorism, extremism, and repression which have also victimized us.

I am pleased my colleagues have accepted this amendment, and I look forward to its implementation where we help Afghan women rebuild a civil society in their country. As we move forward in the prosecution of this war in Afghanistan, it is very important that our next step, once we are able to secure the country, is to rebuild a civil society with everybody participating.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I rise to offer some comments on the bill before us, the foreign operations appropriations bill.

Today we are considering the fiscal year 2002 foreign operations appropriations bill. I ask my fellow Senators to consider this: The total foreign assistance spending in this legislation represents just .79 percent of the entire $1.9 trillion Federal budget. That is less than half of what it was just 15 years ago, and it is barely .1 percent of GDP. An even smaller amount of the bill's funding is for foreign development assistance, less than .6 percent of the budget.

Anemic U.S. foreign assistance spending is not new news, but it is part of a very sad legacy of more than two decades of declining foreign assistance spending.

But at precisely the time when the events of September 11 have driven

home what an integrated and globalized world we live in, a world that requires us, I believe, to reexamine the basic underpinnings of U.S. national security policy, it is baffling that the United States remains on a course to tie a post-World War II low in foreign assistance spending and a 50-year low of overseas assistance as a share of Government spending.

I do not mean this as any criticism of the managers of the bill. Given the administration's request and the allocations of the subcommittee, they have done an excellent job of putting together a $15.5 billion bill. But in light of September 11, I strongly believe that the fundamental assumptions regarding how best to safeguard U.S. national security interests over the long term require rethinking and reexamination.

As America undertakes a war on terrorism, we must declare war on global poverty as well, and we must do so because our national security demands no less.

If we are going to win this war against terrorism, we have to be willing to invest in the lives and livelihoods of the people of the developing world. For it is the poverty and the resulting political instability and institutional weakness of developing countries, many of them failed or near failed states, which provide the ecosystem in which terrorists, terrorist operations, terrorist recruitment, and terrorist organizations are able to flourish.

The World Bank estimates that 1.2 billion residents of poor nations live on less than $1 a day. In South Asia alone, more than 550 million people, 40 percent of the total population, live on less than $1 a day. In sub-Saharan Africa it is close to 50 percent of the population. I know the Chair is eminently familiar with this. Close to 50 percent of the population—that is, 291 million people, or more than the entire population of the United States—live in that abject, grinding poverty.

All in all, about 2.8 million people, half of the world's population, live in poverty, getting by on $2 a day. That is less than a cappuccino at Starbucks.

The Food and Agricultural Organization of the United Nations estimates that nearly 800 million people in the developing world are undernourished, 1.2 billion lack access to safe drinking water, 2.9 billion have inadequate access to sanitation, and over 1 billion people are either unemployed or underemployed.

For all too many of these people, there is precious little hope in their daily life, and they experience a world in which progress or betterment is virtually impossible.

Yet, as a recent Congressional Budget Office study on the role of foreign aid and development reports: ''U.S. spending on foreign aid has fluctuated from year to year but has been on a downward path since the 1960s.''

In 1962, the United States spent more than 3 percent of the budget outlays on foreign assistance. Today, as I noted, it is barely six-tenths of 1 percent. This is unconscionable. Interestingly enough, people do not understand this. I often ask people: How much do you think the foreign operations budget is as a percent of the overall budget? Some will say 5 percent, some will say 10 percent, some will say 15 percent, but nobody says less than 1 percent.

Yet that is the fact. The United States spends less than $30 a year for each of its citizens helping those in the developing world, compared with a median per capita contribution of $70 by other industrialized nations. This has not always been the case and, I would argue, it is also not becoming of America's position and role in the world.

Between 1950 and 1968, the United States contributed more than half of the official development assistance provided by countries in the OECD Development Assistance Committee, and by 1978 we were contributing less than a third. By 1998, it was less than a sixth, where it languishes today.

Some would question why this matters, or they would argue that it is the responsibility of others, not us, to address these development needs.

The short answer is that it matters because development assistance is a critical tool for the protection and promotion of U.S. interests around the globe. It matters because poverty leads to financial instability, infectious disease, environmental degradation, illegal immigration, drugs, narcotic trafficking, and it fuels the hatred of ''have-not'' nations for the ''have'' nations, of which the United States heads the list.

Although not the sole cause of perceived grievances in an increasingly unequal and increasingly globalized world, poverty is a principal cause of human suffering, and the political instability that results as well.

In its worst form, poverty creates the political, social, economic, and institutional instability and chaos that leads to failed states, zones of anarchy, and lawlessness, with semi-legitimate governments, or no real functioning government, which are unable to offer their people a positive vision of the future and instead utilize the United States as a scapegoat for their hopelessness.

It matters because into the void of failed states, and lives without hope or the prospect for betterment, step terrorists, fanatics, extremists, and others who take advantage of these situations for their own ends.

If a state is unable to educate its young, terrorists and extremists will only be too happy to indoctrinate the young, poisoning their minds. If a country is unable to offer young men or women the prospect of a job and self-respect, terrorists, fanatics, and extremists are more than happy to offer conspiracy theories to explain misfortune and offer alternative employment in their criminal enterprises. And if a government is unable to offer its people a positive prospect for the future, terrorists or fanatics are able to offer their own distorted view of the world and twisted vision of the future.

It matters because poverty creates the swamp in which the terrorists find protection and sustenance, and it matters in short because our national security interests and the lives and safety of our citizens depend on us recognizing this. It matters, I strongly believe, because self-interest aside, the United States has a strong moral global obligation, especially in cases such as Afghanistan and now Pakistan, to provide assistance to those who have helped us in the past and who stand with us today in this war on terrorism.

Foreign assistance and development assistance are valuable elements in our toolbox to respond to the events of September 11, and in cases where diplomacy or military force cannot be used, they may be the only tools available.

When nations who are friends or allies of the United States were subject to terrorist attacks prior to September 11, all too often the U.S. reaction was to bemoan the rough neighborhood in which these nations live and shrug our shoulders as if nothing could be done. But September 11 proved with startling clarity all of the globe is a neighborhood today, our neighborhood, and we must see what can be done; for if we continue to do nothing, it is at our peril.

I would not argue that the United States should waste foreign assistance spending on ineffective programs, or on projects where rampant corruption prevents us from assuring that our assistance reaches those in need.

But a report last year by the Overseas Development Council suggests that many aid programs have been successful. They have contributed to advances in public health, sanitation, and education.

As a first step in this new war on global poverty, then, it is critical that the government, private foundations, and nongovernmental organizations come together to identify areas where increased spending can make a difference, especially in the world's poorest regions. This review must also look at what government and private voluntary donors have learned about how to make delivery of assistance more effective.

This evaluation should also extend to the activities of the World Bank, the International Monetary Fund, and other multilateral development and lending institutions. Where these institutions need to be reformed, and I believe they do, their activities should be redefined today.

Once this evaluation is complete, I believe it is critical we reverse the past two decades of a downward trend in U.S. foreign assistance spending and dramatically increase funding, including that channeled through foundations and nongovernmental organizations.

According to the U.N. Development Program, some $40 billion a year—remember, we are at $15 billion—would provide water and sanitation, reproductive health, basic health and nutrition, and basic education for all in need in the developing world.

To help meet our share of this need, I believe and propose we triple the foreign assistance budget within 5 years, bringing it back up to what it was before, roughly, and this is still a meager amount, 0.3 percent of gross domestic product. I fully believe such an increase in United States foreign assistance spending would be leveraged by increases in assistance contributions by other potential public and private donors.

In addition to traditional economic development programs, our renewed focus on fighting international poverty must also focus on the creation of public goods, democratic institutions, rule of law, functioning and legitimate educational systems which allow public and economic progress and growth to take root and flourish.

The image of ''draining the swamp'' of terrorists has become a commonplace metaphor, but the metaphor has its limits. The environmental elements which contribute to the germination and flourishing of terrorists and extremists cannot, in fact, simply be drained away. Indeed, I am worried that if we do not act wisely and address every dimension and level of this war on terrorism we run the risk of fueling a new generation of terrorists.

Rather, we must adopt a long-term, carefully crafted strategy to reduce and perhaps even eliminate factors such as global poverty, which underlie and foster terrorism. So I call upon my colleagues to recognize that such long-term efforts are as much a part of the burden of global leadership and the war on terrorism as cruise missiles and aircraft carriers. Meeting this obligation of leadership demands and requires a serious, long-term commitment of the necessary resources by the United States.

As one Senator, I am prepared to make that commitment and I hope my colleagues are as well.

I yield the floor.

AMENDMENT NO. 1940

Mrs. BOXER. Madam President, I send an amendment to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California (Mrs. BOXER), for herself and Mr. BROWNBACK, proposes an amendment numbered 1940.

Mrs. BOXER. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the important role of women in the future reconstruction of Afghanistan)

At the appropriate place, add the following:

SEC. . SENSE OF THE SENATE REGARDING THE IMPORTANT ROLE OF WOMEN IN THE FUTURE RECONSTRUCTION OF AFGHANISTAN.

(a) FINDINGS.—The Senate finds that:

(1) Prior to the rise of the Taliban in 1996, women throughout Afghanistan enjoyed greater freedoms, compromising 70 percent of school teachers, 50 percent of civilian government workers, and 40 percent of doctors in Kabul.

(2) In Taliban-controlled areas of Afghanistan, women have been banished from the work force, schools have been closed to girls and women expelled from universities, women have been prohibited from leaving their homes unless accompanied by a close male relative, and publicly visible windows of women's houses have been ordered to be painted black.

(3) In Taliban-controlled areas of Afghanistan, women have been forced to wear the burqa (or chadari)—which completely shrouds the body, leaving only a small mesh-covered opening through which to see.

(4) In Taliban-controlled areas of Afghanistan, women and girls have been prohibited from being examined by male physicians whole at the same time, most female doctors and nurses have been prohibited from working.

(5) In Taliban-controlled areas of Afghanistan, women have been brutally beaten, publicly flogged, and killed for violating Taliban decrees.

(6) The United States and the United Nations have never recognized the Taliban as the legitimate government of Afghanistan, in part, because of their horrific treatment of women and girls.

(7) Afghan women and children now make up 75 percent of the millions of Afghan refugees living in neighboring countries in substandard conditions with little food and virtually no clean water or sanitation.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Afghan women organizations must be included in planning the future reconstruction of Afghanistan.

(2) Future governments in Afghanistan should work to achieve the following goals:

(A) The effective participation of women in all civil, economic, and social life.

(B) The right of women to work.

(C) The right of women and girls to an education without discrimination and the reopening of schools to women and girls at all levels of education.

(D) The freedom of movement of women and girls.

(E) Equal access of women and girls to health facilities.

Mrs. BOXER. For the benefit of my colleagues, I will not take but about 7 minutes on this and one other amendment dealing with suicide bombing, both of which I believe will be adopted. I will be very brief and ask my colleagues' indulgence.

Madam President, I know you are very well aware of the women in Afghanistan under the rule of the Taliban. I give praise to this organization called Fund for the Feminist Majority that brought this issue to my attention several years ago. I was unaware of what the Taliban were, what they were doing to women. My friends came to see me and not only told me about the abuses of the Taliban toward women but they also told me the women were forced to wear these burqas, dehumanizing them, taking away every semblance of humanity from the women.

Therefore, what we try to do in this amendment after we detail the condition of women, which the clerk read so beautifully, we talk about the fact they have to wear the burqas which completely shroud their body, leaving only a small mesh-covered opening through which to see. Americans have seen that on TV. Women are completely obscured. If you try on one of those burqas, you can barely breathe.

We know women in Taliban-controlled areas of Afghanistan have been prohibited from being examined by male physicians while, at the same time, most female doctors and nurses have been prohibited from working. We know women have been brutally beaten and publicly flogged, even executed, and we have seen that on CNN on an incredible documentary called ''From Beneath The Veil.''

Senator BROWNBACK and I in this amendment say it is the sense of the Senate that Afghan women organizations must be included in planning for the future reconstruction of Afghanistan and that the goal of the new government should be equality for all.

That is all I have to say about this amendment. I ask it be laid aside, and I ask to call up my second amendment.

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

AMENDMENT NO. 1941

Mrs. BOXER. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 1941.

(Purpose: Condemning suicide bombings as a terrorist act)

At the appropriate place, add the following:

SEC. . SENSE OF THE SENATE CONDEMNING SUICIDE BOMBINGS AS A TERRORIST ACT.

(a) FINDINGS.—The Senate finds that:

(1) Suicide bombings have killed and injured countless people throughout the world.

(2) Suicide bombings and the resulting death and injury demean the importance of human life.

(3) There are no circumstances under which suicide bombings can be justified, including considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

(4) Religious leaders, including the highest Muslim authority in Saudi Arabia, the Grand Mufti, have spoken out against suicide bombings.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Suicide bombings are a horrific form of terrorism that must be universally condemned.

(2) The United Nations should specifically condemn all suicide bombings by resolution.

Mrs. BOXER. Madam President, I think this amendment is very clear. As far as we can tell, the United Nations has never passed a specific resolution condemning suicide bombings, nor has the Senate done it, as far as I can tell. This would be important. Religious leaders of all kinds have basically said

there is never a political reason, a philosophical reason, an ideological reason, a racial, ethnic, or religious reason, no reason for someone to become a suicide bomber. It demeans life.

I am very hopeful the managers of the bill will accept this amendment. I have no need to speak any longer on it except to say I am hopeful it will be passed.

I ask the Presiding Officer if it is appropriate because I want to make sure the amendment is disposed of—if it is appropriate to ask for the yeas and nays or simply to lay it aside at this time; what is appropriate?

The PRESIDING OFFICER. The Senator can do either.

Mrs. BOXER. I ask this amendment be laid aside. In doing so, I have two amendments laid aside, one dealing with the Afghan women and one dealing with suicide bombings. I thank my colleagues for their forbearance. I am pleased to be on the Foreign Relations Committee where I have an opportunity to work on these matters.

I thank my Republican friend, and I ask unanimous consent that Senator ALLEN be added as the original cosponsor of the suicide bombing amendment. I thank him and Senator BROWNBACK for working with me on both issues.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is laid aside.

The Senator from New Mexico.

Mr. DOMENICI. Before the Senator from California leaves, I wonder if she would put me on the two amendments, and I thank the Senator for recognizing I have been waiting. I do appreciate the brevity.

Mrs. BOXER. I thank my colleague. I am very proud to ask unanimous consent that Senator DOMENICI as an original cosponsor of both amendments.

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

WORKING TOGETHER

Mr. DOMENICI. Madam President, I come to the floor today to talk about history, but strangely enough, short history—the last 3½ to 4 weeks. Because so much has happened in that period of time, I am firmly of the opinion today that while we will return to some level of normalcy and we will all begin to understand what has changed in the world, we all found out in a short period of time what kind of people terrorists are and what they will do. Americans can hardly understand how somebody would organize people—having no country, no real habitat, with no concern except to wreak havoc on those they do not like. We live in that new bubble.

I rise today to urge that we continue one other important thing. I believe we have a long-time reputation of being the body wherein issues are argued, debates can even go on forever. What we did immediately after that New York disaster, when the terrorists showed their true light to the Americans, was we decided in the Congress we would not conduct business as usual. Something rather magnificent happened. The public perceives us completely differently. We, too, have changed in their opinion because we lock arms on big issues, we work very hard behind the scenes with experts. We come to the floor and, with a minimum of debate, we pass important measures.

That has been one of the most significant signals to our own people and to the terrorists of the world, that we can adjust this great Republic to the modern problems, the problems we never, ever, anticipated, even 2 years ago, much less when our Constitution and Bill of Rights were written.

I think something is going awry, that maybe this unity is falling apart or breaking. I am hearing leadership offer their own proposals. Just yesterday I heard the majority leader, who I thought was doing a magnificent job joining with Republicans, introducing a reconciliation package. I thought we were going to work the big issues together.

I urge that we return to that mode and during the next 4 to 6 weeks, or however long we want to spend, we complete some very fundamental work and we get on with a few packages that will indicate we need to do something new and different. That way, we would not have either the tremendous buildup and pressure of not being able to get things done, nor would we have a cantankerous partisan debate over matters that could easily be resolved, as we resolved the first four or five bills of importance when New York was still on fire and the Pentagon was still steaming because we hadn't put out the fires deep inside the beaten-upon building that was a symbol of our strength.

I also want to say something else is happening which makes this a very difficult burden for our President, for us, and for the American people. First I commend the President. I think he has done a tremendous job. I believe he leads not only us but I think right-minded people everywhere, although they all have different political problems. They are seeing America, now, under his leadership, presenting a real opportunity for the world to get rid of terrorism. They are joining us, not one or two a day, but in flocks; the countries of the world are joining us.

Maybe from this will come a new world order. Who knows? I said that a few weeks ago. The father of this President came into office saying he wanted to work for a new world order. Things got out of hand. The new President did not claim that. But, because of the courage, tenacity, faith, he is leading the Nation to a whole new set of alliances, all of which I see as very positive.

It seems to me Russia and America may come out very differently as a result of this incident. It also seems to me that a number of countries that were not willing to join us are looking around and saying: We would like to help America.

Most of what I have just said indicates a desire to unite and work together. What a joy to see all Members, Democrat and Republican—mayor Republican, Governor Republican, Senators Democrat—go to New York City. There wasn't anybody there trying to get their way. They were trying to get together and get something going for the people of New York and for our country. Again, unity paid off in really big dividends.

We don't usually think of our leaders, under our evolved two-party system, in a way that says, if you will just unite, you will do the best thing you can for our people. But I think that is happening. That has taken a back seat because today we are talking about anthrax, and we are learning. I want to compliment all the professionals who worked on it. I really believe they did the very best they could under the circumstances. I compliment them all.

We are learning brand new things even about this particular microorganism. We are learning that maybe it is spread easier than we had learned in the textbooks and that the scientists said. Maybe you can aerosol it much easier than we thought. We thought that was a very difficult thing. We thought it required very efficient kinds of equipment and tremendous resources. It still may. We don't have the answer yet. But I don't believe we ought to start arguing among ourselves about this particular problem. I think we ought to also join together, listen to our experts, and if we need to do some more things quickly, let's do them. Let's not run to see who is going to get credit. Let's not try to put bill upon bill just to spend money.

I want to remind everyone we are down to about $50 billion in surplus from $176 billion just 5 or 6 weeks ago, and this is the surplus we didn't even want to touch. It is the accumulated surplus that was all going to go on the debt. We are down to $50 billion or so, but we see the bills people are proposing under the rubric of stimulus plus expansion of social welfare programs. I trace our longer history, not just 3 weeks, and find we never did try to expand those programs in our serious recessions before. They were taken up in due course, not as a stimulus, not as an emergency. That has to do with COBRA and other programs at which we are looking.

But I think we have to face up to the reality that every night we are looking at Afghanistan on the television, trying to figure out how are we doing, whose side is winning, what is happening, and here at home we are engaging our best scientists in this dread illness. This illness comes from a product that is very common. I think the Senator in the chair knows that out west, where we have a lot of cows and pens for cows and the like, these spores are prevalent everywhere. In my State, in northern New Mexico, there are many

of them. We treat them properly, give them their proper respect, and they don't go anywhere because people either take antibiotics or take treatment, and we go on with our lives.

But the overhanging problem is the American economy. When it is flourishing, we can do almost anything. When it is coming down and in recession, it has a tendency to harm an awful lot of people. The cycle in American capitalism, which nobody has cured yet, when it starts coming down and unemployment goes up and the other things that we know about come about—obviously, productivity is not growing like it was, many people are put out of work, many businesses go bankrupt, many families have to ask the Government to help because, through no fault of their own, they can't be employed. We can't order them to be employed, if we want to use the great system that has built this country to its enormous material powerhouse status.

I want to say the third thing we have on our platter makes it a very big platter. Three big things sit there, straining America: There is a war that is different from any we had, and there is a human commitment by the American people, in spite of its difference, despite its ferocity, despite the risks we have to take—it is amazing, the American people, in excess of 90 percent, say stay with it; go get them. It is amazing that they say America is on the right path.

We always ask, are we on the right path or the wrong path? This is one time we have been united and they know we are on the right path when it comes to this war. Americans, given the facts, although they are a little more frightened than they have been in the past, will support an appropriate, righteous cause.

We are not without fault. But certainly we do not deserve, either from our own citizens or from people in the world, some of the things said about America. We are flourishing because we have a great system. And we have not destroyed our own system. We have lived with it, made it grow, and when things had to change, they changed peacefully and parties got new agendas for their candidates and we established new things to make America grow. When America grows, we can do much more for education, we can do more for all the things that we cherish, and we can give our taxpayers a little bit of the empathy they need so they can grow and prosper.

So far, as I look at it, it seems to me we are going to wake up in 3 or 4 weeks when we get some new economic numbers. I regret saying I think there will be a new headline. The headline will be: America In Recession. Those speaking about it are saying we don't know quite how to fix it. I have sensed that for quite some time. I added my own economics that I do, having worked with a lot of these people, had conversations, and then we look for some big facts. I just want to share one that is very startling, and that has to do with a very important characteristic of our economy—industrial production.

The problem is that industrial production figures that were released just 1 week ago yesterday morning—we are down 1 percent in the month of September. This year alone, that great measure of our productivity, and of our production, will be down 6 percent. That is as much as it went down in the entire 1990–1991 recession.

Put another way: This is the 12th consecutive month of that kind of decline. This is the longest decline in industrial production since World War II. I understand it doesn't have all of the significance it had during this period since World War II. It has been pushed aside as a major indicator by some other things. But it is still a major one.

I believe our mission is simple: Get together on the appropriations bills, no excuses, unite, have our leaders unite, and let's get them done. Let's just say it ought not be an excuse big enough to deny our desire to work together in a unified way to get the ordinary business done. I think when we were beginning to move, our buildings were closed down. Who would have thought of that? Nonetheless, that is the case.

We are trying to find ways to work even though the buildings are not quite accommodating. We are getting there. We are forcing some accommodations so we can do our work.

In addition, we have to finish up the work of an appropriations bill that appropriates money which we put in, in the early days for New York and for defense. Remember that we passed that to send a signal and to appropriate the money, but we said it is subject to a new appropriations bill. That has to be done. That requires unity. That requires Senators and Congressmen to give up some things and get on with a package with consensus, and then unite together and say let's do it. Some say it was too big a package. We will have to add a lot. Let's just say that considering America's future and what we are, the worst thing would be for us to not do what we have promised to do. The second worst is to not continue on with evaluations and then pass laws and appropriations to fill some very serious holes we have—clearly in the medical area, biomedical, and chemical.

In terms of our country, we were at war in a sense, but we really didn't understand the significance of biological and chemical warfare. We weren't as well prepared. But whom do you want to blame for that? Some people are now beginning to ask. There have been Senators, House Members, and Presidents who have spoken to terrorism. They have spoken to the issue of biological and chemical warfare. But I can tell you from our own experience on one bill. We passed a bill that is commonly known as Nunn-Lugar-Domenici which is now in 126 cities with $670 million a year. It takes the first responders, fire, policemen, and medical teams; it organizes them so they move in harmony again, in unity.

It was very hard during the first 2 or 3 years to get cities to willingly participate. There is no criticism, but they did not like the idea because they did not want to let their people think they were subject to any real problems from outside. It took 3 years to get the program implemented. It took the U.S. Government's executive branch to divide it into three parts instead of in unity. It is implemented by three different Departments of our Government. Obviously, we learn about that now. We are in trouble. We are going to seek unity of purpose with reference thereto.

I also suggest that the economy needs an economic stimulus plan. I remind everyone, this economy is faltering. I don't believe we should be the first as Senators from different States that may have problems to run and say we need to pay for a new program. Every program and every tax proposal ought to be subject to that. Let's consider it. How does it help the economy grow? I think if it doesn't, it ought to be on another calendar. We don't know with precision, but we know pretty well that a bridge construction program that comes into effect 3 or 4 years from now may be a good program because we need bridges, but it is not an economic stimulus package. I think we have come to the conclusion that highway bridges and like programs, if we need them, are good programs, but for the most part they are not programs that will accelerate the growth in this economy. Instead of everybody going to the wall on that, that can be organized and talked about.

We can get on with doing what we don't do so well. But we have done marvelously well for the last 5 or 6 weeks to commit to the American people that until we finish our business, including a stimulus package, if we can do it, we are going to lock arms and finish on an upbeat note that says we are united to do what we can about this terrible new enemy. We are absolutely committed to give our President what he needs militarily, and we encourage him to follow them to their demise.

To the extent we have additional stimulus ideas, we ought to take a good look to see if we can do them together. If it is OK, we can then come in the next year. We don't have to do everything in the next 3 or 4 weeks. We will learn a lot about this problem in the next 5 or 6 weeks. Instead of passing bills, we will have some very refined examinations and appraisals of our problems.

For instance, everybody always hears me talk about the laboratories that do our nuclear work. The people who visit them say they are crown jewels in terms of research capacity. I think it still shocks people to know that, for instance, in this area that has to do with this biological enemy that we are

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Madam President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 1942 THROUGH 1948, EN BLOC

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

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

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

AMENDMENT NO. 1942

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

AMENDMENT NO. 1943

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

AMENDMENT NO. 1944

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

AUTHORIZATIONS

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

AMENDMENT NO. 1945

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

AMENDMENT NO. 1946

(Purpose: Technical amendment)

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

AMENDMENT NO. 1947

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

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

AMENDMENT NO. 1948

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

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

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NCSJ's executive director, Mark Levin, writes:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for your continuous leadership in this cause.

Respectfully,

MARK B. LEVIN,
Executive Director.

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

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

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

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

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

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

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

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

Sincerely,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

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

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

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

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

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

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1949

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

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

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

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

The amendment is as follows:

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

At the appropriate place, insert the following:

The Senate finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. REID. Will the Senator yield?

Mr. SPECTER. I will.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

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

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

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

The PRESIDING OFFICER. The point of order is sustained.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

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

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

I thank the Chair and yield the floor.

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

The PRESIDING OFFICER. The Senator from Florida is recognized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AMENDMENT NO. 1950

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

More from State Department Reports:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It further says:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It hasn't happened.

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

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

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

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

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

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

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

I hope colleagues will vote against this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

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

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

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

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

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

I yield the floor.

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

AMENDMENT NO. 1951

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

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

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

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

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

The amendment is as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AMENDMENT NO. 1951, AS MODIFIED

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

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

The amendment, as modified, is as follows:

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

The PRESIDING OFFICER. The Senator from Vermont.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1952

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

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

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

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

The amendment is as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Wisconsin.

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

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

Mr. FEINGOLD. I thank the Chair.

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

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

I thank the Chair. I yield the floor.

AMENDMENT NO. 1953

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

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

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

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

The amendment is as follows:

AMENDMENT NO. 1953

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

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

INCREASED PEACE CORPS PRESENCE IN MUSLIM COUNTRIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VITIATION OF VOTE—AMENDMENTS NOS. 1922 AND 1923

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

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

The PRESIDING OFFICER. No, it has not.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[From Newsday, Oct. 17, 2001]

A MAN REBORN

(By Marc Siegelaub)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Illinois.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Kentucky.

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

We are, however, refraining from action at the personal request of the Secretary of State who believes the amendment may adversely impact his ability to form an international coalition against terrorism and efforts to bring the peace process in the Middle East back on track.

I ask unanimous consent that a letter from the Secretary relating to this request be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. MCCONNELL. Mr. President, few would disagree that America's top foreign policy today is to search out and destroy terrorist networks and prevent further incidents from occurring. Secretary Powell and the entire administration obviously have all of our support in this endeavor.

Perhaps more than any other democracy, Israel knows well the horror of terrorism. The extremists who hijacked American commercial aircraft and used them as missiles against the World Trade Center and the Pentagon on September 11 are cut from the very same cloth as the suicide terrorists who slaughter innocent women, children, and men in the Israeli pizza parlors, discos, and buses. The loss of life is no less tragic, nor the fear any less real, in incidents that occur in the streets of Manhattan or Jerusalem. Like America, Israel serves as proof that nations founded in freedom and democracy do not crumble when attacked by extremists. In fact, the opposite is true. America and Israel have become more united as individual nations and as allies against a common enemy.

The events of September 11 have been seared into America's national conscience, just as horrific attacks against civilians in Israel are felt in the hearts and minds of all of its citizens. While terrorism is a grave threat that both nations face, I ask each of my colleagues to consider the following:

The terrorists who carried out the September 11 attacks traveled thousands of miles to our shores to commit their evil deeds. In Israel, terrorists live within an easy bus ride to Jerusalem, Tel Aviv, and other major urban areas. Where satellites beamed pictures of Palestinian celebrations for the mass murder of Americans into our homes and offices, Israel declared a day of mourning. Israelis need only open their front door to encounter openly offensive, aggressive, and hostile behavior; and Israel has demonstrated restraint in its response to recent attacks against its citizens.

When 20 Israeli kids were killed by a suicide bomber earlier this summer in a Tel Aviv disco, there was no massive Israeli retaliation. When Israelis were killed in a Jerusalem pizza parlor, again, there was no massive response. I think we can all now better understand the incredible restraint Israel has shown in the face of such attacks.

Criticisms over the use of excessive force by Israeli soldiers in targeting and destroying Arab terrorists on the West Bank and in Gaza are simply misguided. America is doing similar targeting of terrorist cells but on a global scale. Israel's elected leadership, as ours, has a duty and responsibility to protect its citizens against foreign and domestic threats.

Let me close with some candid comments. First, I do not believe the administration can make the determination that the PLO or the Palestinian Authority have lived up to their 1993 commitments to renounce terrorism. The proof is admitted into hospitals and morgues or buried in cemeteries every single day.

In attempting to resuscitate the peace process, America must be careful that it plays no role in recognizing or establishing a Palestinian state that is rooted in terrorism.

Second, I do not believe for one second PLO Chairman Arafat wants to end the violence. He allows terrorists to exist on the West Bank and in Gaza and spurs them into action through newspapers, textbooks, evening prayers, and even children's television programs.

Finally, America cannot win the war against terrorism without Israel. Israel has the experience, dedication, and freedom that is absolutely necessary to prevail over these fanatics. We must stand arm in arm with our ally. We must help Israel in its battle against terrorism.

Senator FEINSTEIN and I are not going to offer the amendment we planned to offer because of the extraordinary situation in which we find ourselves and as a result of the direct request of the Secretary of State. Having said that, I do not believe the Palestinian Authority has been constructive, nor do I believe they have lived up to their agreements signed back in 1993.

Shifting for a moment to another ally, if you will, of the United States—if you can call the Palestinian Authority an ally these days—I want to talk for a few moments about Egypt. I had intended to offer an amendment restricting assistance to Egypt but have been requested by the Secretary of State and the administration to withhold such action, again in light of the events of September 11 and our current efforts to respond to those events.

While I continue to have serious concerns with many of Egypt's words and deeds toward the Middle East peace process and Israel, and the troubling state of democracy and rule of law in that country, I am going to honor the administration's request. It is not my intention to impede in any way ongoing efforts to identify, track down, and punish those individuals and groups responsible for the slaughter of American civilians and soldiers.

While America finds itself at a critical moment in history, so does Egypt. A major recipient of United States assistance to the tune of nearly $2 billion, stretching back to 1979, Egypt must today unequivocally prove it is a full partner in our war against terrorism. It is not acceptable for President Mubarak and his Foreign Minister to obfuscate the assault against freedom with their not-so-hidden agenda to propagate Arab hatred against Israel and to muzzle democracy and civil society in Egypt.

An October 11 editorial in the Washington Post boldly stated what has been whispered in the Halls of Congress and in the corridors of the State Department. Here is what the editorial said:

> The largest single ''cause'' of Islamic extremism and terrorism is not Israel, nor U.S. policy in Iraq, but the very governments that now purport to support the United States while counseling it to lean on Ariel Sharon and lay off Saddam Hussein.
>
> Egypt is a leading example. It is an autocratic regime. It is politically exhausted and morally bankrupt. President Mubarak, who checked Islamic extremists in Egypt only by torture and massacre, has no modern program or vision of progress to offer his people as an alternative to Osama bin Laden's Muslim victimology. . . . It also explains why so many of [bin Laden's] recruits are Egyptian.

Let me be clear that during these dark and troubling times, Egypt should prove to the people of the United States and all the world's democracies, including Israel, it is indeed an ally in the fight against terrorism. The $2 billion question is whether they will succeed or fail in this task.

Secretary Powell knows that at a more appropriate time I may revisit this important issue. In the meantime, I urge the Egyptian Government to advise its ministers and media to be more

responsible and constructive and to aggressively encourage its citizenry to understand the grave dangers of legitimizing terrorism under the guise of Islamic teachings and practices.

The Egyptian people should understand Americans were horrified and angered at news reports of celebrations of the September 11 attacks in the streets of Cairo and elsewhere. Sadly, this may be an indication the Egyptians do not share the same principles of freedom and tolerance we do. If Egypt wants to continue to have United States support, Egypt ought to earn it.

I ask unanimous consent that the editorial to which I referred be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ARAB PARADOX

Thursday, October 11, 2001

ARAB NATIONS, including those considered allies of the United States, have been struggling with their response to the U.S.-led military campaign in Afghanistan. If their contortions were not so familiar they would be hard to understand: After all, Osama bin Laden and his al Qaeda organization are sworn enemies of the Egyptian and Saudi governments, which in turn depend on the United States for their security. But it took Egyptian President Hosni Mubarak three days to choke out a statement supporting ''measures taken by the United States to resist terrorism''; and even then he coupled it with a parallel demand that Washington ''take measures to resolve the Palestinian problem.'' Meanwhile, Mr. Mubarak's longtime foreign minister, Amr Moussa, now the secretary general of the Arab League, prompted first Arab states and then the 56-nation Islamic Conference to adopt a resolution yesterday opposing U.S. attacks on any Arab country as part of the anti-terrorism campaign—a position that offers cover to Iraq's Saddam Hussein.

In effect, Mr. Mubarak and Mr. Moussa are backing both the military action of the U.S. alliance and the political position of Osama bin Laden, who on Sunday claimed that unjust American policies in Israel and Iraq justified his acts of mass murder. The world, Mr. Moussa said, needs to address the ''causes'' of the terrorism, and he suggested that a United Nations conference might be the best forum. There's little doubt what he has in mind: After all, Mr. Moussa only a couple of months ago led the attempt to hijack the U.N. conference on racism and revive the libel that ''Zionism is racism.''

Behind this contradictory rhetoric lies one of the central problems for U.S. policy in the post-Sept. 11 world: The largest single ''cause'' of Islamic extremism and terrorism is not Israel, nor U.S. policy in Iraq, but the very governments that now purport to support the United States while counseling it to lean on Ariel Sharon and lay off Saddam Hussein. Egypt is the leading example. Its autocratic regime, established a half-century ago under the banner of Arab nationalism and socialism, is politically exhausted and morally bankrupt. Mr. Mubarak, who checked Islamic extremists in Egypt only by torture and massacre, has no modern political program or vision of progress to offer his people as an alternative to Osama bin Laden's Muslim victimology. Those Egyptians who have tried to promote such a program, such as the democratic activist Saad Eddin Ibrahim, are unjustly imprisoned. Instead, Mr. Mubarak props himself up with $2 billion a year in U.S. aid, while allowing and even encouraging state-controlled clerics and media to promote the anti-Western, anti-modern and anti-Jewish propaganda of the Islamic extremists. The policy serves his purpose by deflecting popular frustration with the lack of political freedom or economic development in Egypt. It also explains why so many of Osama bin Laden's recruits are Egyptian.

For years U.S. and other Western governments have been understanding of Mr. Mubarak and other ''moderate'' Arab leaders. They have to be cautious in helping the United States, it is said, because of the pressures of public opinion—the opinion, that is, that their own policies have been decisive in creating. Though the reasoning is circular, the conclusion has been convenient in sustaining relationships that served U.S. interests, especially during the Cold War. But the Middle East is a region where the already overused notion that Sept. 11 ''changed everything'' may just turn out to be true. If the United States succeeds in making support or opposition to terrorism and Islamic extremism the defining test of international politics, as President Bush has repeatedly promised, then the straddle that the ''moderate'' Arabs have practiced for so long could soon become untenable. Much as it has valued its ties with leaders such as Mr. Mubarak, the Bush administration needs to begin preparing for the possibility that, unless they can embrace new policies that offer greater liberty and hope, they will not survive this war.

EXHIBIT 1

THE SECRETARY OF STATE,
Washington, DC, September 21, 2001.

Hon. MITCH MCCONNELL,
U.S. Senate.

DEAR SENATOR MCCONNELL: The President and I are working intensively to build an international anti-terrorism coalition to track down the perpetrators of the September 11 attacks and put an end to their terror networks. The engagement of the broadest possible coalition, including key Arab and Muslim countries, will be critical to the success of our efforts. At the same time, we cannot shrink from our long-standing role in supporting peace efforts between Israel and its neighbors, and will not stop working with the Israelis and Palestinians to end the violence there, implement the Mitchell Committee recommendations, and return to productive negotiations. I need your help on this.

The Palestinian compliance legislation you introduced with Senator Feinstein—and which may become an amendment to the Senate Foreign Operations Appropriations Bill—would be counterproductive to our coalition-building and peace process efforts and we would like to see it withdrawn.

Imposing sanctions, or even waiving sanctions following a mandatory determination that would have triggered sanctions, would undermine our ability to play a role in defusing the crisis and returning the parties to negotiations. Both sides have undertaken specific commitments to each other. We remain engaged with the Palestinians to ensure that the PLO and PA understand exactly what they have to do to meet their commitments. But requiring the President to make formal determinations of the compliance of only one of the parties would undermine our efforts to put an end to the violence and facilitate a resumption of peace efforts. At the same time, it would bolster segments of Arab public opinion that are already very critical of their regimes' relations with the U.S. and Israel, and their support for Middle East peace. In this regard I also urge you to avoid any actions or statements that single out key Arab allies such as Egypt and Jordan.

The bottom line is that we agree with the need for the Palestinians to comply with their commitments and control the violence and to move toward implementation of the Mitchell Committee recommendations. But in this critical period, I urge you not to tie the President's hands and restrict our ability to engage with both parties to help achieve these goals.

Sincerely,

COLIN L. POWELL.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The pending amendment is No. 1953, Senator REID for Senator DODD.

Mr. LEAHY. I ask unanimous consent that the amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, to explain why I did not want to incorporate that amendment in a series of amendments, a Durbin, user fees; a Helms-McConnell, Cambodia; a Leahy-McConnell, excess defense articles; Dodd No. 1953, Peace Corps; Byrd, passports; Brownback-Frist, Sudan with colloquy; Feingold, fumigation; Brownback colloquy on human trafficking, I mention that.

AMENDMENT NOS. 1951, AS MODIFIED, 1953, 1954, 1955, 1956, 1957, AND 1958, EN BLOC

Mr. LEAHY. I ask unanimous consent that it be in order to consider en bloc and agree to en bloc amendment No. 1954, Durbin, user fees; amendment No. 1955, Helms-McConnell, Cambodia; amendment No. 1956, Leahy-McConnell, excess defense articles; amendment No. 1953, Dodd, Peace Corps; amendment No. 1957, Byrd, passports; amendment No. 1958, Brownback-Frist, Sudan with colloquy; amendment No. 1951, as modified, Feingold, fumigation; and Brownback colloquy on human trafficking.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments, en bloc.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes amendments numbered 1954, 1955, 1956, 1957, and 1958, en bloc.

Mr. LEAHY. Including No. 1953, I understand.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

The amendments (Nos. 1954, 1955, 1956, 1957, and 1958) were agreed to en bloc, as follows:

AMENDMENT NO. 1954

On page 230, line 6, after ''grams'' insert the following: '', and to oppose the approval

or endorsement of such user fees or service charges in connection with any structural adjustment scheme or debt relief action, including any Poverty Reduction Strategy Paper''.

AMENDMENT NO. 1955

(Purpose: To prohibit funding for any Cambodian genocide tribunal unless certain conditions are met)

At the appropriate place in the bill, insert the following;

RESTRICTION ON FUNDING FOR CAMBODIAN GENOCIDE TRIBUNAL

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to any tribunal established by the Government of Cambodia pursuant to a memorandum of understanding with the United Nations, unless the President determines and certifies to Congress that the tribunal is capable of delivering justice for crimes against humanity and genocide in an impartial and credible manner.

AMENDMENT NO. 1956

At the appropriate place, insert:

SEC. . EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES.

Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavia Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Slovenia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan: *Provided*, That section 105 of Public Law 104–164 is amended by striking ''2000 and 2001'' and inserting ''2002 and 2003''.

AMENDMENT NO. 1957

(Purpose: to prevent abuses in the visa waiver program)

At the appropriate place, insert:

SEC. 417. MACHINE READABLE PASSPORTS.

(a) AUDITS.—The Secretary of State shall—

(1) perform annual audits of the implementation of section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187)(c)(2)(B));

(2) check for the implementation of precautionary measures to prevent the counterfeiting and theft of passports; and

(3) ascertain that countries designated under the visa waiver program have established a program to develop tamper-resistant passports.

(b) PERIODIC REPORTS.—Beginning one year after the date of enactment of this Act, and every year thereafter, the Secretary of State shall submit a report to Congress setting forth the findings of the most recent audit conducted under subsection (a)(1).

(c) ADVANCING DEADLINE FOR SATISFACTION OF REQUIREMENT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended by striking ''2007'' and inserting ''2003''.

(d) WAIVER.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended—

(1) by striking ''On or after'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), on or after''; and

(2) by adding at the end the following:

''(B) LIMITED WAIVER AUTHORITY.—During the period beginning October 1, 2003, and ending September 30, 2007 the Secretary of State may waive the requirement of subparagraph (A) with respect to nationals of a program country (as designated under subsection (c)), if the Secretary of State finds that the program country—

''(i) is making progress toward ensuring that passports meeting the requirement of subparagraph (A) are generally available to its nationals; and

''(ii) has taken appropriate measures to protect against misuse of passports the country has issued that do not meet the requirement of subparagraph (A).''.

AMENDMENT NO. 1958

(Purpose: To express the sense of the Senate with respect to Sudan)

On page 232, between lines 23 and 24, insert the following:

SUDAN

SEC. 581. (a) FINDINGS REGARDING THE NEED FOR HUMANITARIAN ASSISTANCE.—The Senate makes the following findings:

(1) The war in Sudan has cost more than 2,000,000 lives and has displaced more than 4,000,000 people.

(2) The victims of this 18-year war are not confined to one ethnic group or religion as moderate Moslems in eastern and western Sudan suffer greatly, as do Christians and animists in southern Sudan.

(3) Humanitarian assistance to the Sudanese is a cornerstone of United States foreign assistance policy and efforts to end the war in Sudan.

(4) The United States Government has been the largest single provider of humanitarian assistance to the Sudanese people, providing $1,200,000,000 in humanitarian assistance to war victims during the past 10 years, including $161,400,000 during fiscal year 2000 alone.

(5) Continued strengthening of United States assistance efforts and international humanitarian relief operations in Sudan are essential to bring an end to the war.

(b) FINDINGS REGARDING THE NIF GOVERNMENT.—In addition to the findings under subsection (a), the Senate makes the following findings:

(1) The people of the United States will not abandon the people of Sudan, who have suffered under the National Islamic Front (NIF) government.

(2) For more than a decade, the NIF government has provided safe haven for well-known terrorist organizations, including to Osama bin Laden's al-Qaeda and the Egyptian Islamic Jihad.

(3) The NIF government has been engaged, and continues to engage, in gross human rights violations against the civilian population of Sudan, including the enslavement of women and children, the bombardment of civilian targets, and the scorched-earth destruction of villages in the oil fields of Sudan.

(c) SENSE OF THE SENATE.—In recognition of the sustained struggle for self-determination and dignity by the Sudanese people, as embodied in the IGAD Declaration of Principles, and the statement adopted by the United States Commission on International Religious Freedom on October 2, 2001, it is the sense of the Senate that—

(1) the National Islamic Front (NIF) government of Sudan should—

(A) establish an internationally supervised trust fund that will manage and equitably disburse oil revenues;

(B) remove all bans on relief flights and provide unfettered access to all affected areas, including the Nuba Mountains;

(C) end slavery and punish those responsible for this crime against humanity;

(D) end civilian bombing and the destruction of communities in the oil fields;

(E) honor the universally recognized right of religious freedom, including freedom from coercive religious conversions;

(F) seriously engage in an internationally sanctioned peace process based on the already adopted Declaration of Principles; and

(G) commit to a viable cease-fire agreement based on a comprehensive settlement of the political problems; and

(2) the President should continue to provide generous levels of humanitarian, development, and other assistance in war-affected areas of Sudan, and to refugees in neighboring countries, with an increased emphasis on moderate Moslem populations who have been brutalized by the Sudanese government throughout the 18-year conflict.

AMENDMENT NO. 1958

Mr. FRIST. Mr. President, for almost 20 years, the Government of Sudan has prosecuted a war of incredible barbarity against its own people, leading to the deaths of over 2 million of its citizens through mass starvation, indiscriminate bombing raids, slave raids and other outrages.

I have made medical missionary trips to Sudan for the past three years and have witnessed firsthand this human tragedy. I have long supported an overhaul of our policy towards Sudan to strengthen and expand humanitarian operations in Sudan and to design a framework to assist the Administration and our allies in bringing pressure to bear on the Government of Sudan and the rebels to resume peace talks.

Recently, the Administration has taken significant next steps to address the humanitarian crisis in Sudan. On September 11, the new Special Humanitarian Coordinator for Sudan, Andrew Natsios, along with OFDA Director Roger Winter and other Administration officials, visited Sudan to explore ways to bring added relief to the beleaguered population.

The Nuba Mountains is a region with massive humanitarian needs, where access has been nearly impossible. In an unprecedented action, a special humanitarian relief flight sponsored by the U.S. and cleared by the Sudan People's Liberation Movement (SPLM) and Government of Sudan delivered eight metric tons of wheat to this extremely remote area that had been cut off from international assistance. The immediate needs though are for more than 2,000 tons of food. The Administration is now negotiating expanded delivery of food aid through airdrops to the Nuba Mountains to be implemented by the World Food Program. These new initiatives will not move forward without additional funding.

In order to start and maintain such aid, $35 million would be required beginning in FY 2002 to fund the Administration's critical new initiatives.

These new plans have great potential to move the southern Sudanese in the direction of economic self-sufficiency. For example, to spur economic development, USAID is planning an agricultural initiative to create more entrepreneurs producing honey, vegetable oils, hides and skins, and other agricultural products.

Another important part of USAID's Sudan program is education. One of the contributing factors to the instability of Southern Sudan is the loss of its educated citizenry. Over two generations of southerners have gone without education since the civil war began in 1955. Civil government is dependent upon education. The new education initiatives would help revitalize education and training in southern Sudan through teacher training, scholarships, and other important projects.

A final aspect of USAID's new initiative focuses on rebuilding shattered communities. Through churches and other community groups, the people-to-people reconciliation effort has brought peace among tribes in Southern Sudan and border communities between the North and South. USAID's new Sudan initiatives would build upon these efforts by identifying and supporting critical community level rehabilitation activities.

These are just a few of the new programs that are critical to bringing relief to Sudan, but current funding levels are not sufficient to take advantage of them. Therefore, I urge the appropriators to give our government the resources to bring real change to one of the most war-torn countries in the world by adding $35 million for new initiatives in Sudan.

I thank the managers of the bill, Senators LEAHY and MCCONNELL, for working with my colleagues—Senators BROWNBACK, HELMS, and FEINGOLD—and me to accept our amendment to encourage an additional appropriations for humanitarian purposes in Sudan.

The PRESIDING OFFICER. Amendment No. 1951, as modified, and amendment No. 1953 are agreed to.

The amendments (Nos. 1951, as modified, and 1953) were agreed to.

Mr. LEAHY. I move to reconsider the votes.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, will the Senator from Vermont yield for a question?

Mr. LEAHY. Of course.

Mr. REID. It is my understanding that the Senator from Vermont and Senator MCCONNELL have worked through most of these amendments. At 20 minutes to 5, we have Senator GRAHAM coming to speak for 10 minutes. A Senator opposed will have 10 minutes. There will be a vote on his amendment.

Mr. LEAHY. Or in relation thereto.

Mr. REID. Or in relation thereto, that is right. It is my understanding we made an announcement earlier today—both managers did—that we are moving toward final passage. I hope the two managers will be able to announce prior to 5 if that, in fact, might be the case.

Mr. MCCONNELL. I say to the Senator from Nevada, there is one other issue related to Armenia Azerbaijan on which we are working. We should have a sense in the next 15 to 20 minutes whether we have been able to work that out or not. That may require one additional vote.

Mr. REID. I say to the two managers, I think the work today has been exemplary. There have been some very difficult issues. They have been discussed. Agreements have been made on a number of the amendments.

Speaking for Senator DASCHLE, there has been great movement in moving an appropriations bill. It should be an example for those who are going to follow.

Mr. MCCONNELL. I say to my friend from Nevada, we hope he will still be able to say that an hour from now.

Mr. LEAHY. I certainly hope it is finished an hour from now.

Mr. President, I also say in response to what the Senator from Nevada said, there has been an enormous amount of cooperation from the Senator from Kentucky and other Senators from both sides of the aisle, and that is what has made it possible for us to complete this bill.

I yield the floor.

Mr. WELLSTONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to my colleague from Kansas, we are in the process of getting the colloquy copy. The Senator from Kansas and I have come to talk about some legislation we have done together that deals with one of the horrible aspects of this global economy; namely, the trafficking of women and girls and sometimes boys and men for purposes of forcing them into prostitution and some really deplorable labor conditions.

I wonder whether the Senator from Kansas might give us a little bit of context, and then we will quickly do this colloquy.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, we have a colloquy we are prepared to enter into. In the context of this, last year we passed a bill on the issue of sex trafficking. It was ground-breaking legislation for this body, ground-breaking legislation for around the world. Its effort and focus was to get at the people who are trafficking, generally, young women and children for the purposes of prostitution. It is a global phenomenon. About 700,000 are trafficked to different places from different countries around the world each year, about 50,000 into the United States.

We increased the penalties for people who are involved in trafficking. We have an annual report coming out from the Government—the first one came out this year. It was citing the problems of trafficking taking place. The colloquy we are entering into today is to get the initial office up and running at the State Department and intends for funding in the foreign operations bill.

Mr. President, I would like to engage in a colloquy with Senator WELLSTONE on the topic of appropriations to combat international trafficking in human beings.

I know that Senator WELLSTONE and other members of the Senate Foreign Relations Committee, as well as the Senate Foreign Operations Appropriations Subcommittee, are greatly concerned about human trafficking, which impacts approximately 1 million people annually worldwide. Last year, this body unanimously passed legislation, the Trafficking Victims Protection Act which included an authorization of over $30 million from the foreign operations budget to address three principle components of anti-trafficking: law enforcement, prevention, and victim assistance.

The bill allocates only $10 million for law enforcement related to human trafficking, and thus is $20 million shy of the hoped-for appropriation of $30 million for Fiscal Year 2002 which was passed by the House. Given this shortfall, I hope that the State Department will spend more funds than those earmarked in this foreign operations appropriations bill. Furthermore, the Congress expects, as expressed through the trafficking legislation, that it will be combated worldwide through both enforcement and prevention programs; that is, sex trafficking could be combated worldwide, and that the trafficking victims would be assisted. Is it your understanding, Senator WELLSTONE, that the State Department and other relevant agencies and departments would dedicate and spend funds substantially over the $10 million presently allocated in this appropriation?

Mr. WELLSTONE. Mr. President, that is our intention. Human trafficking is a massive and multi-dimensional problem, impacting countless victims. The U.S. government is responding, but I am concerned that our response though well-intentioned, is both under-funded and under-coordinated. I believe that approximately $15 million is currently being spent to address human trafficking in the overall State Department budget, but it is not at all clear to me that activities are being coordinated among departments and agencies or that the results are being optimized. I believe that the State Department should work this year to dedicate not less than the $30 million authorized in the Trafficking Victims Protection Act, and that this funding would be distributed to all three prongs including law enforcement, victims assistance, and trafficking prevention activities.

I am very optimistic that the newly established office to combat trafficking

at the State Department will bring some transparency and coordination to these activities. I'm sure that both of us, as well as other members, will be watching for this to happen.

To assist us all in monitoring progress, I will seek to add language to the statement of the managers to the conference report asking the State Department to report back to us next spring regarding plans and funding allocations for trafficking. Again, this is an important issue that certainly warrants more than $10 million and I believe there are ample funds in this bill to enable the State Department to meet the authorized levels.

Mr. BROWNBACK. Senator WELLSTONE, I agree completely. I would like to make one last comment about the fiscal expectations for 2003. We understand that the trafficking budget for Fiscal Year 2002 is underfunded by at least $20 million in relation to the authorization. However, once the office is fully up and running next year, I believe that everyone is committed to seeing a full appropriation for Fiscal Year 2003 for the activities needed to combat trafficking worldwide. This amount should be not less than $33 million for Fiscal Year 2003, in addition to the other amounts authorized under HHS, Labor, and CJS appropriations legislation. In closing, we expect a full appropriation for Fiscal Year 2003, without which, worldwide trafficking cannot be effectively challenged.

Everybody has tried to do everything they could this year to address the trafficking and get the office up and going. It is not a full appropriation. Next year, we will push for the full appropriation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1950

Mr. GRAHAM. Mr. President, at 5 o'clock we are going to vote on an amendment which I have offered, which would restore the 22 percent cut that is contained in the subcommittee report as it relates to the Andean Region Initiative. This is funding which would provide for the four countries of Colombia, Ecuador, Peru, and Bolivia, with funds divided approximately 50 percent to Colombia and 50 percent to the other three; 50 percent of the funds for law enforcement and military activities, 50 percent for economic and social development programs.

This is the second chapter of the Plan Colombia which this Congress, under the leadership of President Clinton, adopted last year. It is also the continuation of the only program that we will have left to provide a means by which to suppress the supply of cocaine into the United States from its primary sources, which are these four countries and today primarily Colombia.

I have listened to some of the arguments that have been made in opposition to this amendment. They raise questions about the accountability of this program, raise questions about the efficacy of this program, and raise positive comments about the activities that are going to be funded with the 22 percent of the fund that is going to be taken away from this account.

This is a program which has only been in effect since October 1 of last year, for less than 13 months. I believe it has accomplished significant good. It has helped professionalize the army of Colombia, which has made it more able to launch effective attacks against drug dealers. It has begun to show the ability to reduce the amount of coca being produced in Colombia. It has stabilized the governments of, particularly, Peru and Ecuador.

But beyond all of those positive benefits, I think the fundamental benefit today, on October 24, is that this is the longest running U.S. partnership program to attack terrorism in the world. In this case, the terrorists happen to also be drug dealers. We are attacking them in their uniform as drug dealers, but, in so doing, we are also attacking them in their 50-year role as terrorists, formerly ideological terrorists, now essentially thugs. They have gone from Che Guevara to being Al Capone.

I believe it would send the worst possible signal to the world that we are trying to unite in an effective program against terrorism, to be pulling the plug, essentially, on the effort that we have underway against one of the most vicious terrorist groups in the world, a group which in the year 2000, the last year for which statistics are available, committed 44 percent of the all the terrorist assaults against U.S. citizens and interests in the world.

Mr. President, 44 percent of them were committed in Colombia. That is an indication of how concentrated, how deep, and how violent the terrorist activity is there, directed against U.S. citizens, to say nothing of the assaults against Colombian citizens and persons from other nations who are in Colombia.

I hope to reserve a few moments to close, but I urge in the strongest terms the adoption of this amendment which will recommit ourselves to a strong U.S. partnership with our neighbors in Latin America, a strong program of attacking drugs at the source as we build up our capability to reduce the demand in the United States and to avoid sending the signal that all of our rhetoric about how strongly we are prepared to resist terrorism is just that—rhetoric. Because when it comes to actual performance, we failed.

Mr. LEAHY. Mr. President, how much time remains to the Senator from Florida and how much time to the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Florida has 3 minutes and 47 seconds and the Senator from Vermont has 8 minutes and 10 seconds.

Mr. LEAHY. Mr. President, I reserve myself 3½ minutes.

I don't want Senators to think we are not putting money in for counterdrug programs in this bill. We have included $718 million for the Andean Region Initiative. We will have put $2 billion in there in just the last 16 months. The administration's own witnesses couldn't tell us how much was disbursed, and for what purposes. And they cannot show what we have gotten from it. So we have an act of faith here, putting in another $718 million.

What the $164 million cut in other programs the Senator from Florida proposes, to add to the $718 million already in the bill—where do we cut? This is sort an across-the-board kind of open-ended cut which allows cuts to come from military, economic, or other assistance to anywhere, including countries such as Israel, Egypt, and Jordan.

It could be cut from HIV/AIDS, from money the President and others have promised to help combat the worst health crisis in half a millennium; from money to cure TB and prevent malaria; from military assistance, including aid to NATO allies and the former Soviet republics. It could cut the Peace Corps. We increased money for the Peace Corps, but those increases may be gone if we do this cut.

Or the Eximbank, when many companies are laying people off today.

It could cut refugee and disaster relief assistance for places such as Sudan and the Caucasus.

How about programs to stop the spread of biological, nuclear, and chemical weapons? This is certainly not a time when we should be cutting those programs; or the money we have in here to strengthen surveillance and respond to outbreaks of infectious diseases, including diseases that may come here in a terrorist attack; or our money for UNICEF and peacekeeping operations.

Do we really want to cut those programs, when we have already put $718 million in for the Andean region?

I don't want to cut the Peace Corps. I don't want to cut funding for AIDS. But we will if this passes.

Obviously, the Senate has to make up its mind about what it wants. But even without this amendment, we are going to have $718 million on top of billions already in this program, a program that has millions of dollars which they have yet to spend.

I want to help. I set aside my own misgivings about this program by putting in the $718 million. But I remind the 81 Senators who have sent letters requesting increases in everything from Peace Corps to AIDS that this is where this money would come from.

I reserve the remainder of my time.

Mr. GRAHAM. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Three minutes, thirty-nine seconds.

Mr. GRAHAM. I yield 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, there are obviously choices made all over the place in terms of programs being cut. The point of this is that the Senator from Florida and I are proposing that we get back to the level the President suggested. This is about the Andean region. In the past we dealt with Colombia. There were concerns raised by many about that program. This deals with the Andean region. It is more than just one country. This is a critical issue. I know our attention today is focused on Central Asia, as it should be, and Afghanistan and the Taliban. But we will have to have a continuing effort in other parts of the globe on threats we face.

Clearly, we will lose thousands of people every year in this country in drug-related deaths, and about 98 percent of the product which is the source of this devastation in our country comes from the Andean region. Our attention today has shifted.

All we are suggesting is that we get back to the level the President suggested, $164 million. It is a cut of 22 percent dealing with several countries in the region, not just one. I am sure my friend from Florida has gone over the details of this to explain where the resources go and how effective we hope it will be. I join with him.

Obviously, I am not interested in seeing the Peace Corps cut, or Eximbank, or other programs, which I know my friend from Vermont cares about very much. I understand the difficulty of wrestling with these programs. But I believe very strongly that this is an area where we have to maintain a level of consistent involvement, or we are going to find that the resources we have committed are going to be diluted significantly.

This is a very serious effort. It is not on the front pages today, but it will be again, I guarantee you. That is the reason we offered this amendment. My hope is that we can reach some agreement so we can do more.

Again, I believe very strongly that this is one of the most critical issues—not just for ourselves. It is in the direct interest of people who are dying every day in our streets as a result of what happened in these countries. Our efforts are to work with friends in the area—particularly in Colombia—people who have paid an awful price over the years, a devastating price. They have attempted to shed this country down there of any vestige of its own long historic democratic institutions.

We are under siege in a lot of places around the globe. This is a major one. Therefore, the cut that has come here is one we would like to see restored. Therefore, I urge the adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. GRAHAM. Mr. President, I understand we are going to vote at 5 o'clock.

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, will the Senator withhold?

Does the Senator understand that takes my time?

Am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I would not cut off the time of the Senator from Florida. That is really not showing very much comity.

Mr. GRAHAM. Mr. President, it was certainly not my intention to do that. In fact, I wanted to use the 39 seconds that were left to me. I wanted to use them. And there might be a few more people in the Chamber than is the case now. I suggest the absence of a quorum without that counting against the time of either the Senator from Vermont or the Senator from Florida.

Mr. LEAHY. That would take unanimous consent, and I will not give it. We told people we are going to vote at 5 o'clock.

The PRESIDING OFFICER. Objection is heard.

Who yields time?

Mr. LEAHY. Mr. President, I understand the concerns of the Senator from Florida, who has spent an enormous amount of time in this area, and the Senator from Connecticut. I am sorry the Senator from Connecticut would not stay to hear these comments. But we have included $718 million for the Andean Regional Initiative. That is for Colombia, Peru, Bolivia, and Ecuador—$2 billion in just over a year. We have not ignored this part of the world.

As the Senator from Connecticut says, it may not be on the front page. The Ebola plague is not on the front page. But we have inadequate amounts of money in here to help protect us against such a health disaster.

Can you imagine? Nobody would be wanting to cut money for that if the Ebola plague were in the headlines. But this amendment would result in a cut of some of that money.

We have money in here to help put Americans back to work at a time when tens of thousands are being laid off daily. It may not be the big headline. But this amendment would in effect cut efforts to put these people back to work.

What the Peace Corps has accomplished over the years is not in the headlines. But this money would cut some of the increase in funds we put in for the Peace Corps.

There are a lot of things that are not in the headlines. Helping to stop the spread of AIDS may not be in the daily headlines. But this would cut money for that.

This is not about whether you are for or against the Andean Initiative. We put nearly three-quarters of a billion dollars in here following well over $1 billion in just the past year. It is not without funding.

His amendment allow cuts to be made in everything from the Middle East, refugee aid, basic education, biological, nuclear, and chemical weapons non-proliferation programs, anti-terrorism programs, and money to clear landmines. We need to strike a balance, which is what this bill does.

What is the time?

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator has 1 minute remaining.

Mr. LEAHY. Madam President, how much time remains for my colleague from Florida?

The PRESIDING OFFICER. Eleven seconds.

Mr. LEAHY. Madam President, Senator MCCONNELL and I have gone through this bill and we have tried to set priorities. We have put considerable amounts of money in this bill for counterdrug programs. The House has even more. In conference, as a practical matter, the money for the Andean Initiative is likely to go up some amount.

But let us not cut money for bioterrorism, money to stop plagues from reaching the United States, money to aid refugees from Afghanistan or Africa, money to support the countries which the President has promised to help with our campaign against Osama bin Laden—let's not cut those funds—and the Peace Corps and the Exim Bank and everything else, to add even more funds for counterdrug programs when they have not spent what they already have.

Madam President, I yield back whatever time I have left.

The PRESIDING OFFICER. The Senator from Florida has 11 seconds.

Mr. GRAHAM. Madam President, in my 11 seconds, I want to direct them to our friends on the other side of the aisle. Our amendment would restore the recommendation which has been made by President Bush of his best assessment of what is necessary in order to accomplish the purposes. The President challenged us today to answer the question: Is America prepared to stay in the war against terrorism? His answer was: Absolutely.

If we want to say, absolutely, we need to vote yes for the amendment that will restore the funds to the longest running antiterrorism campaign in which the United States is currently engaged.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Madam President, I make a point of order that the Graham amendment No. 1950 violates section 302(f) of the Budget Act.

The bill before us is at the subcommittee's 302(b) allocation. Therefore, any net increase in budget authority or outlays would trigger a 60-vote point of order.

The Graham amendment does not identify a specific offset for its $164 million increase in discretionary budget authority for the Andean Counterdrug Program, nor does it establish a mechanism to ensure that the funds are, in fact, offset. Therefore, if the Graham amendment passed, it would cause the Foreign Operations Subcommittee to exceed its spending allocation.

Additionally, even if the administration were to identify offsets for the entire $164 million in budget authority, the Congressional Budget Office is not confident that cuts would occur to programs with an equal or faster outlay rate. A net increase in outlays from the Graham amendment would also trigger a violation of the subcommittee's allocation and a 60-vote point of order.

Therefore, I make a point of order that the Graham amendment No. 1950 violates section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, I ask unanimous consent to be added as a cosponsor to the amendment of the Senator from Florida.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I ask unanimous consent that the request by Senator KYL be modified to also include Senators GRASSLEY and MCCAIN as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I move to waive the Budget Act and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive the Budget Act in relation to the Graham amendment No. 1950. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Tennessee (Mr. FRIST) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 27, nays 72, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—27

Bayh	Dodd	Lugar
Biden	Graham	McCain
Breaux	Grassley	Miller
Carnahan	Hagel	Nelson (FL)
Chafee	Hatch	Rockefeller
Clinton	Helms	Schumer
Corzine	Hutchinson (AR)	Sessions
Craig	Kyl	Thompson
DeWine	Lieberman	Torricelli

NAYS—72

Akaka	Bond	Campbell
Allard	Boxer	Cantwell
Allen	Brownback	Carper
Baucus	Bunning	Cleland
Bennett	Burns	Cochran
Bingaman	Byrd	Collins
Conrad	Inhofe	Reed (RI)
Crapo	Inouye	Reid (NV)
Daschle	Jeffords	Roberts
Dayton	Johnson	Santorum
Domenici	Kennedy	Sarbanes
Dorgan	Kerry	Shelby
Durbin	Kohl	Smith (NH)
Edwards	Landrieu	Smith (OR)
Ensign	Leahy	Snowe
Enzi	Levin	Specter
Feingold	Lincoln	Stabenow
Feinstein	Lott	Stevens
Fitzgerald	McConnell	Thomas
Gramm	Mikulski	Thurmond
Gregg	Murkowski	Voinovich
Harkin	Murray	Warner
Hollings	Nelson (NE)	Wellstone
Hutchison (TX)	Nickles	Wyden

NOT VOTING—1

Frist

The PRESIDING OFFICER. On this vote, the yeas are 27, the nays are 72. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. LEAHY. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, Senator REID and Senator NICKLES have been asking our intent. Senator MCCONNELL and I have been here for a couple days and would like to wrap up.

Mr. REID. Will the Senator yield for an announcement while everybody is here?

Mr. LEAHY. Yes.

Mr. REID. Madam President, Senator DASCHLE has asked me to announce we have a section-by-section analysis of the antiterrorism bill. Copies of the bill and a short summary are available in Senator DASCHLE's office, the Democratic Cloakroom, and Senator LEAHY's Russell office. They will be there by 5:45 p.m. The same is available in the Republican Cloakroom.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 1959

Mr. DODD. Madam President, on behalf of myself and the distinguished Senator from Texas, Mrs. Kay Bailey Hutchison, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mrs. HUTCHISON, proposes an amendment numbered 1959.

Mr. DODD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Amendment to modify the annual drug certification procedures for FY 2002 with respect to countries in the Western Hemisphere)

At the appropriate place in the bill add the following new section:

SEC. . During fiscal year 2002 funds in this Act that would otherwise be withheld from obligation or expenditure under Section 490 with respect to countries in the Western Hemisphere may be obligated or expended provided that—

(a) Not later than November 30 of 2001 the President has submitted to the appropriate congressional committees a report identifying each country in the Western Hemisphere determined by the President to be a major drug-transit country or major illicit drug producing country.

(b) In each report under subsection (a), the President shall also—

(1) designate each country, if any, identified in such report that has failed demonstrably, during the previous 12 months, to make substantial efforts—

(A) to adhere to its obligations under international counter narcotics agreements; and

(B) to take the counter narcotics measures set forth in section 489(a)(1); and

(2) include a justification for each country so designated.

(c) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—In the case of a country identified in a report for a fiscal year 2002 under subsection (a) that is also designated under subsection (b) in the report, United States assistance may be provided under this Act to such country in fiscal year 2002 only if the President determines and reports to the appropriate congressional committees that—

(1) provision of such assistance to the country in such fiscal year is vital to the national interests of the United States; or

(2) commencing at any time after November 30, 2001, the country has made substantial efforts—

(A) to adhere to its obligations under international counternarcotics agreements; and

(B) to take the counternarcotics measures set forth in section 489(a)(1).

(d) INTERNATIONAL COUNTERNARCOTICS AGREEMENT DEFINED.—In this section, the term ''international counternarcotics agreement'' means—

(1) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; or

(2) any bilateral or multilateral agreement in force between the United States and another country or countries that addresses issues relating to the control of illicit drugs, such as—

(A) the production, distribution, and interdiction of illicit drugs,

(B) demand reduction,

(C) the activities of criminal organizations,

(D) international legal cooperation among courts, prosecutors, and law enforcement agencies (including the exchange of information and evidence),

(E) the extradition of nationals and individuals involved in drug-related criminal activity,

(F) the temporary transfer for prosecution of nationals and individuals involved in drug-related criminal activity,

(G) border security,

(H) money laundering,

(I) illicit firearms trafficking,

(J) corruption,

(K) control of precursor chemicals,

(L) asset forfeiture, and

(M) related training and technical assistance;

and includes, where appropriate, timetables and objective and measurable standards to assess the progress made by participating countries with respect to such issues; and

(e) Section 490 (b)–(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j) shall not apply during FY 2002 with respect to any

country in the Western Hemisphere identified in subsection (a) of this section.

(f) STATUTORY CONSTRUCTION.—Nothing in this section supersedes or modifies the requirement in section 489(a) of the Foreign Assistance Act of 1961 (with respect to the International Control Strategy Report) for the transmittal of a report not later than March 1 of 2002 under that section.

(g) SENSE OF CONGRESS ON ENHANCED INTERNATIONAL NARCOTICS CONTROL.—

It is the sense of Congress that—

(1) many governments are extremely concerned by the national security threat posed by illicit drug production, distribution, and consumption, and crimes related thereto, particularly those in the Western Hemisphere;

(2) an enhanced multilateral strategy should be developed among drug producing, transit, and consuming nations designed to improve cooperation with respect to the investigation and prosecution of drug related crimes, and to make available information on effective drug education and drug treatment;

(3) the United States should at the earliest feasible date convene a conference of representatives of major illicit drug producing countries, major drug transit countries, and major money laundering countries to present and review country by country drug reduction and prevention strategies relevant to the specific circumstances of each country, and agree to a program and timetable for implementation of such strategies; and

(4) not later than one year after the date of the enactment of this Act, the President should transmit to Congress any legislation necessary to implement a proposed multilateral strategy to achieve the goals referred to in paragraph (2), including any amendments to existing law that may be required to implement that strategy.

Mr. DODD. Madam President, on behalf of Senator HUTCHISON and myself—and I ask my colleague from Texas to make the comments she wants to make—this amendment for 1 year would impose a moratorium on the drug certification process only for the Western Hemisphere. Interested colleagues—Senator FEINSTEIN, Senator GRASSLEY, and Senator HELMS—have all indicated they support this amendment. Those are the Members who have the most interest particularly with regard to the larger proposal.

We believe this is a very important message to be sending. We know our colleagues have a deep interest in it. The administration supports this amendment, and we urge its adoption.

As my colleagues know, the issue of how to construct and implement an effective international counternarcotics policy has been the subject of much debate in Congress over the years. Earlier this year, I introduced legislation with the goal of seeing if there is some way to end what has become a stale debate that has not brought us any closer to mounting a credible effort to eliminate or contain the international drug mafia.

Thanks to the chairman and ranking member of the Foreign Relations Committee we were able to develop an effective alternative to the current certification process, and that bill was reported out of the committee unanimously.

We all know that, by and large, the drug cooperation issue has been focused on our relations with Mexico. We know as well that it is a new day in United States-Mexico relations. President Fox has been enormously supportive of the U.S. across the board. He wants very much to work cooperatively with the United States in fighting drugs and believes that the certification process could get in the way of that effort. It is important that we make a change in that process as quickly as possible.

It is not likely that we will get to the free-standing bill this year and therefore I have decided to offer the substance of this bill today with slight changes to conform to the appropriations requirements.

First the current certification process will be altered for only fiscal year 2002, consistent with the scope of this bill. Second, it will be limited to countries in the Western Hemisphere. Other than those modest changes the thrust of the amendment is virtually identical to the committee bill.

We can all agree that drugs are a problem—a big problem. We also can agree that the international drug trade poses a direct threat to the United States and to international efforts to promote democracy, economic stability, human rights, and the rule of law throughout the world, and most specifically, in our hemisphere.

While the international effects of the drug trade are important, what concerns me the most personally is the effect of the drug trade here at home.

Last year, Americans spent more than $60 billion to purchase illegal drugs. Nearly 15 million Americans over the age of 12 use illegal drugs, including 1.5 million cocaine users, 208,000 heroin addicts, and more than 11 million smokers of marijuana. And, the menace of drug abuse is not confined to just the inner cities and the poor. Illegal drug use occurs among members of every ethnic and socioeconomic group in the United States.

The human and economic costs of illegal drug consumption by Americans are enormous. More than 16,000 people die annually as a result of drug induced deaths. Drug related illness, death, and crime cost the United States over $100 billion annually, including costs for lost productivity, premature death, and incarceration.

The drug trade is extremely lucrative, generating estimated revenues of $400 billion annually. The United States has spent more than $30 billion in foreign interdiction and source country counternarcotics measures since 1981, and despite impressive seizures at the border, on the high seas, and in other countries, foreign drugs are cheaper and more plentiful in the United States today than two decades ago.

I believe, and I hope that the Senate agrees, that for a variety of reasons the time is right to give the incoming Bush administration some flexibility with respect to the annual certification process, so that it can determine whether this is the best mechanism for producing the kind of international cooperation and partnership that is needed to contain this transnational menace.

I believe that government leaders, particularly in this hemisphere, have come to recognize that illegal drug production and consumption are increasingly threats to political stability within their national borders. Clearly President Pastrana of Colombia has acknowledged that fact and has sought to work very closely with the United States in implementing Plan Colombia. Similarly, President Vicente Fox of Mexico has made international counternarcotics cooperation a high priority since assuming office last December. These leaders also feel strongly, however, that unilateral efforts by the United States to grade their governments' performance in this area is a major irritant in the bilateral relationship and counterproductive to their efforts to instill a cooperative spirit in their own bureaucracies.

The legislation I introduced recognizes that illicit drug production, distribution and consumption are national security threats to many governments around the globe, and especially many of those in our own hemisphere, including Mexico, Columbia, and other countries in the Andean region. It urges the administration to develop an enhanced multilateral strategy for addressing these threats from both the supply and demand side of the equation. It also recommends that the President submit any legislative changes to existing law which he deems necessary in order to implement this international program within 1 year from the enactment of this legislation.

In order to create the kind of international cooperation and mutual respect that must be present if the Bush administration's effort is to produce results, the bill would also suspend the annual drug certification procedure for a period of 3 years, while efforts are ongoing to develop and implement this enhanced multilateral strategy. I believe it is fair to say that while the certification procedure may have had merit when it was enacted into law in 1986, it has now become a hurdle to furthering bilateral and multilateral cooperation with other governments, particularly those in our own hemisphere such as Mexico and Colombia—governments whose cooperation is critical if we are to succeed in stemming the flow of drugs across the borders.

Let me make clear, however, that while we would not be ''grading'' other governments on whether they have ''cooperated fully'' during the 3-year ''suspension'' period, the detailed reporting requirements currently required by law concerning what each government has done to cooperate in the areas of eradication, extradition, asset seizure, money laundering and demand reduction during the previous calendar year will remain in force. We will be fully informed as to whether

governments are falling short of their national and international obligations. The annual determination as to which countries are major producers or transit sources of illegal drugs will also continue to be required by law. The President is also mandated to withhold U.S. assistance from any country that has been deemed to have failed to meet its international obligations with respect to counter narcotics matters, although he may waive that mandate if he deems it will serve U.S. interests.

I believe that we need to reach out to other governments who share our concerns about the threat that drugs pose to the fabric of their societies and our own. It is arrogant to assume we are the only nation that cares about such matters. We need to sit down and figure out what each of us can do better to make it harder for drug traffickers to ply their trade. Together, working collectively, we can defeat the traffickers. But if we expend our energies playing the blame game, we are certainly not going to effectively address their threat. We are not going to stop one additional teenager from becoming hooked on drugs, or one more citizen from being mugged outside his home by some drug crazed thief.

During the Clinton administration, Barry McCaffrey, the Director of the Office of National Drug Control Policy did a fine job in attempting to forge more cooperative relations with Colombia, Mexico, and other countries in our own hemisphere. The OAS has also done some important work over the last several years in putting in place an institutional framework for dealing with the complexities of compiling national statistics so that we can better understand what needs to be done. The United Nations, through its Office for Drug Control and Crime Prevention has also made some important contributions in furthering international cooperation in this area. However, still more needs to be done. I believe my legislation will build upon that progress.

It is my hope that a change in the certification process coupled with new administrations in the United States and Mexico provide a window of opportunity for the United States working with Mexico to spearhead international efforts to find better and more effective ways for multilateral cooperation. That is why I hope my colleagues will support this bill.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I ask unanimous consent to be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, this is something we must do. We have been working with Mexico on the drug issue for a long time, and we want to put forward a comprehensive program that will be a sharing of responsibility. We will do that, but at this time we do not want the deadline to come on us and not be able to certify Mexico.

We are working with Colombia. They are trying very hard to rid themselves of their drug problem. We want to help them, not hurt them.

I thank the Senator from Connecticut for taking the lead on this issue. I yield the floor.

Mr. DODD. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 1959.

The amendment (No. 1959) was agreed to.

Mr. DODD. I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I believe we are almost done. Just so people will know, I am about to propound a unanimous consent request regarding a Hutchison amendment on tuberculosis, a Bingaman amendment on Central America drought relief, a Leahy AIDS and malaria funding amendment, a Stabenow amendment on the victims of terrorism, a Landrieu amendment on child soldiers, and a McConnell technical amendment.

AMENDMENTS NOS. 1960 THROUGH 1965, EN BLOC

Mr. LEAHY. Madam President, I ask unanimous consent that it be in order to bring forward an amendment by Senator HUTCHISON of Texas, Senator BINGAMAN of New Mexico, Senator LEAHY of Vermont, Senator STABENOW of Michigan, Senator SANTORUM of Pennsylvania, Senator THOMPSON of Tennessee, Senator LANDRIEU of Louisiana, and Senator MCCONNELL of Kentucky, and that they be considered en bloc and agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. MCCONNELL, for themselves and others, proposes amendments numbered 1960 through 1965, en bloc.

The amendments are as follows:

AMENDMENT NO. 1960

On page 120, line 3, strike ''$1,455,500,000'' and insert in lieu thereof: ''$1,465,500,000''.

On page 121, line 6, after ''diseases'' insert the following: '',of which not less than $65,000,000 should be made available for the prevention, treatment, and control of, and research on, tuberculosis''.

On page 142, line 17, strike ''$567,000,000'' and insert in lieu thereof: ''$557,000,000''.

AMENDMENT NO. 1961

On page 142, line 17, strike ''$567,000,000'' and insert in lieu thereof: ''$557,000,000''.

On page 124, line 17, strike ''$1,235,000,000'' and insert in lieu thereof: ''$1,245,000,000''.

At the appropriate place in the bill, insert the following new section:

CENTRAL AMERICA DISASTER RELIEF

SEC. . Of the funds appropriated under the headings ''International Disaster Assistance'', ''Development Assistance'', and ''Economic Support Fund'', not less than $35,000,000 should be made available for relief and reconstruction assistance for victims of earthquakes and drought in El Salvador and elsewhere in Central America.

AMENDMENT NO. 1962

On page 116, line 23, delete ''$753,323,000'' and insert in lieu thereof: ''$727,323,000''.

On page 145, line 17, delete $326,500,000'' and insert in lieu thereof: ''$318,500,000''.

On page 157, line 3, strike ''CONTRIBUTION'' and all that follows through the period on line 8.

On page 136, line 9, delete ''$800,000,000'' and insert in lieu thereof: ''$795,500,000''.

On page 128, line 13, delete ''$255,000,000'' and insert in lieu thereof: ''$245,000,000''.

On page 133, line 13, delete ''$603,000,000'' and insert in lieu thereof: ''$615,000,000''.

On page 121, line 5, delete ''$175,000,000'' and insert in lieu thereof ''$185,000,000''.

On page 121, line 6, after ''diseases'' insert: '', of which not less than $65,000,000 should be made available to combat malaria''.

On page 159, line 13, delete ''217,000,000'' and insert in lieu thereof: ''$218,000,000''.

On page 160, line 1, delete ''$39,000,000'' and insert in lieu thereof: ''$40,000,000''.

On page 120, line 3, delete ''$1,455,500,000'' and insert in lieu thereof: ''$1,500,500,000''.

On page 120, line 24, delete ''$415,000,000'' and insert in lieu thereof: ''$450,000,000''.

On page 120, line 25, delete ''$40,000,000'' and insert in lieu thereof: ''$90,000,000''.

AMENDMENT NO. 1963

(Purpose: To make agreed technical amendments by the managers of the bill)

On page 232, between lines 23 and 24, insert the following:

PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

SEC. 581. The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by inserting before title V the following:

''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

''(a) DEFINITION.—In this section, the term 'Foundation' means the Points of Light Foundation funded under section 301, or another nonprofit private organization, that enters into an agreement with the Corporation to carry out this section.

''(b) IDENTIFICATION OF PROJECTS.—

''(1) ESTIMATED NUMBER.—Not later than December 1, 2001, the Foundation, after obtaining the guidance of the heads of appropriate Federal agencies, such as the Director of the Office of Homeland Security and the Attorney General, shall—

''(A) make an estimate of the number of victims killed as a result of the terrorist attacks on September 11, 2001 (referred to in this section as the 'estimated number'); and

''(B) compile a list that specifies, for each individual that the Foundation determines to be such a victim, the name of the victim and the State in which the victim resided.

''(2) IDENTIFIED PROJECTS.—The Foundation shall identify approximately the estimated number of community-based national and community service projects that meet the requirements of subsection (d). The Foundation shall name each identified project in honor of a victim described in subsection

(b)(1)(A), after obtaining the permission of an appropriate member of the victim's family and the entity carrying out the project.

(c) ELIGIBLE ENTITIES.—To be eligible to have a project named under this section, the entity carrying out the project shall be a political subdivision of a State, a business, or a nonprofit organization (which may be a religious organization, such as a Christian, Jewish, or Muslim organization).

''(d) PROJECTS.—The Foundation shall name, under this section, projects—

''(1) that advance the goals of unity, and improving the quality of life in communities; and

''(2) that will be planned, or for which implementation will begin, within a reasonable period after the date of enactment of this section, as determined by the Foundation.

''(e) WEBSITE AND DATABASE.—The Foundation shall create and maintain websites and databases, to describe projects named under this section and serve as appropriate vehicles for recognizing the projects.''.

AMENDMENT NO. 1964

(Purpose: To make available funds for services aimed at the reintegration of war-affected youth in East Asia)

On page 125, line 16, before the period at the end of the line insert the following: '': *Provided further*, That, of the funds appropriated under this heading or under 'Child Survival and Health Programs Fund', $5,000,000 should be made available for activities in South and Central Asia aimed at reintegrating 'child soldiers' and other war-affected youth''.

AMENDMENT NO. 1965

On page 137, line 17 through page 138 line 11, strike all after ''(e)'' through ''assistance''.

HIV/AIDS

Mr. SANTORUM. Madam President, HIV/AIDS has become a world-wide pandemic. More than 16 million people have died of AIDS. The Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization, WHO, have estimated that over 32.4 million adults and 1.2 million children around the world are already living with HIV. Half of all people who acquire HIV become infected before they turn 25 and typically die of AIDS before their 35th birthday.

The overwhelming majority of people with HIV live in the developing world, and that proportion is likely to grow even further as infection rates continue to rise in countries where poverty, poor health systems, and limited resources for prevention and care fuel the spread of the virus.

Sub-Saharan Africa bears the brunt of HIV and AIDS, with close to 70 percent of the global total of HIV-positive people. Over 14 million Africans have already been claimed by the disease, leaving behind shattered families and crippled prospects for development. There have also been recent reports of growing problems in China, India, and elsewhere. Of course, the United States is not immune to this virus, and its spread globally only contributes to risks in America.

It is estimated that approximately 90 percent of people in sub-Saharan Africa do not know if they are HIV infected or not. They have no means of gaining this vital knowledge so that they can protect themselves and others. Thus, testing is a critical aspect of the effort to stop the further spread of HIV/AIDS. However, one must be careful that tests are appropriate to the regions where they are used.

In developing regions served by USAID, tests should be fast, accurate, simple, designed to assist those providing counseling, and have no need for labs or refrigeration. The importance of testing cannot be overstated. Early detection of HIV/AIDS might enable treatment to be more effective. We must do all we can to control and stop the spread of this dreaded virus, and I urge USAID to seek to develop rapid tests that serve this purpose.

Mr. McCONNELL. I thank the Senator from Pennsylvania for bringing up this important issue. I believe that USAID should be committed to furthering the cause of finding a suitable field test for HIV/AIDS. I would expect that of the funds appropriated to USAID, the Agency would evaluate potential tests for deployment in sub-Saharan Africa.

Mr. LEAHY. I also thank the Senator from Pennsylvania, and agree with him on the importance of testing as an important part of the effort to stop the spread of HIV and AIDS. The bill under consideration includes $375 million for U.S. Agency for International Development programs to combat HIV/AIDS. It is my belief that a portion of these funds should be committed to the development of rapid tests.

HACIA LA SEGURIDAD

Mr. THOMPSON. Madam President, I have a question for Senator McCONNELL, distinguished ranking member of the Foreign Operations Appropriations Subcommittee, regarding an important rule of law project currently underway in the Andean region. The project is the Hacia la Seguridad project located in Quito, Ecuador.

Mr. McCONNELL. I will be pleased to answer the Senator's question.

Mr. THOMPSON. The mission of the Hacia la Seguridad project is to increase transparency throughout Ecuador's legal system as a means of promoting bureaucratic and judicial accountability, effective governance and law enforcement, and improved access to justice. The project specifically focuses on the identification and elimination of invalid regulations and statutes, the design of modern legal codes, judicial monitoring, and public education and support for rule of law reform. It is my understanding that the Senator supports this project and that it is the intention of the committee that it receive support from USAID.

Mr. McCONNELL. That is correct. The project advances the goals set forth in the International Anti-Corruption and Good Governance Act of 2000 and helps promote stability and democracy in the Andean region generally. It is the committee's intent that this project receive ESF funding in fiscal year 2002.

Mr. THOMPSON. I thank the Senator for his clarifying statement and ask that the committee seek Statement of Manager's language directing USAID to fund the project.

Mr. McCONNELL. I will be happy to work with the conferees to try to develop Statement of Manager's language advising USAID of this project and its importance.

Mr. THOMPSON. I thank the Senator for his comments.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1960 through 1965) were agreed to, en bloc.

Mr. LEAHY. I move to reconsider the vote.

Mr. McCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCONNELL. Madam President, there is one more amendment which we expect will be agreed to by voice vote. We have been working on it all day. It is about to miraculously appear from back in the Cloakroom. It is related to the Armenia-Azerbaijan dispute.

I say to my colleagues, we will be able to agree to that shortly, we believe on a voice vote.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 1921

Mr. BROWNBACK. Madam President, I call up amendment No. 1921.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 1921.

Mr. BROWNBACK. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 1921

(Purpose: To authorize the President to waive the restriction of assistance for Azerbaijan if the President determines that it is in the national security interest of the United States to do so)

On page 232, between lines 23 and 24, insert the following:

WAIVER OF RESTRICTION ON ASSISTANCE TO AZERBAIJAN.

SEC. 581. Section 907 of the FREEDOM Support Act (Public Law 102–511; 22 U.S.C. 5812 note) is amended—

(1) by striking ''United States'' and inserting ''(a) RESTRICTION.—United States''; and

(2) by adding at the end the following:

''(b) WAIVER.—The President is authorized to waive the restriction in subsection (a) if the President determines that it is in the national security interest of the United States to do so.''.

AMENDMENT NO. 1966 TO AMENDMENT NO. 1921

Mr. McCONNELL. Madam President, I send a second-degree amendment to the Brownback amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1966 to amendment No. 1921.

Mr. MCCONNELL. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT TO NO. 1966 TO AMENDMENT NO. 1921

Strike all after the word Sec. and add the following:

Section 907 of the FREEDOM Support Act shall not apply to—

(A) activities to support democracy or assistance under Title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or nonproliferation assistance;

(B) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(C) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(D) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(E) any financing provided under the Export-Import Bank Act of 1945; or

(F) humanitarian assistance.

(2) The President may waive section 907 of the FREEDOM Support Act if he determines and certifies to the Committees on Appropriations that to do so:

(A) is necessary to support United States efforts to counter terrorism; or

(B) is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter terrorism; or

(C) is important to Azerbaijan's border security; and

(D) will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia.

(3) The authority of paragraph (2) may only be exercised through December 31, 2002.

(4) The President may extend the waiver authority provided in paragraph (2) on an annual basis on or after December 31, 2002 if he determines and certifies to the Committees on Appropriations in accordance with the provisions of paragraph (2).

(5) The Committees on Appropriations shall be consulted prior to the provisions of any assistance made available pursuant to paragraph (2).

(6) Within 60 days of any exercise of the authority under Section (2), the President shall send a report to the appropriate Congressional committees specifying in detail the following:

(A) The nature and quantity of all training and assistance provided to the government of Azerbaijan pursuant to Section (2);

(B) the status of the military balance between Azerbaijan and Armenia and the impact of U.S. assistance on that balance; and

(C) the status of negotiations for a peaceful settlement between Armenia and Azerbaijan and the impact of U.S. assistance on those negotiations.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I want to speak in favor of the amendment put forward by my colleague from Kentucky. As he mentioned, this is a contentious, difficult issue on which people have been working all day. We have gotten to an agreement of what we think can work.

Basically, the issue is trying to prosecute the war on terrorism. I think we have been able to work some issues out to be able to get that done. I am very appreciative of all my colleagues, particularly the Senator from Kentucky, Mr. MCCONNELL, and the Senator from Maryland, Mr. SARBANES, and a number of other people for working aggressively on it.

I ask unanimous consent to have printed in the RECORD a letter of support on this issue from the Secretary of State, Colin Powell, and ask it be printed in the RECORD along with a letter from three former National Security Advisers to Senator DASCHLE and Senator LOTT in support of this amendment we are putting forward.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF STATE,
Washington, October 15, 2001.

Hon. JESSE A. HELMS,
Committee on Foreign Relations,
U.S. Senate.

DEAR SENATOR HELMS: The President has asked me to request your support for providing legislative authority that would allow assistance to the Republic of Azerbaijan. Azerbaijan has joined the coalition to combat terrorism and has granted the United States overflight rights, the use of its air bases, and has provided critical intelligence cooperation. Section 907 of the Freedom Support Act of 1992, however, severely constrains our ability to provide most support to the Government of Azerbaijan including assistance needed to support our operations in the ongoing war against terrorism.

In addition to purely military matters, no less urgent is our need to engage and assist Azerbaijan's intelligence and law enforcement agencies. It is also imperative that we assist and work with Azerbaijan's financial authorities to track and disrupt assets of the terror network. The campaign's evolution will probably bring other requirements to the fore that we will need flexibility to address.

I request your assistance in passing legislation that would provide a national security interest waiver from the restrictions of section 907. Removal of these restrictions will allow the United States to provide necessary military assistance that will enable Azerbaijan to counter terrorist organizations and elements operating within its borders. This type of assistance is a critical element of the United States fight against global terrorism.

Sincerely,

COLIN L. POWELL.

OCTOBER 17, 2001.

Hon. TOM DASCHLE,
Majority Leader,
U.S. Senate.

Hon. TRENT LOTT,
Minority Leader,
U.S. Senate.

DEAR SENATOR DASCHLE AND SENATOR LOTT: Now that the United States has been compelled to undertake a comprehensive world war against terrorism, it is imperative that we ensure that our President benefits from the diplomatic flexibility and military capacities necessary to succeed decisively in this war.

The first front of this war is the Caucasus and Central Asia. Fostering and solidifying enduring partnerships with the countries of this region is a strategic and operational imperative.

For this reason, we urge you to support the repeal of an archaic sanction against Azerbaijan, a country whose cooperation will be no less vital than any of its neighbors. Azerbaijan was among the first countries to condemn the September 11th attacks. It has offered the United States military overflight rights and the use of its military bases in this war against terrorism.

However, Section 907 of the Freedom Support Act prohibits the United States from benefitting from this offer. Unless Section 907 is repealed, our military will not be able to cooperate with Azerbaijan's security forces to create capacities that will increase not only our ability to strike against terrorist targets, but also our ability to provide much needed security and logistical support to U.S. forces operating in that region.

There is not a doubt that Azerbaijan is ready and willing to be a full ally in the war against terrorism. Ironically, it is not Azerbaijan's will, but an archaic legislative provision that precludes the United States from accepting Baku's hand of partnership. This is not only a diplomatic loss, it is strike against our men and women in uniform now conducting a military offensive in Afghanistan against Al Qaeda and the Taliban.

For these strategic and operational reasons, we urge you to support the repeal of Section 907. Doing so will help to maximize America's ability to wage the war on terrorism.

Respectfully,

ZBIGNIEW BRZEZINSKI.
BRENT SCOWCROFT.
ANTHONY LAKE.

Mr. BROWNBACK. I don't know if there is further need for us to debate on this amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I thank the distinguished Senator from Kansas for his tenacity in advocating his point of view. He and I and the Senator from Maryland have had some great debates on the issue of section 907 of the Freedom of Support Act in previous Congresses, but I do believe we have been able to work out an approach that both allows the administration to engage with these areas in a way that facilitates the fighting of the war and also preserves section 907 to be dealt with at a later date when the final settlement comes between Armenia and Azerbaijan, which will obviously happen on another day. I think this is a compromise that is worthwhile, and I am happy to support it.

I yield the floor. I see Senator KERRY here, the original author of section 907.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I will be very brief. I thank Senator SARBANES for his strong commitment to trying to balance this properly and for his tenacity through the course of the day. His leadership has been really superb in helping to try to balance the interests.

I thank Senator BROWNBACK for understanding what we have been trying to achieve. As the original author of 907, obviously I am sensitive to the change. But I completely understand the circumstances in which we find ourselves. These are changed circumstances. We need to respond, and we need to respond thoughtfully.

My hope is that the amendment we have put in that was just adopted a

moment ago, which Senator MCCONNELL sponsored on our behalf, adequately sets forth the balance we are trying to strike so the long-term interests of peace and of the peaceful negotiations, bringing people to the table representing all parties' interests, will be respected.

I hope we have achieved that. Obviously, there is more to play out. We will watch this very closely as we go forward.

I thank Senator MCCONNELL for his efforts today, and Senator SARBANES. Hopefully, the balance we have tried to achieve has been achieved.

I thank the Chair.

Mr. MCCONNELL. Madam President, I am confident if the dispute between Azerbaijan and Armenia is not settled on some other day that the Senator from Maryland and the Senator from Massachusetts and I will be allies in this fight on another day. I think for today we have worked out a compromise which is acceptable to the administration and which is acceptable to Senator BROWNBACK and is the best we can achieve at the moment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I thank my colleague from Massachusetts.

There is not a settlement of a longstanding dispute between Armenia and Azerbaijan. It is really an attempt for us to be able to work to deal with terrorism and work with the country we need to work with in this case; that is, Azerbaijan.

The language is being drafted very carefully so that we can work in our best interests in the United States fighting terrorism with the assistance of being able to land planes and to house planes, and personnel being treated in hospitals in Azerbaijan, should we need to. Indeed, some of that is taking place now. We have tried carefully to pull that together without touching the issue of peace talks which need to proceed. I hope we can get a final settlement of that sometime soon.

Do we have time for a vote? If not, we don't need a recorded vote but a voice, I hope.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the second degree, No. 1966.

The amendment (No. 1966) was agreed to.

Mr. MCCONNELL. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the first degree, as amended, No. 1921.

The amendment (No. 1921), as amended, was agreed to.

Mr. BROWNBACK. Madam President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1967

Mr. MCCONNELL. Madam President, I have one final amendment related to the United States-Armenia relationship that would provide some assistance for Armenia. It has been approved on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1967.

Mr. MCCONNELL. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 152 line 10, after the word ''Appropriations'' and before the period insert the following: '':*Provided further*, That of the funds appropriated by this paragraph, not less than $600,000 shall be made available for assistance for Armenia''

On page 153 line 7, after the colon insert the following: ''*Provided further*, That of the funds appropriated by this paragraph, not less than $4,000,000 shall be made available for assistance for Armenia''.

The PRESIDING OFFICER. If there is no debate, the question is on agreeing to the amendment.

The amendment (No. 1967) was agreed to.

Mr. MCCONNELL. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1968

Mr. LEAHY. Madam President, we have another amendment on behalf of the Senator from Oregon, Mr. SMITH.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. SMITH of Oregon, proposes an amendment numbered 1968.

Mr. LEAHY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place insert the following:

SEC. . FEDERAL INVESTIGATION ENHANCEMENT ACT OF 2001.

(a) SHORT TITLE.—This section may be cited as the ''Federal Investigation Enhancement Act of 2001.''

(b) UNDERCOVER INVESTIGATIVE PRACTICES CONDUCTED BY FEDERAL ATTORNEYS.—Section 530 B (a) of title 28, United States Code, is amended by inserting after the first sentence, ''Notwithstanding any provision of State law, including disciplinary rules, statutes, regulations, constitutional provisions, or case law, a Government attorney may, for the purpose of enforcing Federal law, provide legal advice, authorization, concurrence, direction, or supervision on conducting undercover activities, and any attorney employed as an investigator or other law enforcement agent by the Department of Justice who is not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings may participate in such activities, even though such activities may require the use of deceit or misrepresentation, where such activities are consistent with Federal law.''.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1968) was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

GLOBAL ENVIRONMENT FACILITY

Mr. KERRY. Madam President, I would like to address the chairman of the Subcommittee on Foreign Operations on the subject of the Global Environment Facility, an organization which for a number of reasons is vital to the restoration and preservation of our earth's environment. The GEF channels funding from over 30 nations to help developing countries confront the problems within their borders which affect the global environment. Traditionally, GEF's focus has been on global warming, biodiversity, international waters, and the ozone layer.

Recently, the GEF was given a critical new assignment. It is now the funding mechanism to implement the new international conservation on persistent organic pollutants, or POPS, which was signed by the United States and other nations in June. Though long banned in the U.S., these toxic chemicals continue to be used in the developing world. They travel on air and water currents and work their way up the food chain into humans, particularly native populations in northern latitudes like Alaska. As the funding mechanism for the POPS convention, GEF will have a critical role in phasing out their use.

I greatly appreciate the efforts of the subcommittee chairman to provide slightly more than the President's request for the GEF this year. However, I had been hopeful that the Congress would be able to provide not only the budget request, but significantly more to pay off existing arrears. In June I joined Senators CHAFEE, BIDEN, BINGAMAN, COLLINS, JEFFORDS, LIEBERMAN, LUGAR, MURRAY, and SNOWE in writing to the subcommittee leadership urging the payment of a substantial amount of our arrears.

Mr. LEAHY. I appreciate the support of the Senator from Massachusetts for our proposed increase over the President's budget request for the GEF. I agree that this is a vital organization. GEF's work gets at many of the international environmental problems which simply cannot be fixed by the U.S. or any nation acting alone, such as global warming.

Poor nations which struggle to feed and clothe their people simply do not have the resources to devote to global environmental problems. Yet if we do not have a unified global approach to these problems, we have little hope of addressing them effectively. The GEF funds worthy projects in 160 countries.

Unfortunately, the United States has lagged behind in meeting our obligations to the GEF. Since 1994, twice the U.S. has pledged $107.5 million a year to GEF. We are now in the final year of the second replenishment, and our total arrears stand at $203.9 million. Our recommended appropriation this year will make only a small dent in that figure, but at least will not add to them.

Mr. KERRY. I have been a part of international environmental discussions for a decade, and attended talks not only in Kyoto but also in Rio de Janeiro, Buenos Aires and The Hague. During this time, I have watched tensions grow between the developed and developing world, which increasingly views Western efforts to convince them to adopt strict environmental standards as an effort to hold them down economically. This concern is an important factor in the dispute over a new round of world trade negotiations. Cooperative efforts between developed nations and the developing world through organizations like the Global Environmental Facility can bridge this distrust.

Mr. LEAHY. I agree with the Senator. I am pleased that the Senate is recommending a considerably higher appropriation than the House for the GEF, and I intend to work diligently to persuade the House to agree to our GEF number in conference. We must get back on track and pay our arrears to the GEF.

Mr. KERRY. I thank the Chairman. This year's appropriations debate coincides with new discussions among GEF members for a new replenishment, one which must for the first time accommodate the new responsibility for implementing POPS. Hence it's critical that the U.S. send a strong statement that we remain committed to meeting our obligations to the GEF.

AMERICAN COMPANIES DOING BUSINESS IN COLOMBIA

Mr. LEAHY. Madam President, we often hear from American companies whose investments in developing countries have gone sour. That is the risk of doing business, and nobody disputes that. But international arbitration was created in order to mitigate the risks of overseas investments and to avoid depending on shaky legal institutions in those countries. Arbitration has been one of the principal building blocks to the extraordinary growth in international trade. It has brought investments to countries which would have otherwise been considered too risky because it gives investors and sovereign nations an agreed-upon mechanism to resolve disputes. Key to its success is the agreement by all parties that arbitration can only work if it is binding.

It recently came to Senator MCCONNELL'S and my attention that at least two American companies, Sithe and Nortel, have participated in binding arbitration to resolve disputes with the Colombian Government. According to information we have received, Sithe and perhaps Nortel, we are told, companies from Mexico and Germany, have won awards through binding arbitration, only to have the Colombian Government renege on its commitment to honor the arbitration decision.

We have not had an opportunity to discuss these matters with the Colombian Government, but if our information is correct, that American companies have agreed to binding arbitration and prevailed, only to have the Colombian Government refuse to pay, that is unacceptable. We want to help Colombia's economy develop in an environment where the rule of law is respected. This is crucial to Colombia's future. If Colombia flaunts the rules of the private market, it will have increasing difficulty attracting private investment because it cannot be trusted.

Representatives of these companies have urged us to withhold a portion of U.S. assistance to Colombia until the Colombian Government fulfills its legal obligations to these companies. We considered offering such an amendment, because of the importance we give to the fair treatment of American companies, respect for the rule of law, and the international arbitration process. I ask unanimous consent that a copy of our proposed amendment be printed in the RECORD at the conclusion of my remarks.

We decided not to offer the amendment, because of the precedent it could set. But we want to emphasize that respecting binding, internationally, sanctioned arbitration is essential to the investment that will ultimately be the engine for Colombia's economic development. No amount of foreign assistance can do that. The pattern of Colombia's apparent abuse of the international arbitration process is very disturbing, and by conveying our concern about it we mean to strongly encourage the Colombian Government to act expeditiously to resolve these matters.

I know that both Senator MCCONNELL and I will be following this issue closely, and discussing it with the Colombian Ambassador, the American Ambassador to Colombia, and the Department of State, in the coming months.

Mr. MCCONNELL. Let me just add a word or two to Senator LEAHY'S comments. Few would disagree that Colombia's long term political and economic development resides in its ability to forge a lasting peace, establish the rule of law, and attract foreign investment. No service is done to the nation or the people of Colombia when the Colombian government refuses to recognize the legitimacy of an arbitration award to international businesses. The leadership in Bogota should understand that such action further erodes confidence in the overall investment climate in Colombia within the international business community—and in foreign capitals. It is my hope that the Colombian government takes note of the amendment Senator LEAHY and I contemplated offering and initiates corrective action in the very near future.

Mr. VOINOVICH. Madam President, as the Senate considers the Foreign Operations Appropriations bill for fiscal year 2002, I would like to take this opportunity to discuss discrepancies between the House and Senate versions regarding funding for the Federal Republic of Yugoslavia (FRY).

I have strong reservations about certain language included by the House Appropriations Committee in its report accompanying H.R. 2506. In its report, the House Committee recommends $145 million in funding for the FRY, of which $60 million is to be provided to Montenegro. I support at least $145 million for the FRY, which is the amount requested by the President. However, if the House funding level stands for Montenegro, with a population of just 600,000 people, which is one-thirteenth the size of Serbia, it would receive more than 40 percent of the total assistance package for the FRY.

I do not believe Montenegro could constructively absorb this much assistance, and I am concerned about the impact such a division of assistance for the FRY would have on U.S. assistance to Serbia. In my conversations with State Department officials, they also expressed strong reservations about providing $60 million to Montenegro, as they believe it is more than Montenegro can effectively absorb. The State Department believes Montenegro should not receive more than the $45 million recommended by the Senate, and in fact, they believe that $35–40 million would be an appropriate amount.

Given disturbing reports of official corruption that have surfaced regarding illicit activity in Montenegro, it is particularly important that we are able to fully account for the expenditure of U.S. assistance there. Moreover, if the House recommendation of $60 million prevails, U.S. assistance for the Republic of Serbia could fall to $85 million, which is significantly below the $100 million we provided to Serbia in fiscal year 2001.

As my colleagues are aware, significant changes have taken place in the Federal Republic of Yugoslavia during the past twelve months. On Friday October 5, 2001, marked the one-year anniversary of the fall of the Milosevic regime and the beginning of a new, democratic government. Since then, the new leaders have made significant strides in implementing political and economic reforms. While there is still much work to be done, it is critical that we recognize the important progress that has been made in the past year. A cut in funding for Serbia would send precisely the wrong message. We want to support the Serb reformers, who took the courageous step of arresting and transferring Slobodan Milosevic to The Hague. We want to encourage their continued cooperation with the War Crimes Tribunal, as well

as other democratic reforms and respect for the rule of law.

When the conference committee meets to reconcile the House and Senate versions of the foreign operations bill for fiscal year 2002, I urge the Senate conferees to support the funding levels for Serbia and Montenegro that are recommended in the Senate bill.

I would appreciate knowing if the chairman and ranking member of the Foreign Operations Subcommittee agree with me about this.

Mr. HELMS. Madam President, for far too long, corruption has been allowed to run rampant in Southeastern Europe. Recent events have highlighted the citizens of Montenegro as being among the most beleaguered by the corruption of its government.

Montenegro is the beneficiary of a proud, freedom loving people courageously standing against the tyranny of Slobodan Milosevic. However, they have not been well served by their government, whose actions have undercut United States assistance to Montenegro.

For example, the President of Montenegro purchases two luxury aircrafts, during the Kosovo Crisis! Costing 26 to 30 million dollars or more, one plane was a Lear Jet, and the other a Cessna Citation X. President Djukanovic has been flown in these planes at the very same time the taxpayers of the United States were making emergency cash payments to help the Montenegrin Government pay its pensions and energy bills.

The $26 million spent on aircraft would have averted electricity power shortages in Montenegro. These purchases, by the way, were not reported to the United States Government, the Montenegrin Parliament which is now investigating this matter, or, the citizens of Montenegro.

It is now clear that the Government of Montenegro was keeping two budgets: one facilitated the flow of international assistance; the second apparently served the personal interests of senior government officials.

Since actions speak louder than words, it is obvious that a premium was placed on personal comfort of senior officials over legal reforms essential to rebuilding the Montengrin economy.

Last year the United States earmarked $89 million in foreign assistance for fiscal year 2001 for Montenegro; plans are to dedicate about half that much in fiscal year 2002.

Let me be clear, United States assistance must never be permitted to be a free ride for such officials. The citizens of Montenegro fought Milosevic to the very end. Now develops that, during that time, they, and the United States, were cheated by the government in Podgorica.

The people deserve a responsible governing body that puts foreign assistance into its economy not the pockets of corrupt officials. The United States deserves assurance that United States assistance dollars are used for their intended purpose.

Not one red cent should go to the government of Montenegro unless and until these planes have been fully accounted for—and sold. In addition, United States assistance to the Montenegrin government should be firmly conditioned upon tangible progress toward rooting out corruption and reintroducing the rule of law.

The people of Montenegro deserve far better than they have received from their government and their President Djukanovic.

Mr. MCCONNELL. I thank my friends from Ohio and North Carolina for bringing to the attention of the Senate the important issue of assistance to Serbia and Montenegro. The short answer to Senator VOINOVICH's inquiry is that Senator LEAHY and I strongly support the funding levels for Serbia and Montenegro that are recommended by the Senate Appropriations Committee, and that will be our position in the Conference.

Those of us who closely follow developments in the Balkans appreciate the many challenges that reformers in Serbia and Montenegro face each day, and we note the progress that has been made in the past year alone. As Senators VOINOVICH and HELMS have stated, many challenges lie ahead, including the need to address the troubling and complex issues of corruption and legal reform. I think we all agree that America must be clear in our support of these reform efforts. Senator LEAHY and I believe that the carefully drafted provisions in our bill, and the funding levels we recommend, do just that.

Mr. LEAHY. I thank my friends for their comments. This is an issue of great importance to the Senate. In crafting this bill, Senator MCCONNELL and I had three principal objectives with respect to the FRY. First, we want to send a message to Serb reformers that we strongly support their efforts. We recommend $115 million for Serbia in fiscal year 2002, a $15 million increase in United States assistance above last year. We have also provided authority for debt relief for Serbia. We were told by Serb finance officials and our Treasury Department that this is a top priority if Serbia is to attract new foreign investment, which is the key to Serbia's future economic development.

Second, we want to make clear that we expect to see continued cooperation with the War Crimes Tribunal and respect for the rule of law. While we fully appreciate the courage of Serb officials in arresting and transferring Milosevic to The Hague in April, since then we have seen little in the way of cooperation with the Tribunal. We are also disappointed that political prisoners continue to languish in Serb jails, even though Serb officials have acknowledged that they should be released. We therefore include language similar to last year, that links our assistance to continued progress in these areas.

Finally, with respect to Montenegro, we want to provide sufficient assistance to convey our strong support for Montenegro, and at the same time ensure a proper balance within the $115 million available for the FRY. Montenegro is making impressive strides in reforming its economy, and we should support that. The reports of corruption are disturbing, and we need to ensure that our assistance is not misused. Unfortunately, corruption is a region-wide phenomenon, and we have emphasized to USAID and the State Department that combating corruption should be a key component of our assistance relationship. Corruption corrodes democracy, and the new leaders of Montenegro and Serbia, and indeed throughout the former Yugoslavia, will pay a heavy price in the long run if they ignore it.

Mr. CONRAD. Madam President, I rise to offer for the RECORD the Budget Committee's official scoring for H.R. 2506, the Foreign Operations, Export Financing, and Related Programs Appropriations Act for Fiscal Year 2002.

The Senate bill provides $15.524 billion in discretionary budget authority, which will result in new outlays in 2002 of $5.580 billion. When outlays from prior-year budget authority are taken into account, discretionary, outlays for the Senate bill total $15.149 billion in 2002. The Senate bill is at its Section 302(b) allocation for both budget authority and outlays. Once again, the committee has met its target without the use of any emergency designations.

We have begun the 2002 fiscal year without the Congress completing a single appropriations bill. While extraordinary events have contributed greatly to this late start, it is time that the Congress complete its work. Earlier this month, the President reached agreement with Senate and House appropriators on a revised budget for 2002. The Congress must now expeditiously provide funding that complies with that bipartisan agreement.

I ask for unanimous consent that a table diplaying the budget committee scoring of this bill be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 2506, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATION ACT, 2002, SPENDING COMPARISONS—SENATE REPORTED BILL

[In millions of dollars]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget Authority	15,524	45	15,569
Outlays	15,149	45	15,194
Senate 302(b) allocation: [1]			
Budget Authority	15,524	45	15,569
Outlays	15,149	45	15,194
House-passed:			
Budget Authority	15,167	45	15,212
Outlays	15,080	45	15,125
President's request:			
Budget Authority	15,169	45	15,214
Outlays	15,081	45	15,126
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation: [1]			
Budget Authority	0	0	0
Outlays	0	0	0
House-passed:			
Budget Authority	357	0	357

H.R. 2506, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATION ACT, 2002, SPENDING COMPARISONS—SENATE REPORTED BILL—Continued

[In millions of dollars]

	General purpose	Mandatory	Total
Outlays	69	0	69
President's request:			
Budget Authority	355	0	355
Outlays	68	0	68

[1] For enforcement purposes, the budget committee compares the Senate-reported bill to the Senate 302(b) allocation.

Notes.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. LEAHY. Madam President, I want to take a moment to speak briefly about two interconnected issues—the destruction of the world's few remaining tropical forests, and the pressures of population growth, poverty, and development that is causing it.

The world's few remaining tropical forests, which are located in Indonesia, Central Africa, and parts of South America, are being cut down at a staggering rate. Whether it is local farmers scratching out a living by slash and burn agriculture, or multinational timber or mining companies, experts predict that these irreplaceable ecosystems will be completely gone in 15 to 20 years.

The forests are not just trees. They are the habitat for the majority of the Earth's endangered species, from great apes to insects, many of which we have yet to identify. They are also the source of many of the life-saving drugs that are sold in America's pharmacies today, and who knows how many future cures wait to be discovered from rainforest plants.

They are home to the few remaining groups of indigenous people who continue to live in much the same way as they have for centuries, threatening no one.

Development is widely regarded as synonymous with progress. That is why the United States Agency for International Development has its name. But it would be unforgivable if a decade or two from now the few remaining virgin tropical forests were gone. It is not simply a matter of planting new trees. They are a complex web of species.

There are many private homes in Washington, DC that are worth more than what it would cost to protect hundreds of thousands of acres of virgin rainforest in some African countries. Yet we have difficulty finding a few million dollars to do that.

Even worse, the United States is a major consumer of timber stolen from the forests of Indonesia, Africa and South America. According to a recent report, the U.S. imported over $300 million in illegal timber from Indonesia alone last year.

The international trade in illegal timber is out of control. It is rampant. It is accelerating, and it is driven by greed, an insatiable demand, corruption, and the lack of effective strategies and resources to address it. This bill contains funds to increase our efforts, but I would be the first to say is not enough.

There are two ways to protect these forests, and both are essential. One is law enforcement. Many countries, like Indonesia and Brazil have environmental laws, but they are routinely violated, including by those who are responsible for enforcing them.

In Indonesia, the military is deeply involved in the illegal timber trade, and I encouraged the White House to discuss this with President Megawati when she was in Washington recently.

The same is true in Cambodia and the so-called ''Democratic'' Republic of the Congo. The military trades protection for illegal loggers in exchange for a slice of the profits. So cracking down on this corruption is essential.

What also must be done is to provide the people who live in the forests alternative sources of income and access to family planning to reduce population pressures on these fragile ecosystems.

As it is, they have no other way to survive except by cutting the trees for fuel or timber and killing the animals for bush meat, which has become a high priced delicacy.

Once the forests are gone, they will have to abandon their homes, joining the throngs of other impoverished people migrating to urban slums—without housing, without jobs, without health care, without hope.

On the other hand, if they are made to understand that the forest and the animals can be a continuing source of tourist income, then they become the protectors of the forests.

We want USAID to expand its support for organizations and individuals who have devoted their lives to protecting endangered species and the tropical forests where they live.

In some countries, like Brazil, some of the most courageous advocates for the environment have been murdered, presumably by the mining and timber interests.

There is still time to stop this, but only if we make it a priority. We have to, because ten years from now will be too late.

Mr. VOINOVICH. Madam President, as the Senate considers the Foreign Operations Appropriations Act for fiscal year 2002, I would like to take a few minutes to address U.S. assistance to the Federal Republic of Yugoslavia.

As many of my colleagues are aware, I have taken a strong interest in issues affecting Southeast Europe during my time in the Senate. I have made many trips to the region, most recently in December of 2000 with my friend from Pennsylvania Senator ARLEN SPECTER, and I continue to meet with the region's political, spiritual and community leaders both in the United States and during time abroad.

I have long recognized the destabilizing influence that men such as Slobodan Milosevic have had on the region and the broader European community. The international community witnessed the devastating influence of this so-called leader during years of violent conflict in the former Yugoslavia, and we continue to see evidence of its affects in Kosovo and other parts of the region.

While the Balkans have not been without recent challenges, as demonstrated by the situation in Macedonia and continued violence and destruction in Kosovo and parts of Bosnia-Herzegovina, significant changes have taken place in this part of the world during the past year and a half. The death of Franjo Tudjman in Croatia in December of 1999 and the ouster of the Milosevic regime in October of 2000 have removed major obstacles to positive change in the region.

One year ago this month, I watched with tremendous gratification when the people of the Federal Republic of Yugoslavia went to the polls, and then to the streets, to demonstrate their support of democracy and their denouncement of Milosevic.

Since my days as mayor of Cleveland and Governor of the State of Ohio, I have been an ardent supporter of democratic reformers in Serbia. I have long admired the courage and determination of many individuals who remained focused on a democratic future for Serbia, whatever the odds, such as members of the OTPOR student movement.

When I met with a group of these young leaders following the election of President Vojislav Kostunica and the removal of Milosevic from power, they told me that the feat we witnessed last October would not have been possible without the support and influence of the United States.

Just a few weeks ago in my office in the Hart building, I met with one of the founders of the OPTOR student movement, who is now a member of the Serbian Parliament. Once focused on removing Milosevic from power, he is now intent on helping the government to strength its democratic institutions so that the FRY may better position itself among Europe's new democracies. Without a doubt, the Federal Republic of Yugoslavia is a different place today than it was one year ago.

When the Senate considered the foreign operations bill last year, we conditioned U.S. assistance to Serbia after March 31, 2001 on three conditions. In order to receive continued non-humanitarian assistance, the United States had to certify that the Federal Republic of Yugoslavia was doing the following: First, cooperating with the War Crimes Tribunal for the Former Yugoslavia; next, taking steps to implement the Dayton Accords; and finally, taking steps to implement policies reflecting the rule of law and respect for human rights.

Given the importance of a democratic and stable government in the FRY to the broader region and Europe as a whole, I was pleased that the new government was, in fact, making significant progress in the areas outlined

in the Foreign Operations Appropriations Act for fiscal year 2001, thus allowing President Bush and the Secretary of State to grant certification and allow non-humanitarian U.S. assistance to the FRY to continue following the March 31 deadline.

Additionally, the FRY's progress facilitated help from the World Bank and the International Monetary Fund, and the international community pledged more than $1.2 billion for the country during a donors' conference sponsored by the World Bank at the end of June. Most recently, we have seen positive developments in the FRY's negotiations with the Paris Club to reschedule a portion of its debt.

The reforms took important action in each of the three areas. Regarding cooperation with the War Crimes Tribunal for the Former Yugoslavia, we all remember the dramatic scenes on television during the days before Slobodan Milosevic was transferred to The Hague in the middle of the night. It was a courageous and necessary step, and I am pleased that the government understood the necessity to doing so.

In efforts to implement policies reflecting the rule of law and respect for human rights, perhaps the most significant accomplishment demonstrating the government's actions involved its work with the international community to successfully resolve the situation in southern Serbia, without significant international incident. In line with the Dayton Agreement, the FRY has reduced its military to military ties with the Republic Srpska, and it has indicated its commitment to eliminate remaining ties and ensure transparency of any dealings it might have with the Republic Srpska in the future.

While we acknowledge the positive things that have taken place during the past twelve months, we must also recognize the reality that is still work that remain to be done. Of highest priority is the release of ethnic Albanian prisoners who continue to remain incarcerated in Serbian jails. Moreover, it is critical that the Government further its cooperation with The Hague War Crimes Tribunal. Certainly the transfer of Milosevic was highly important; at the same time, other indicated war criminals remain at large in the FRY, and every effort should be made to work with The Hague Tribunal to rid the country of those responsible for past atrocities.

That being said, as the Federal Republic of Yugoslavia joins the ranks of southeast Europe's new democracies, I believe it is important that we begin to look beyond the conditions outlined in the foreign operations appropriations bill for fiscal year 2001, and work to create an assistance program for the FRY that is in line with our aid programs to other countries in the region.

Last October, when House and Senate conferees considered the final version of the fiscal year 2001 foreign operations spending bill. Vojislav Kostunica had been in office just a few short weeks. The status of Milosevic was widely unknown. Given the nascent state of the new government at that time, I believe including language allowing the United States flexibility in its assistance program to the FRY, should the new government have moved in a direction contrary to U.S. interests, was a reasonable thing to do.

However, in the year following final consideration of last year's foreign operations appropriations bill, I believe the reformers in the FRY have developed a position—though not perfect—track record. While it is clear that additional steps must be taken to further cooperation with The Hague and implementation of the rule of law, I believe we have solid evidence that the new government is committed to moving forward with reforms. If they fail to make the progress they have promised, we have many avenues from which to demonstrate our displeasure.

As my colleagues are aware, the State Department must notify Congress before distributing U.S. funds abroad. At that time, our Foreign Relations Committee or Foreign Operations Subcommittee can withhold assistance to any country abroad. Additionally, we may instruct U.S. representatives to international organizations such as the World Bank and the International Monetary Fund to withhold their support for programs benefitting the FRY. Finally, if the Federal Republic of Yugoslavia does not act in accordance with actions deemed to be in their best interests by the United States and other members of the international community, there is no doubt in my mind that future U.S. support will be terminated.

I appreciate the work that my colleagues on the Foreign Operations Subcommittee have done in preparing the Foreign Operations Appropriations Act for fiscal year 2002. I recognize their efforts to send a positive message to reformers in the Federal Republic of Yugoslavia by increasing the level of assistance to Serbia to $115 million for fiscal year 2002, which is $15 million above the fiscal year 2001 level, and providing $45 million for Montenegro.

Further, the committee has included language in its report applauding the work that has been done by reformers in the FRY during the past year. I also strongly support my colleagues' decision to provide $28 million toward debt relief for the FRY, and I was pleased to join Senator LEAHY and Senator MCCONNELL as a cosponsor of an amendment authorizing that authority.

While I support many provisions in the bill, I am nonetheless concerned that the same conditions on U.S. assistance to the Federal Republic of Yugoslavia that were crafted in October 2000, just weeks after the change of government, appear in the bill one year later. It is my feeling that placing the same conditions on U.S. assistance to FRY now may send the wrong message to the country's reformers. While we should continue to encourage progress in the FRY, I believe placing the same three conditions on U.S. aid to the country year after year could be counterproductive.

I will continue to work with my colleagues on the Foreign Operations Subcommittee and the Foreign Relations Committee during the next year regarding developments in the Federal Republic of Yugoslavia as our aid program to the country evolves, with the hope that we will be able to move beyond conditionality in years to come.

While it is important for the United States to understand progress that is made in the FRY, it is also imperative that the leaders of the FRY understand that the actions they take on the three areas outlined in the Foreign Operations Appropriations Act for FY2001 will have a dramatic impact on whether or not the conditions are included in next year's bill.

Mr. KENNEDY. Madam President, one of the most important provisions in this legislation conditions assistance to the Colombian Armed Forces on improvements in human rights.

It is essential to ensure that U.S. military aid does not contribute to human rights abuses in Colombia. Allegations of human rights violations by military personnel there have decreased, but the State Department's 2000 Country Report on Human Rights Practices concluded that the Colombian Government's human rights record ''remained poor'' and that ''government security forces continued to commit serious abuses, including extrajudicial killings.''

Many of us are particularly concerned about persistent links between the Colombian Armed Forces and illegal paramilitary groups. On September 10, Secretary of State Powell included the largest of these groups, known by its acronym as the AUC, on the State Department's list of terrorist groups. According to the State Department's Human Rights report, the Colombian military has repeatedly reassured our government ''that it would not tolerate collaboration'' with such groups and that ''the army would combat paramilitary groups.'' However, the report concludes that such links persist and that ''actions in the field were not always consistent with the leadership's positions.''

The report says:

> Members of the security forces collaborated with paramilitary groups that committed abuses, in some instances allowing such groups to pass through roadblocks, sharing information, or providing them with supplies or ammunition. Despite increased government efforts to combat and capture members of paramilitary groups, often security forces failed to take action to prevent paramilitary attacks. Paramilitary forces find a ready support base within the military and police, as well as among local civilian elites in many areas.

A report recently released by Human Rights Watch titled ''The Sixth Division: Military-Paramilitary Ties and U.S. Policy in Colombia,'' states that

the Colombia military and police detachments continue to promote, work with, support profit from, and tolerate paramilitary groups, treating them as a force allied to and compatible with their own.

Paramilitary groups continue to be linked to most human rights violations committed in Colombia, including massacres. The State Department's Human Rights report cites a sharp increase in the number of victims of paramilitary violence in the last year. Just two weeks ago, a new and ruthless massacre was committed by the AUC in Colombia. At least twenty-four men were forced to lie on the ground and then were executed one by one in cold blood.

Many of us are deeply concerned that a majority of the armed forces personnel who collaborate with the paramilitary organizations and who are responsible for human rights abuses are not prosecuted effectively. According to the State Department's report, ''impunity for military personnel who collaborated with members of paramilitary groups remained common.'' Although the Colombian government claims to have dismissed more than 500 members of the military, the State Department says that it does not know how many were dismissed for collaborating with illegal paramilitary groups.

The conditions included in this legislation are intended to address these concerns. They require the Secretary of State to certify that the Colombian Armed Forces are suspending members who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary groups, and are providing to civilian prosecutors and judicial authorities requested information on the nature and cause of the suspension.

The conditions require the Secretary of State to certify that the Colombian Armed Forces are cooperating with civilian prosecutors and judicial authorities, including unimpeded access to witnesses and relevant military documents and other information, in prosecuting and punishing in civilian courts members of the armed forces who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary groups.

Finally, the conditions require the Secretary of State to certify that the Colombian Armed Forces are taking effective steps to sever links, including denying access to military intelligence, vehicles, and other equipment or supplies, ceasing other forms of active or tacit cooperation with paramilitary groups, and carrying out existing arrest warrants.

These conditions will help ensure that U.S. assistance does not contribute to human rights violations in Colombia. I urge my colleagues to support these important provisions.

Another important provision is intended to improve the lives of the Dalit in India.

India's 160 million Dalits, who are also known as ''untouchables,'' suffer severe hardship and face a unique form of discrimination. As victims of economic exploitation rooted in the caste system, they are virtually excluded from Indian society and endure some of the worst health conditions in the world. Dalits are born poor and landless and face discrimination at almost every stage in life. Wages from their jobs rarely provide enough income to feed their families or educate their children, and so the cycle of poverty and illiteracy continues from generation to generation.

In rural areas, where sewer systems are virtually non-existent, many Dalits make their living cleaning human waste. These workers, known as scavengers, use little more than a broom, a tin plate and a basket, they clear human waste from public and private latrines, and carry the waste long distances in porous wicker baskets to disposal sites. In urban areas, they often work neck-deep in pits filled with human waste and risk asphyxiation in city sewers. Health conditions are appalling. Nearly all of these workers are women, and some are children.

A Dalit in India once described their existence:

> When we are working, they ask us not to come near them. At tea canteens, they have separate tea tumblers and they make us clean them ourselves and make us put the dishes away ourselves. We cannot enter temples. We cannot use upper-caste water taps. We have to go one kilometer away to get water. . . .

Dalit communities are frequently punished for individual transgressions. With little knowledge of their rights, limited access to attorneys, and no money for hearings or bail, they are easy targets for criminal prosecution. Police single out Dalit activists for persecution and frequently abuse and torture Dalit suspects.

While the Indian Constitution and the 1955 Civil Rights Act abolished untouchability, and subsequent laws allow for affirmative action, hiring quotas and special training funds, discrimination against Dalits continues to flourish in Indian society. As the great author of the Indian constitution—and Dalit—statesman Dr. Ambedkar once said: ''Mahatmas have come, Mahatmas have gone but the Untouchables have remained as Untouchables.''

While there are many people of goodwill in India, discrimination and poverty are widespread in the Dalit community. The foreign aid we provide to India should contribute to easing the hardship and misery suffered by this community and to addressing the disparity between Dalits and others in India.

To advance this objective, a provision in this legislation requires the executive director of the World Bank to vote against any water or sewage project in India that does not prohibit the use of scavenger labor. Precious and limited resources should be used to provide incentive to communities in India to abolish this kind of labor and to reward those that do so.

Additionally, the report accompanying the Senate bill highlights the important role an organization called the Navsarjan Trust in India is building a civil society in India by promoting the rights of the Dalit community. The report encourages AID to provide funding for the Trust, which is run by Martin Macwan, who received the Robert F. Kennedy Human Rights Award in 2000 for his work on behalf of the Dalit.

Founded in 1989, the Navsarjan Trust seeks to end discrimination against the Dalit. Since it was founded, it has become a highly respected force that focuses on five issues for the Dalit community: bringing about the land reforms promised fifty years ago in the Indian Constitution, improving the working conditions and wages of farm workers, abolishing scavenger labor, improving educational opportunities for children, and reducing violence. The Trust achieves its goals through non-violent protest and the judicial process. In eleven years, it has grown to 187 full-time organizers and has a presence in more than 2,000 villages. It is widely viewed as one of the most effective Dalit advocacy groups in India today, and it has filed a class action suit to abolish manual scavenging.

Although our assistance program in India is limited, the Navsarjan Trust would be an important ally and a useful way to help the Dalit community. Supporting the trust will demonstrate America's commitment to ending the discrimination faced by India's Dalits. I urge USAID to make funding available for the organization to advance its worthwhile objections.

I commend the subcommittee chairman, Senator LEAHY, and the other members of the Appropriations Committee for including these important provisions to reduce the discrimination faced by the Dalit community in India. Senator LEAHY is an effective champion of human rights throughout the world. I commend his leadership on this issue, and I look forward to continuing to work with my colleagues in Congress to improve the lives of the Dalit community in India.

Mr. MCCAIN. Madam President, I am an enthusiastic supporter of robust American engagement with the world, and I believe current circumstances demand such a presence. We must also resolve to back our commitment with the financial resources to support the range of our interests overseas. For this reason, I am particularly disappointed by the long list of unrequested and unnecessary earmarks in the FY 2002 Foreign Operations Appropriations bill, which total $186.2 million. This figure represents $30 million more than was contained in last

year's Foreign Operations bill for programs neither requested by the Administration nor authorized by Congress through the regular, merit-based process for allocating scarce resources.

It is the task of America's leaders to make the case for meaningful foreign operations funding in the face of public skepticism about the flow of American tax dollars overseas. It is incumbent upon those of us who serve in elective office to uphold the bipartisan tradition of enlightened American leadership around the world. In this era of globalization, international affairs touch the lives of average Americans in unprecedented ways. And as we wage a global campaign to purge from the world the terrorist threat against our very way of life, the assistance we provide to friendly governments and impoverished peoples across the globe supports our ability to sustain an international coalition to fight terror and retain the popular goodwill necessary to this task.

Unfortunately, the excessive and unwarranted earmarks in this bill do not inspire confidence that all our tax dollars are being spent in a manner most conducive to the advancement of our shared national concerns. Indeed, it may shock some Americans to know that parochial interests, not the national interest, have driven a disturbing proportion of the spending allocations contained in this bill.

Fragile allies suffering from civil unrest and economic decay will not be helped by this bill's provision of $2.3 million in ''core support'' for the International Fertilizer Development Center, or the report language's recommendation of $4 million for its work. Peanuts, orangutans, gorillas, neotropical raptors, tropical fish, and exotic plants also receive the committee's attention, although it's unclear why any individual making a list of critical international security, economic, and humanitarian concerns worth addressing would target these otherwise meritorious flora and fauna.

The committee has disturbingly singled out for funding a laundry list of American universities some with multi-billion dollar endowments in contravention of the usual merit-based process of allocating scarce foreign assistance dollars to the most worthy causes. Although disappointing, it is perhaps not surprising that there is a correlation between the geographic locations of many of the universities targeted for special treatment and the home states of those on the Appropriations Committee and members of the Senate leadership. Those left out of this correlation predicated on patronage rather than value to American national interests are, of course, the very people we would like to help overseas, and the programs of liberalization and reform we would otherwise use the money to encourage.

Given the unprecedented war we are in, we should be redoubling our efforts to target as many resources as possible to win it. To this end, we should all heed the words of Office of Management and Budget Director Mitch Daniels, who said, ''Everything ought to be held up to scrutiny. Situations like this can have a clarifying benefit. People who could not identify a low priority or lousy program before may now see the need.''

America will go on, and we will continue to lead the world as only we can. The security and prosperity of our people demand it. Our wish to see our values flourish universally requires it. But we are handicapping ourselves in refusing, even in these times, to abandon the parochialism that infected congressional spending decisions long before our compelling international responsibilities provided us with a higher calling. Perhaps some of this parochial funding could be spent in a better way, helping more people and further advancing the virtuous causes we aspire to lead.

Madam President, I ask unanimous consent that the following documentation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT FOR FISCAL YEAR 2002

BILL LANGUAGE

TITLE II—BILATERAL ECONOMIC ASSISTANCE

Development Assistance:

The International Fertilizer Development Center: provides $2,300,000 for core support.

The United States Telecommunications Training Institute: provides $500,000 for support.

The American Schools and Hospitals Abroad program: provides $19,000,000.

REPORT LANGUAGE

TITLE II—BILATERAL ECONOMIC ASSISTANCE

The Gorgas Memorial Institute Initiative for Tuberculosis Control: Committee recommends $2,000,000.

Iodine Deficiency/Kiwanis: Committee recommends that AID provide at least $2.5 million to Kiwanis International through UNICEF.

Helen Keller Worldwide, the International Eye Foundation, and others: Committee expects USAID to provide $1.3 million.

Helen Keller Worldwide-initiated programs to aid the visually impaired in Vietnam and Cambodia: committee urges USAID to expand funding for similar programs.

Population Media Center: Committee supports.

International Medical Equipment Collaborative: urges AID to consider for funding.

Mobility International USA: recommends AID consider support for up to $300,000.

Women's Campaign International: Committee recommends $600,000.

Vital Voices Global Partnership: Committee recommends $100,000.

American Schools and Hospitals Abroad: Committee has provided not less than $19 million and expects USAID to allocate funds for Operating Expenses. The following are specified as deserving further support: Lebanese American University, International College, the Johns Hopkins University's Centers in Nanjing and Bologna, the Center for American Studies at Fudan University, Shanghai, the Hadassah Medical Organization, the American University of Beirut, and the Feinberg Graduate School of the Weizmann Institute of Science.

Patrick J. Leahy War Victims Fund: Committee expects $12 million be made available to support the fund's work.

United States Telecommunications Training Institute: Committee has provided not less than $500,000.

International Executive Service Corps: Committee recommends $5 million to support additional work by the IESC.

American University of Beirut: Committee urges AID to fund this program.

Sustainable Harvest International: Committee urges AID to provide $100,000.

U.S./Israel Cooperative Development Program and Cooperative Development Research Program: Committee supports funding.

World Council of Credit Unions: Committee recommends up to $2 million.

Protea Germplasm: requests AID to fund a joint South Africa-U.S. conference on sustaining the protea industries in South Africa and United States.

International Fertilizer Development Center: Committee recommends $4 million for the core grant and research and development activities.

Biodiversity Programs: Committee expects AID to provide $100 million to enhance biodiversity in marine environments.

Pacific International Center for High Technology Research: Committee recommends $500,000 to initiate a demonstration program on sustainable renewable energy systems.

Tropical Fish and Plant Global Market: Committee urges funding by AID.

Parks in Peril: Committee continues strong support for the program.

Foundation for Security and Stability: Committee recommends $2.5 million.

The Peregrine Fund: Committee recommends $500,000 for the Neotropical Raptor Center.

Dian Fossey Gorilla Fund International: Provides $1.5 million to support the fund and the center.

Orangutan Foundation: Expects provision of $1.5 million to support such organizations.

International Project WET: encourages AID to support the project's efforts.

Soils Management Collaborative Research Support Program: Recommends $3 million for ongoing activities and initiate work on carbon storage.

Peanut Collaborative Research Support Program: Committee recommends that AID increase funding for this program.

University Programs: Committee recommends AID and/or the Department of State consider proposals for funding by the following organizations: Africa-America Institute, Alliance of Louisiana Universities, Atlanta-Tbilisi Partnership, City University, Columbia University, Connecticut State University System, Dakota Wesleyan University, Dartmouth Medical School, DePaul University College of Law—includes Arab-Israeli discussion on arms control and Inter-American Commission of Women and the Inter-American Children's Institute, EARTH University, Florida Agricultural and Mechanical University, Florida International University, Green Mountain College, Iowa State University—includes International Women in Science and Engineering Program and support to the International Institute of Theoretical and Applied Physics, Historically Black Colleges, John Hopkins University, Kansas State University, La Roche College, Louisiana State University—includes LSU/Latin American Commercial Law project and International Emergency Training Center, Loyola University, Marquette University, Mississippi State University,

Montana State University Billings,—includes development of an online Master of Health Administration Degree Program and expanded programs in international business, St. Michael's College, St. Thomas University, South Dakota State University—includes International Arid Lands Consortium and food security in Central Asia, Temple University, Tufts University, University of Alaska, University of Arkansas Medical School, University of Dayton, University of Illinois—Chicago, University of Indianapolis, University of Iowa, University of Kentucky, University of Louisville—includes partnership with Rand Afrikaans University, program in Georgia, and collaborative research program on plant materials in Philippine rain forest, University of Miami, University of Mississippi, University of Nebraska Medical Center, University of New Orleans, University of Notre Dame, University of Northern Iowa—includes, Orava Project Global Health Corps program, and Russo-American Institute of Mutual Understanding, University of Rhode Island, University of San Francisco, University of South Alabama, University of Vermont, University of Vermont College of Medicine, Utah State University—includes establishment of a College of Agriculture of Jenin and World Irrigation Applied Research and Training Center, Vermont Law School, Yale University, and Western Kentucky University.

Bridge Fund in Tibet: Committee supports this project.

Joslin Diabetes Center: Committee encourages AID to support.

Galilee Society and Arava Institute for Environmental Studies: urges the Administration to consider funding.

School for International Training's Conflict Transformation Across Cultures Program: Committee believes funding is needed.

Care for Children International, Romania: encourages AID to support.

American Bar Association: Requests AID to consider providing $500,000 to develop international database of ongoing legal reform efforts.

North Dakota-Turkmenistan Health Partnership and others: Committee supports.

Eurasian Medical Education Program of the American College of Physicians: Committee requests to be consulted on future funding.

Primary Health Care Initiative of the World Council of Hellenes: Recommends $2 million.

United States-Ukraine Foundation: supports funding.

American Academy in Tbilisi: recommends an increased level of funding.

Georgia: Provides not less than $3 million for a small business development project.

Total: $186,200,000.

Mr. CRAIG. Madam President, I am heartened by the amount of cooperation I have witnessed among my Senate colleagues and the expeditious way they have addressed our national security concerns in the wake of the terrorist attacks of September 11. The passage of the Airline Security and Anti-Terrorism bills will give the administration necessary tools to combat terrorism here at home. Whether the anthrax attacks of last week on our Nation's Capitol prove to be connected to Al Qaeda, it is certain that the attempt to bring our government to a standstill has failed. To be sure, the quarters here have been cramped but our commitment to work together has not been affected. Our thoughts and prayers go out to the families of the postal workers who lost their lives this week, but this sad chapter only strengthens our resolve to find the culprits of these heinous acts and bring them to justice.

I commend the administration for its success in forming an international coalition on such short notice. The President's visit to Shanghai last week, and Secretary Powell's visit to India, were fruitful in getting us needed support from the two most populous countries in the world. I join the President in admonishing all nations who want to be a part of the civilized world to either side with us, or side with the terrorists. The time to be lukewarm is gone; we need to draw a line in the sand. I believe we are entering into a ''New Cold War,'' where the stakes are no less grave than they were in the cold war of the twentieth century. The fight against radical Islam, like the fight against communism, is a fight to preserve the republican ideals that made our Nation so great. May we look to President Reagan and the example he set for American courage and American resolve to win in this ''New Cold War''.

Many of my colleagues on the Appropriations Committee know that I am not a big fan of foreign aid, particularly when there are many vital projects that deserve attention here at home. The Foreign Operations Appropriations bill has many flaws, the worst of which has incited a Presidential veto threat due to provisions that would allow federal funding for international family planning organizations that perform abortions overseas. American taxpayer dollars should not be used to subsidize groups that do not respect the life of the unborn. This sends the wrong message to our children and cheapens the value of life. Other flaws include the onerous certification requirements that the administration must fulfill in order to assist in the rebuilding of vital infrastructure that we destroyed in Yugoslavia during the Kosovo war. Yugoslavia has made tremendous strides towards democracy, as can be witnessed by the free and fair elections that peacefully removed the Milosevic regime. Rather than further harm the Yugoslav people who are in need of such basic things as clean water, and heating for the coming winter months, we should allow the administration to grant assistance as it sees fit in this area.

I also have a problem with a bill that is over a half a billion dollars larger than last year, but is over $160 million below the funding level requested by the administration for programs to curb illicit narcotics trafficking in the Andean region. How can we justify a spending increase of this magnitude at the expense of important programs that help to prevent the flow of illegal drugs into this country? Where is this increase in spending going?

Despite these flaws, however, the events over the past 6 weeks have understandably changed Americans' outlook on international affairs, and our need to stay engaged. I recognize the responsibility the United States has in leading the fight to defend democracy and Western Civilization and, as such, the United States must remain involved in the international arena. This is not the time to isolate ourselves. The administration must have a complete arsenal at its disposal for the war against terrorism, and that includes having the ability to use foreign aid as a means to reward and reinvest in those nations who actively support us in this fight. Therefore, I will support the passage of this bill on condition that its most grave flaws be remedied in conference with the House. However, should the conference report be sent to the Senate floor ''unremedied,'' I will be forced to consider opposing the report and urging my colleagues to do likewise.

Lastly, as a complement to the ongoing efforts to strengthen our national security, I urge the speedy passage of a revamped Intelligence Authorization bill that will give our intelligence community the capability it needs not to not only streamline the gathering and sharing of information among various agencies, but to have the discretion to act on that information as well. Our agents in the field should not be more worried about getting reprimanded for the methods they use in collecting information, than they should about ensuring the safety of our Nation.

I would also like to reiterate the importance to our national security of passing an energy bill that will allow us to explore other sources of energy domestically. As the prospects of a widened war in the Middle East becomes more likely, it is crucial that we take steps now to wean ourselves away from foreign sources of oil. We currently consume up to 700,000 barrels of oil a day from Iraq alone. If the American people are worried about the state of the economy now, just wait until we have a real energy crisis, and we will all see the economy go into a tailspin.

The eyes of the free world look to us for direction. We must not fail them.

Mr. LEAHY. Madam President, I thank the ranking member, Senator MCCONNELL, for his support and cooperation throughout this process. He has been a partner in writing the bill, in resolving the amendments, and I value his friendship and his advice.

I also commend the staff, for all their work. In particular, I recognize Paul Grove, who took over as the Republican clerk for the Foreign Operations Subcommittee earlier this year. Paul has quickly learned the appropriations process and has been a pleasure to work with.

In addition, Mark Lippert, the new deputy clerk on the Democratic side, has done an outstanding job.

Jennifer Chartrand, who has been a professional staff member for the Appropriations Committee for several years, provided essential advice and support to my staff. She was indispensable.

I thank Tara Magner of my Judiciary Committee staff, and J.P. Dowd, my legislative director, for their help during floor consideration of this bill.

I recognize Tim Rieser, the Democratic clerk for the subcommittee, for all his help.

And I thank Dakota Rudesill, staff member for the Budget Committee, who provided excellent and very helpful advice during floor consideration of this bill.

Finally, as always, we owe a debt to Billy Piper, on Senator MCCONNELL's staff. Billy came in at crucial times to resolve a number of important issues.

That completes action on the Foreign Operations bill for fiscal year 2002.

Mr. LEAHY. Madam President, I know of no other amendments.

I ask unanimous consent that with respect to H.R. 2506, the foreign operations appropriations bill, upon the disposition of all amendments, the bill be read a third time and the Senate vote on passage of the bill; that upon passage, the Senate insist on its amendments, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER (Ms. CANTWELL). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. KYL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 2, as follows:

[Roll Call Vote No. 312 Leg.]

YEAS—96

Akaka	Bingaman	Campbell
Allard	Bond	Cantwell
Allen	Boxer	Carnahan
Baucus	Breaux	Carper
Bayh	Brownback	Chafee
Bennett	Bunning	Cleland
Biden	Burns	Clinton
Cochran	Hatch	Nelson (NE)
Collins	Helms	Nickles
Conrad	Hollings	Reed
Corzine	Hutchinson	Reid
Craig	Hutchison	Roberts
Crapo	Inhofe	Rockefeller
Daschle	Inouye	Santorum
Dayton	Jeffords	Sarbanes
DeWine	Johnson	Schumer
Dodd	Kennedy	Sessions
Domenici	Kerry	Shelby
Dorgan	Kohl	Smith (NH)
Durbin	Leahy	Smith (OR)
Edwards	Levin	Snowe
Ensign	Lieberman	Specter
Enzi	Lincoln	Stabenow
Feingold	Lott	Stevens
Feinstein	Lugar	Thomas
Fitzgerald	McCain	Thompson
Frist	McConnell	Thurmond
Gramm	Mikulski	Torricelli
Grassley	Miller	Voinovich
Gregg	Murkowski	Warner
Hagel	Murray	Wellstone
Harkin	Nelson (FL)	Wyden

NAYS—2

Byrd Graham

NOT VOTING—2

Kyl Landrieu

The bill (H.R. 2506) was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. REID. Madam President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints. Mr. LEAHY, Mr. INOUYE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED of Rhode Island, Mr. BYRD, Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, and Mr. STEVENS conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Madam President, I want to take this opportunity to thank the staff of my good friend from Vermont, Senator LEAHY, with whom we have worked on this bill for these many years. They are Tim Rieser, Mark Lippert, and J.P. Dowd. I also extend my thanks to Jennifer Chartrand, Billy Piper of my personal staff, and Paul Grove, who replaced my long-time staffer, Robert Cleveland of the Foreign Operations Subcommittee. He has done a superb job with his first bill. I thank them all from the bottom of my heart.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Madam President, I compliment the distinguished chairman and ranking member for their excellent work. This is not an easy bill. Oftentimes, it is one that keeps us occupied for days, if not weeks. I thank them for their leadership, and I am very grateful for the fact that we were able to get this bill done.

Also, I thank the distinguished Senator from Vermont, Senator LEAHY, for his work on the global AIDS matter. Were it not for him, we would not have had the additional resources that are so critical right now, this year, from this country. He did an outstanding job in that regard, too. While he is not on the floor at the moment, I thank him personally for all of his work.

As I announced earlier, it is our intention to take up the counterterrorism legislation. It has now passed in the House. We have had a good debate in the Senate. I would like to proceed with a unanimous consent request that would accommodate a good deal of debate again on a bill. I know there may be a colloquy involved. Let me proceed with the unanimous consent request, and I ask the cooperation of all Senators. I will propound the request now.

UNANIMOUS CONSENT AGREEMENT—H.R. 3162

Mr. DASCHLE. I ask unanimous consent that at 10 o'clock Thursday, October 25, the Senate proceed to the consideration of H.R. 3162, the counterterrorism bill; that no amendments or motions be in order to the bill, except a motion to table the motion to reconsider the vote on final passage of the bill; that there be 5 hours and 10 minutes for debate, with the time controlled as follows: 90 minutes each for the chairman and ranking member of the Judiciary Committee, or their designees; 10 minutes each, controlled by Senators LEVIN and WELLSTONE; 20 minutes under the control of Senator SARBANES; 60 minutes under the control of Senator FEINGOLD; 15 minutes under the control of Senator GRAHAM of Florida; 15 minutes under the control of Senator SPECTER; that upon the use or yielding back of time, the bill be read the third time, the Senate then vote on final passage of the bill, with this action occurring with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, Madam President, I thank the distinguished majority leader for giving me this opportunity. He and I have discussed at length the concern that I have that is shared by Senator SMITH of Oregon. I want to take a minute or two to describe what is so important to us and have a discussion briefly with the distinguished majority leader.

In my home State of Oregon, we have not been able to do a covert investigation into dangerous criminal activity such as terrorism in more than a year. The hands of our prosecutors are tied. Senator Smith and I, along with a number of other colleagues and prosecutors, believe very strongly that it is critically important as part of this antiterrorism effort that we allow the prosecutors to go forward and do wiretaps, stings, and essentially undercover operations. We have not been able to get such a provision into this

antiterrorism legislation because of the work of the House.

Senator DASCHLE has been exceptionally supportive, as have Senator HATCH and Senator LEAHY. The Senate is united on this matter. The Senate has agreed in its entirety. For reasons that are inexplicable to this Member of the Senate, the House has been unwilling to untie the hands of Federal prosecutors in my home State.

The question then is: Why should every Senator care about what is happening in the State of Oregon? The reason I feel so strongly about this is that if we learned one thing on September 11, it is that if the terrorists get sanctuary anywhere, Americans are in trouble everywhere because we saw on September 11 the terrorists set up shop in New Jersey, they set up shop in Florida, and they ended up murdering Americans in New York City and in the Pentagon and in Pennsylvania.

As a result of the work that was done on the foreign operations appropriations legislation, again, to the credit of Senator DASCHLE, Senator LEAHY, and Senator SMITH, Senator LEAHY added the original bill that I authored. Senator SMITH and I have teamed up on this, and it is now in the foreign operations appropriations legislation that passed this body.

What is different tonight and why I am not objecting is that the White House has now indicated for the first time that they will support in the foreign operations appropriations legislation what Senator SMITH and I have crafted.

We have also been able to, in discussions with Senator DASCHLE, have an opportunity to let him discuss his views on it. He has renewed his commitment to me that we will have the united support of the Senate on the foreign operations appropriations bill, and if, in fact, the House junks this on the foreign operations appropriations bill in spite of the administration's effort, Senator DASCHLE, to his credit, has renewed his support for this effort and has been kind enough to give me this time to state my reservation.

I would like to have him briefly describe his views on this matter.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Madam President, I say to both my colleagues from Oregon how much we appreciate their extraordinary efforts. I do not know of many pieces of legislation that pass unanimously not once but twice, and not only twice but within a matter of weeks. But that is the case.

This legislation passed unanimously as an amendment to the counterterrorism bill. This amendment has just now been passed unanimously as part of the foreign operations appropriations bill. That would not have happened were it not for their tenacity and their decisive leadership. I am grateful to them, first of all, for their willingness to continue to pursue this effort until they are successful.

I was involved in these discussions and negotiations with our colleagues from the House as we negotiated the various pieces. There were various reasons this legislation was not kept as part of the counterterrorism legislation, but I will tell my colleagues what I have said publicly: We will continue to pursue this; we will continue to persist until this becomes law.

As the Senator from Oregon has noted, the White House indicated they are prepared to join us in that effort. With that additional assistance, with those assurances, we are in a much stronger position now than we have been at any time in recent months to ensure our success. But if for whatever reason we are not successful, this will come back again and again, and we will continue to send it to the House again and again until it is done successfully.

I am confident we will complete our work successfully on this amendment. I am confident that with their partnership and the effort they have already made, we will be successful. I will pledge my support, and I know Senator LEAHY feels every bit as strongly as I do. We will work in concert with them to ensure the maximum level of success as we go into conference on the foreign operations appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of Oregon. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I say to the majority leader, I will not object, but I want to be included in the colloquy and be entirely supportive of my colleague, Senator WYDEN. I want to state publicly for the record, Senator WYDEN and I began working on this issue together in great earnest this last weekend because it was apparent that the good bill we had passed to the House was coming back as something less than that bill.

Because of the unique circumstances described by Senator WYDEN, every American should know that the bill we are about to pass tomorrow puts a stake in Oregon that says Oregon is open for business to terrorism. That is a stake we want to pull out because right now no undercover work is going on in Oregon for a whole variety of unusual reasons. That is where it is, and that must be fixed, or every American should know that the bill we will pass tomorrow is an illusion until it includes all 50 States.

In my State, whether it is environmental terrorism, child pornography, drug runners, methamphetamine producers, or al-Qaida terrorist groups, they are finding aid and comfort from the absence of law enforcement when it comes to undercover activities. That must end or we are kidding the American people.

I thank the majority leader for his commitment. I thank Senator LOTT and the managers of this bill for their commitment, and I say for the record, I have the assurances of Carl Rove with the White House, John Ashcroft in Justice, and I am awaiting a call from the Speaker of the House to work in earnest to get this resolved quickly so that we can in good faith face the American people and say: We have passed a terrorism bill that includes all Americans. But right now, it does not include Oregonians.

I yield to my colleagues.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, if I may continue briefly on my reservation, Senator SMITH has summed it up very well. At this point in the State of Oregon, there are no wiretaps; there are no sting operations; you cannot infiltrate dangerous criminal groups no matter how dastardly their plans. We are not talking about some kind of abstract proposition.

The bill that is going to be passed tomorrow is essentially a bill that deals with terrorism in 49 States. As I say, it just seems to me once you allow a sanctuary, a launch pad for terrorist groups anywhere, everyone is at risk. What is different tonight is we have been able to secure a commitment from the White House.

The majority leader, as is his tradition, has worked very closely with me and has made a similar commitment to Senator Smith, and tonight—and I will say this is very hard for this Member of the Senate to do because I think the people of my home State are going to be at risk tonight—but because of the commitment we have secured from the majority leader—and it is a renewed commitment; again and again he has been in these meetings fighting to change the McDade law and give our prosecutors the tools to deal with this problem.

With the new commitment tonight from the White House and with the continued commitment and assurance of the majority leader tonight, I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I thank both of my colleagues from Oregon for their willingness to work with us. I have already said how strongly I feel about this matter, and the passion expressed by both Senators from Oregon I think is a clear indication of their determination to see this through to ultimate success. We will see success. I am grateful to them tonight.

UNANIMOUS CONSENT AGREEMENT—H.R. 2330

Mr. DASCHLE. Madam President, I ask unanimous consent that upon disposition of H.R. 3162, the Appropriations Committee be discharged from consideration of H.R. 2330, the Agriculture appropriations bill; that the Senate then proceed to its consideration; that immediately after the bill is reported, the majority manager, or his designee, be recognized to offer the

Senate-committee-reported bill as a substitute amendment; that the substitute amendment be agreed to; that the motion to reconsider be laid upon the table; that the amendment be considered as original text for the purpose of further amendment; and that no points of order be considered waived by this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I have had a number of questions asked today. It is my understanding we are going to try to complete the counterterrorism bill tomorrow and also go to the Agriculture appropriations bill tomorrow. Is that right?

Mr. DASCHLE. The Senator from Nevada is correct. It is my hope once we have completed the counterterrorism bill, we could immediately begin debate on the Ag appropriations bill, and if it is possible to complete our work tomorrow night, it is my intention to have no votes on Friday.

Obviously, if we are unable to complete our work Thursday night, then there would have to be votes on Friday because we need to finish this bill. That would be the possibility, that if we complete our work, it would be my intention not to have votes on Friday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Madam President, while the majority leader is in the Chamber, I ask unanimous consent that I be able to proceed as in morning business for 5 minutes and have his attention for the first 60 seconds of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

SETTING THE RECORD STRAIGHT

Mr. BIDEN. Madam President, I rise today to clarify a matter that has been somewhat taken out of context. I know my good friend, the majority leader, was asked this morning about comments the Senator from Delaware allegedly made speaking to the New York Council on Foreign Relations, which surprised me the question was asked.

I was informed that a high-ranking Republican on the House side put out a statement—and I am sure he did not understand the context—suggesting I implied Americans were high-tech bullies who were bombing Afghanis, and we should be fighting on the ground and not bombing.

I want to assure my friend from South Dakota, in his response to the question, he was correct. I did not say anything like that. I will read from the transcript from the New York Council on Foreign Relations speech.

I was asked by a gentleman, whose name I will not put in the—well, his name is Ron Paul, whom I do not know, who says: I concur with everybody else in commending you on your comments, and he goes on.

Then he says: With regard to the bombing, every day it goes on the harder it may be for us to do something next, referring to rebuilding Afghanistan. He said: What do you see as the situation if we do not defeat the Taliban in the next 4 weeks and winter sets in in Afghanistan?

The context of the question was, Is it not a hard decision for the President to have to choose between bombing, knowing it will be unfairly used for propaganda purposes by radical Muslims in that area of the world, and bombing to make the environment more hospitable for American forces to be able to be successful on the ground?

I said it was a hard decision. The question was repeated, and my answer was: I am not a military man—I will read this in part.

> The part that I think flies in the face of and plays into every stereotypical criticism of us——

Referring to the radical Muslims, that part of the world that is radical——

> is we're this high-tech bully that thinks from the air we can do whatever we want to do, and it builds the case for those who want to make the case against us that all we're doing is indiscriminately bombing innocents, which is not the truth.

So I want the majority leader to know, and I am sure when the gentleman on the House side sees the comments, he will be able to put it in the proper perspective because the irony is anyone who has been in the Senate knows I was the first, most consistent, and the last calling for the United States to bomb in Bosnia, bomb in Kosovo, use the full force of our air power.

I have been around long enough to know unless someone stands up and clarifies something, it can get out of hand very quickly.

I thank my colleague for his response this morning to the press and for his faith in his chairman of the Foreign Relations Committee. I assure him, in this case at least, it was well placed.

I ask unanimous consent that my entire speech—which I would not ordinarily do because it is my own speech—to the Council on Foreign Relations be printed in the RECORD, along with the question and answers that follow.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Remarks By Joseph R. Biden, Jr., United States Senator—Delaware]

FROM TRAGEDY TO OPPORTUNITY: ACTING WISELY IN A TIME OF UNCERTAINTY

(Council on Foreign Relations, New York City, October 22, 2001, (As Prepared))

When I accepted this invitation I expected to be talking about the ABM treaty, about our military priorities in the context of an evaporating budget surplus, or about missile defense versus the more urgent threats we could face—and now, in fact, do face.

I thought the questions I might be asked would be about strategic doctrine, about relations with traditional adversaries like Russia and China, and whether the Yankees will win another World Series.

I certainly did not, for one instance, think we'd be here today wondering about our short-and long-term goals in a war against terrorism: Will we succeed? How long will it take? What constitutes victory?

But those are, in fact, the questions facing the United States, and, I confess, they're not easy to answer.

First, our immediate goal is to cut off the head of Al Qaeda, break up the network, leave them no safe haven. That means the removal of Osama bin Laden, Mullah Omar, and the Taliban leadership.

I don't know how long it will be before the regime is toppled. I wouldn't want to guess. But the handwriting is on the wall. They've lost the support of their key sponsors and are essentially isolated. But some of these sponsors may need reminding that they've got to make a clear break with the past, and we should not hesitate to spell that out.

After Al Qaeda and the Taliban fall, and—to use the phrase of the day—we drain the swamp, the medium-term goal is to roll up all Al Qaeda cells around the world.

Then, with the help of other nations and possibly with the ultimate sanction of the United Nations, our hope is we'll see a relatively stable government in Afghanistan—one that does not harbor terrorists, is acceptable to the major players in the region, represents the ethnic make up of the country, and provides a foundation for future reconstruction.

In the long term, our goals are easy to articulate, but much more difficult to achieve.

We'll need to deter any potential state sponsors of terrorism from providing support or haven to future bin Ladens.

We'll work with others and try to help rebuild a politically and socially stable Afghanistan that does NOT export terrorism, narcotics, or militancy to its neighbors and to the wider world—more like it was in the 1950s.

We'll need to stabilize Southwest and Central Asia and prevent the Taliban-izing, if you will, of Pakistan and other countries.

And we'll need to address some of the economic and political forces that can be manipulated by men like bin Laden. We must do this with the full awareness that attention to social and political development alone won't prevent another bin Laden from emerging. But, at least, it will severely limit the pool from which he can draw recruits and support.

If we're successful in prosecuting this effort in Afghanistan, it ups the ante for other nations harboring or sponsoring—directly or indirectly—other terrorist groups.

The President believes, and I agree, that we must stay involved in the region, not necessarily with American troops, but with American leadership, and resources.

The President has repeated many times, and it's important that we say it over and over again: This is not a war against the Afghan people or any one faith. This is a war between nation states and transnational terrorist organizations, between civilization and chaos.

We need to remind the world's 1.2 billion Muslims—the vast majority of whom are sickened by the attempted hijacking of their faith—that our beef is with bin Laden and Al Qaeda, not with them.

American policy has long been marked by a blend of the Wilsonian trend and realpolitik, but whatever our motive, it has not been guided by religious imperatives.

When we sought to bring peace and stability to the Balkans, the Muslims in Bosnia and Kosovo were the primary beneficiaries.

When we went into Somalia, our aim was to feed starving people who happen to be Muslims.

And, when we provided 170 million dollars in humanitarian assistance to the Afghan

people in the last year, it had to do with our principles, and the people there were Muslim, too.

Unfortunately, we're doing a terrible job of disseminating information. We have to take a fresh look at public diplomacy and determine the most effective ways we can get out our message.

But I'm under no illusions. Winning the hearts and minds of ordinary citizens in the Islamic world is an uphill battle, but one we must undertake.

We must enhance the means we use as well as the message—whether it's people to people visits that explain our principled respect for the diversity of all faiths and cultures—or radio and television broadcasts that inform and ultimately empower moderate Muslim voices.

What we cannot do is let the Taliban wage the same propaganda war Saddam waged in Iraq, with photographs of mothers and children scrambling for food and endless footage of destroyed buildings—all designed to portray America as anti-Islam. That's a bald-faced lie.

Regardless of whether we succeed in getting our message out, the truth is, we CANNOT and we certainly WILL not walk away from seven million displaced and desperate Afghans surviving on little more than grass and locusts.

We must do more to help the Afghan people, and we must do FAR more to make our aid visible across the Muslim world.

I'm reluctant to use the word ''nation building'' because it's such a loaded political term—but, if we leave Afghanistan in chaos, it'll be another time bomb waiting to explode. And there's an enormous powder keg right next door in Pakistan.

If we think we have a problem now, imagine a nation with six times the population of Afghanistan, a nuclear arsenal, and a Talibanized government.

To avoid that scenario, we have to work with the World Bank, the IMF, the U.N., other NGOs and our allies, especially those in the region, to help build an infrastructure in Afghanistan that works.

United Nations Secretary General Kofi Annan said it will take nearly $600 million just to get the Afghan refugees through the winter. But that's only the beginning.

In the long term, Afghanistan will need to find a way to break the hold that the madrassas have had on a generation of young men.

They will need to educate a generation of young women, to give them the tools necessary to seize the rights so cruelly denied them under Taliban rule.

They'll need to de-mine the most heavily mined nation in the world.

They'll need crop substitution programs to rid themselves of the title of the world's foremost producers of heroin and opium.

They'll need wells, water purification centers, hospitals, village clinics, even simple roads from one town to the next.

I commend the President for promising $320 million in Afghan aid. In my opinion, this might be the best investment we could make. I say this notwithstanding the many obstacles to achieving these goals that exist in a region that has not proved fertile for incubating democratic institutions. Clearly, we can't do it alone.

As demonstrated since September 11th, it's even more obvious, at least to me, that our national interests can't be furthered, let alone achieved—in splendid indifference to the rest of the world.

Our interests are furthered when we meet our international obligations, keep our treaties, and engage the world.

Far from the black and white of campaigns and up against the gray of governing, it's much easier to see the virtues of multi-nationalism and the shortcomings of unilateralism.

The same tools we used to build this coalition may, in the long term, help change the dynamics of bilateral relations, and present real and unexpected opportunities to define this new century.

And by the way, the Administration has figured it out.

Where the Administration may have once been tempted to see only strategic differences with China over national missile defense and Taiwan, today there's a growing recognition that we have common strategic interests as well—like fighting terrorism and maintaining peace and stability in Central Asia.

Where the Administration may have once seen relations with Russia through the prism of the Cold-War, today there's the promise of entering into a fundamentally different relationship with the Russian Federation.

Where the Administration may have once viewed relations with Iran within the confines of a twenty-year time warp, today Iran has signaled a desire to at least explore a relationship based on newly defined common interests. They've even said they would assist in search and rescue operations of any downed American pilots.

Clearly there's an internal rift in Iran. The reformists would like to go further. All they could get through the system was this modest gesture. But because the system operates on consensus, I'm virtually certain Khamene'i approves, which is significant in itself.

Let's not be under any illusion that there will be full blown rapprochement with China, Russia, and Iran. But if we do this right, if we look at our adversaries in a new light, there will be much to build off in the future.

This weekend the President was in Shanghai for the Asia Pacific Economic Cooperation Summit. He met with China's leaders, who now see more clearly than ever the threat posed to them by the proliferation of nuclear, chemical, biological, and ballistic missile technology.

I guarantee that Jiang Zemin can imagine a plane crashing into an 80 story office tower in Shanghai. I expect that China's leaders will never think of their nuclear and ballistic missile exports to Pakistan in quite the same way.

Working with China against terrorism, however, does not mean jettisoning our concerns about China's human rights record, or overlooking proliferation. In fact, we may need to remind China's leaders that respect for the human rights and religious liberty of China's Muslim minorities is not only morally right, but also essential if we are to deprive the terrorists of recruits.

In Russia, President Putin has emerged as a strategic thinker who realizes that, in order for Russia to advance into the ranks of highly developed nations, he must cast his lot with the West.

Putin recently said ''Today we must firmly declare: the Cold War is over.'' And with respect to our efforts in Afghanistan, he said ''I have no doubt that the U.S. leadership and President Bush will do their best so that the peaceful population does not suffer, and they are already doing their best.''

Putin is willing to confront entrenched, reactionary domestic opposition when necessary. He overruled his senior military, and gave the green light for American planes to overfly Russian territory and to permit troops on former Soviet territory in Central Asia, actions virtually unimaginable not long ago.

We have a genuine opportunity to pursue a new relationship with Russia, and we should. If the news out of Shanghai this weekend is accurate, it may well be possible to reach agreement on mutually limiting offensive capabilities and allowing Tests of missile defense systems. I hope the President will resist those in his Administration who would have him risk squandering this opportunity by withdrawing unilaterally from the ABM treaty.

I've always said: nations, like people, use crises to resolve differences, or create opportunities.

In the case of Russia, we have a momentous opportunity. It may well be possible to deal not only with strategic forces, but also with NATO enlargement and our non-proliferation concerns.

That new relationship could shape this half-century as the Cold-War shaped the last.

Three days ago, Secretary Powell said in Shanghai, ''Not only is the Cold War over, the post-Cold War period is also over.''

If the Administration proceeds pragmatically, rather than ideologically, the new era could be good, indeed.

But let's remember that Russia is not the only country that matters in developing a new strategic doctrine. We must take care not to provoke a major Chinese arms build-up, which could lead to more nuclear arms in India and Pakistan. We need the help of both in the war on terrorism. And nobody needs more nuclear weapons along a border that is already getting too hot for comfort.

The time is right to consider joint efforts to reduce strategic arms; commit to a joint program to combat terrorism; develop a bilateral plan to prevent other countries or terrorists from gaining weapons of mass destruction; find ways to counter infectious disease epidemics and clean up the residue left by our weapons programs. And we should do everything we can to help Russia stay on a path of economic and political growth and stability.

Once the foundation of cooperation is firmly established, we can pursue missile defense—if that's what we want—without rocking the boat of strategic stability.

Look, in the long-term—even if the coalition breaks down—we'll have the potential opportunity to create a new day of enhanced bilateral relations with China, Russia, and maybe even with Iran.

So, in the short term we want to eliminate bin Laden and his top aides and remove Mullah Omar and the Taliban leadership.

In the medium term, we'll need to establish a relatively stable regime in Afghanistan and roll up Al Qaeda cells around the world.

And in the long-term, we have to deter state sponsorship of future bin Ladens, help rebuild Afghanistan, and stabilize Southwest and Central Asia.

What will be much more difficult, will be to clearly identify and address some of the root causes of this hard-core, hate-driven zealotry so we can limit the pool from which another bin Laden can draw recruits.

The list of root causes is long—from the lack of legitimate channels of dissent in the Arab world, to desperation, resentment at American material success, a perception that our actions don't match our ideals.

All of these issues are worthy of our attention, but they can never be excuses for terrorism.

Which brings us to Israel. Let me just say, Israel did not produce bin Laden, and we can't let Israel be the scapegoat.

We are in a tough stage right now, and there are many cross-winds buffeting our relationship, but our friendship with Israel is not a transitory event, a marriage of convenience, or a short-term alliance.

Differences are normal even among friends, but airing them in public is never useful. Surely there are sufficient channels to communicate our views. Let us not create any

false impressions about the fundamental, long-term basis upon which the U.S.-Israel relationship rests: we continue to be bound by unshakable, shared democratic values.

After all this, the question remains—what constitutes victory in the war on terrorism?

If we cut off the head of Al Qaeda, help to rebuild a stable Afghanistan, and if, in the process, we find a way to stabilize the relationship between Pakistan and India, and enhance bilateral relations with China, Russia, and Iran, then we have achieved a victory that may well define the 21st century.

In sum, just as we could not have put together a viable coalition if President Bush had already walked away from the ABM treaty, so too will we have trouble nurturing future bilateral relations if we decide, when the crisis is over, to go it alone, again.

We should be figuring out right now how we revive the Comprehensive Test Ban Treaty (CTBT), the Biological Weapons Treaty, move on arms control proposals that go to Start III, environmental treaties, and how to amend—and not jettison—the ABM Treaty.

Before I take some questions let me leave you with these final thoughts. On September 11th the world changed for the terrorists. It was, I believe the beginning of the end of a way of life, not for America, but for international terrorism.

Out of our dark grief our nation is newly united and abroad we have new opportunities.

As my mother says, ''Out of every tragedy, if you look hard enough, you can find one good thing.''

Or, in the words of another great Irish poet, Seamus Heaney:

''History says, don't hope
On this side of the grave.
But then, once in a lifetime
The longed-for tidal wave
Of justice can rise up,
And hope and history rhyme.''

I truly believe, notwithstanding incredible difficulties we face in doing even half the things I mentioned here, that we're on the verge, if we do it right, of making hope and history rhyme. But we cannot squander this opportunity. I believe the President has made a genuine transition in his thinking on foreign policy. I hope I am not kidding myself. If he has, I think not only will he go down as a great President, I think we will have marked the beginning of a new era in international relations.

The following transcript of the Question and Answer period has been provided by the Council on Foreign Relations. The moderator is former Congressman Vin Weber.

VW: Thank you. It's my job to screen questions for the Senator without trying to get too much between the questioner and the answer. Under the rules of these engagements, when I call on you will you please stand up and state your affiliation, and try to state your question as concisely as possible. To get things going, though, I'm going to take the prerogative of the Chair and ask the first question.

Senator, you talked at some length about some possibilities in terms of relationships around Russia and other places. Talk about a place where there might be some strains, the American people at least are being fed a significant diet of negative information about our relationship with the Saudi's and their relationship to terrorism over these past many years. Is there a deeper problem there than we thought, and how should the American people and the government think about that relationship?

JB: I've been admonished to make the answers very, very brief, so I will make them brief, if you want me to expand I will attempt to do that. Number one, I do not doubt the pressure that the Saudis are under, like other Arab states in the region, having to essentially buy off their extreme groups in order to maintain themselves. But the Saudis have gone above and beyond the call in destabilizing the region, in my view, in terms of essentially funding a significant portion of what we are now dealing with in the extreme example of Islam gone awry. It's one thing to decide you're going to export Wahhabi Sunnism, by setting up Madrassas around the region. Okay, I get that. But what I don't get is setting them up where they have a third feature: that they're a hate-filled, anti-American breeding ground.

I think we should have a very simple, straightforward discussion with the Saudis and they should understand that they have a hell of a lot more to lose in the break up of the relationship than we do. That is taking a great risk. I am not sanguine about the fact that we get 1.6 million barrels of oil a day from there, but I would be prepared, were I the Secretary of State, or I was in another position, to tell the Saudis: Don't push it. Don't push it. Cease and desist on this activity. There will be consequences. At any rate, that's my view.

SR: I'm Steve Robert of Robert Capital Management. As I listened carefully to your address, which I thought was very good, it seems the center of gravity in the debate over missile defense has changed. Because while the opponents of missile defense prior to September 11th would have just probably said it's a foolish idea and the wrong priority, what you seem to be saying is that, it's almost inevitable if we also cut nuclear arms stockpiles, renegotiate the arms control treaty and the strategic arms treaty and so forth. So is this in fact what you mean to communicate, that we're now just talking about how we get to missile defense, as opposed to whether we should have missile defense at all?

JB: What I'm suggesting is, and it's a very good question, what I'm suggesting is, we should be prepared to explore, assuming we can amend the ABM Treaty to do the exploration, whether or not a viable missile defense system is feasible without starting a new arms race, and without producing an economic hemorrhage of a half a trillion dollars with little return on our investment.

Right now we're caught between the rock and the hard place. In order to go forward, according to this administration—and I think they're inaccurate—but the gentleman sitting behind you has forgotten more about this issue than I am going to know. But in order for them to go forward with the testing program they have in mind, they can do it without having to violate the ABM Treaty. But it has become sort of religious doctrine on the right that the ABM Treaty is, per se, bad. I'm hopeful that we're at a place now, where the President, if we in fact—and I happen to support significant further reductions in all offensive capability—if we get the Joint chiefs to agree upon a number significantly below where we are, I'm willing to go along with an amendment of the ABM Treaty, assuming that we have scrubbed this in a way that we understand what the likely response in China will be to such a system.

If in fact, notwithstanding the fact that the Russians would agree, this will start a significant—and our intelligence agencies publish widely, and I can only tell you what was in the paper, only confirm . . . I won't confirm, I'll state what's in the paper—that they will do ten times as much as they would have otherwise done in offensive capability if we build such a system. If we cannot get through that wicket, then it seems to me it is not worth a candle. The cost is not worth it, and the consequence of going forward with the limited benefit that would flow from it may very well start that arms race which I worry most about in the most dangeorus part of the world. It was dangerous before, and it's considerably more dangerous now.

So I cannot fathom India sitting by if China rapidly racks up their nuclear capability, and I cannot figure Pakistan doing the same, and so I see it as a disaster. But this is a beginning step, and I guess the polite way of saying this, I'm happy the President seems to be moving in the direction where he may not unilaterally walk away from the ABM Treaty. That's a big deal.

VW: I want to go to Rita next, but if there are other questions on either strategic defense or the ABM Treaty, I'll take them now, before we leave that topic. If not, we'll go to Rita.

RH: Rita Hauser. You didn't mention Iraq. Do you see Iraq in the second stage as a target for the terrorists counter-offensive, and what is your view on the continuation of our policy of sanctions?

JB: I happen to think that the sanctions policy needs to be changed. The Secretary of State has discussed a smarter sanctions policy. I thought he was going in the right direction, I was hoping that it would be embraced, although I now think there's an opportunity to embrace it because the dynamics have changed in Moscow, and the dynamics have changed in France, and the dynamics have changed in China somewhat, and I would further explore going back to that approach, that is, a smart sanctions policy.

I'm of a view that what has changed has all been bad from a Iraq standpoint, for the Iraqis. The idea now that we are going to just disregard what Saddam has done, walk away and just seek economic opportuinty, as some of our friends and allies have done, I think is being reconsidered in those very capitols. Rather than have a second phase, the way in which the press uses it, and I assume you're talking about, that is, after we finish with Afghanistan, do we invade Iraq? I think that is not the prudent approach. I think what we attempt to do is to build a coalition, reconstruct a coalition that is tighter and stronger and with more demands placed upon the behavior of Iraq.

My view is, if we're able to do that, and the behavior is still as bad as it has been in the past, you will be able to much more likely generate a consensus on at least standing by as we took action, or having multilateral action. But to just go from here to there I think would be a disastrous mistaken in the near term.

VW: Go back to that table. I'm going to try to move the audience as best I can.

FW: Frank Wisner from the American International Group. The current crisis . . . (Overlap)

JB: Why are you taking folks out of Delaware? We want to talk about that . . . (Laughter) . . . I want to know this, Mr. Ambassasdor, this a parochial, this a serious stuff. (Laugher) I'm only joking . . . (Overlap)

FW: . . . we have commitment . . . (Overlap)

JB: . . . I just want to kind of throw you off. (Laughter)

VW: . . . He's not really joking. (Laughter)

JB: . . . Former Congressman, I can tell you, I'm worried about it, but . . .

FW: Senator, coming back to the subject of your terrific speech today, (Laughter) . . .

JB: It went from good to terrific. (Laughter)

FW: This crisis has brought to light other tensions, and among them has been the sparking of tension between India and Pakistan, with very heavy Indian shelling, acts of

terror in Kashmir. As you look at that aspect of the challenge to American diplomacy, what message do you have to the parties in the region, how they can get on top of the problem they have and the role the United States can play?

JB: Let me answer it in reverse order. The role of the United States. The United States should stay engaged the way the Secretary has gotten engaged in the last week. It's made a difference already. I think there has to be a clear understanding, both in Delhi and Islamabad that we are interested, we are looking and we are watching.

Secondly, I think a message should be delivered very strongly to the Indians, do not attempt to take advantage of the circumstances this moment, it's against your interests across the board. And thirdly, we have to make clear to the Pakistanis that, notwithstanding the fact we need you very much right now, you are in a position where if you are going to continue to foment the terror that does exist in Kashmir, then you are operating against your own near term interests, because that very viper can turn on you. And I think we have to talk and talk and talk and talk, and engage and engage and engage. Because as you well know, part of the cry on the part of India has been, just somebody pay attention . . . or excuse me, in Pakistan, someone pay attention.

And on India, we don't want any part of anybody being involved and looking at any of this problem. The truth of the matter is, the whole world is looking at their problem now in Kashmir, not just us, the spotlight is on and the consequences for how they will be treated relative to all other nations in the world is very much up in the air right now, and they should be made constantly aware of how tenuous the circumstance is for both of them. In this case, particularly India . . . in my view, particularly India.

VW: Can I follow up on that myself? Because at the beginning of this administration, the administration seemed to be tilting, to use a term, toward India, the Indian Foreign Minister was given a meeting with the President, and it seemed as if the administration was going to try to, as one of the cornerstones of their foreign policy, build a much better relationship with India than we've had in the past. In view of what you just said, do you think that that was then, and this is now, or is there still an opportunity going forward to forge a much closer relationship with the Indians?

JB: I think that was then, and it's almost still that way now. (Scattered Laughter) And let me explain what I mean by that. I may be mistaken, and I may be a bit cynical, but I think the initial, quote, tilt toward India was related to Beijing more than it was to Pakistan or anything else. And I think that the relationship with Beijing was going south very rapidly. And continued to move south in a precipitous way until Powell made his visit.

I coincidentally happened to take a small delegation of Senators to some very high level meetings for six days in China, just on the heels of that visit, and you could literally see, maybe a mild exaggeration, a sigh of relief on the part of the Chinese, that maybe this collision is not inevitable, it is not inevitable. I think it chastened the Chinese a little bit, I think it made them focus on the precipice, as well as us.

Now what's happened is, I think, you have, and it's a . . . I cannot prove this, I think what you have in India now is a look north and saying, whoa, it looks like these guys are talking again. We may have moved past our opportunity to make a substantial change in the relationship. That would be a mistake on their part, to think that. Because I think that there is a desire in the administration to actually, genuinely better relations with India. I think it is an absolute essential element of American foreign policy that that be done. And part of that is simply engaging . . . engaging them and treating them like what they are. They will, in not too long, be the largest, most populous nation in the world. They are a democracy, as flawed as you may think it is. They are someone with whom we should and must have a much, much, much better relationship and understanding.

And the whole world has changed for India. It has changed not only when the Wall came down, and when their protector evaporated, it changed now as the relationship with China begins to mature, and they're going to have some great difficulty internally figuring out how to deal with that. But we should be engaged at the highest level on a daily basis, literally with India. So I don't think the administration is jettisoning India, but I think they're beginning to look at India in a different way, not as cynically as just a card to have been played against Beijing.

VW: Questioner behind Frank, then I'm going to try to go the back of the room for a question.

ME: Monsoor Ejaz. Senator, it's always good to hear you speak so frankly, so I'm going to try and get you on the record on another sensitive issue. Does the United States need a military policy to deal with an eventuality in which a Taliban-like force would hold control over Pakistan's nuclear weapons? And if it does, what should that policy look like?

JB: Well, I think we're engaged in that policy right now. And I have every reason to believe from my conversations with the President, and I don't pretend to be his confidant, I don't want anyone . . . I know you all know that, but the CNN audience might think I'm trying to foist myself off as the President's close advisor. I've been flattered the President has engaged me as the opposition and as Chairman of the Foreign Relations Committee, and we've had, as they say, full and frank discussion, probably five, six hours worth in the last several months, and . . . but my impression and my understanding is, coming from both the Secretary of State as well as the Secretary of Defense and as well as the President of the United States personally, that that is the essence of their policy at the moment.

It is reflected in certain ways. You see, and I'll be very parochial, and I'm going to give you a specific example. Right now there has been, and continues to exist, a real dissatisfaction on the part of the Northern Alliance that we have not done, which is fully without our capability to do now, and that is with air power, essentially provide air cover that could decimate the Taliban capability of holding them back, not only from Mazar i Sharif, but also holding them back from the capitol.

And the President has not been as blunt as I'm going to be, because I don't speak for him, so I can say it, I believe the President's actions have been somewhat circumspect for very good reasons. He understands that if in fact the Northern Alliance marches into Kabul and sets up a government, that we will have the potential for a disintegration in Islamabad, and that Pakistan may very well, and Musharraf may in fact collapse, it may be gone.

And so I think that . . . I'll give you that as one example of my view of the President's understanding of how difficult this is. We have also done things which were not particularly comfortable for me to do, quite frankly. I'm the guy, as Chairman of the Foreign Relations Committee, that was responsible for either facilitating and/or proposing the lifting of all the sanctions, of which I have supported relative proliferation, not to proliferation questions, as well as democratization. And we've even looked at Section 508, and so my point is that we have taken extraordinary actions, which is sort of against our instincts, with only the promise, only the promise of elections a year from now, with the commitment to be kept, and only the hope, the hope that we will be able to stabilize, that the region will, with our help and others, be stabilized in such a way that we don't have to face that God awful specter of radical Islamic groups taking over a country that is multiple sizes larger than Afghanistan, with nuclear weapons.

So I think the administration is fully appraised, fully understands, and is doing everything within its power, understanding, and I don't . . . in defense of the administration, no one has a hole card here. No one that I know, maybe some of you do, and if you do, let me know because I want to nominate you for the Nobel Peace Prize in advance. No one I know has a surefire way to assure that stability in this part of the world will result from the actions undertaken. Conversely, I don't know of anyone who . . . I do know of some, I don't know anyone in this room would like to suggest we should not and need not have taken the action we are taking. We're not going to get into the weeds here. It's going to start to get . . . we talked, and I hope I don't offend anybody saying this, at our table here, we talked about how long the honymoon, how long the unquestioning period of unabashed support for the President's policy will continue. I think everyone . . . I shouldn't say everyone . . . I mean the vast majority of the foreign policy establishment, of the Democratic and Republican sides of the aisle, in fact share the view that up to now the President's done a pretty darn good job of assembling this multilateral force, resisting what were very strong entree's from parts of the administration to bypass Afghanistan and go straight to Iraq, et cetera. I think he's done well. But now we're going to get into the tough calls.

Case in point, and I'll stop with this. How much longer does the bombing continue? Because we're going to pay every single hour, every single day it continues, we're going to pay an escalating price in the Muslim world. We're going to pay an escalating price in the region. And that in fact is going to make the aftermath of our, quote, victory more difficult to reconstruct the region. Conversely, the President's in a very difficult spot. How much does he have to do to make the environment in which we are going to send, and we will, American forces, hospitable to the extent . . .)

(Council on Foreign Relations tape turned to side B . . . several seconds missing . . .)

. . . tell you, though, I hope to God it ends sooner rather than later, becasue every moment it goes on, it makes the aftermath problem more severe than it is . . . was an hour ago. And so that's what I mean when I say they're fully appraised of their problem. They are going to engage in activities that we may . . . I may be able to Monday morning quarterback and second guess, but I know of no clear path that suggests how they secure the notion that there is no possibility of Pakistan degenerating into chaos, and us dealing with a problem there. The ultimate answer would be, if that were the case, we would find ourselves with a whole hell of a lot more forces in that region than we have now, which would be a very bad idea.

VW: Going to go right straight to the back of the room, and then I have a question at the middle table up front.

DG: I'm Davey Gaw(?), with the conference board. Senator, you gave us a picture that was historic, and it raised the question in my mind, to this effect. Is there an advertising problem, is there a genuine insoluble intellectual issue, or simply have we not solved the following? It seems to me that for the past 50 years or so, the U.S. has always been stuck in a corner, on the one hand we launch into the world with noble causes, and then we tie ourselves to ignoble regimes so that we have (*Inaudible*) for purposes, but people think that we're married to these regimes, and the same thing is occuring now in the Middle East. What's wrong? Why can't we do a dual track strategy? Why can't we send a message that's credible, that we do serve double purposes on the one end, but we also do not want to marry ignoble regimes on the other? Why can't we solve that issue?

JB: Because life's tough (Scattered Laughter) There are hard choices. I don't know. I don't want to get him in trouble, but I suspect Les Gelb may remember, about a dozen years ago, my proposing we start to distance ourselves from some of those various regimes, and for example, during the Gulf War, one of the reasons I voted against the resolution that was put forward was, I did not get any commitment from the administration personally that they would in fact make sure that when we freed Kuwait, the circumstance in Kuwait would change. I did not see merely putting the Emir back in power as anything that inured to our great benefit. The territorial principle of not crossing a border was a big deal, and important and oil mattered, but it seemed to me we should have extracted in return for that some commitment toward the movement toward, some movement toward, not outright democracy, but some movement toward a liberalization of the system.

I have been the odd man out on that for a long time with regard to Saudi Arabia as well, and other countries in the region. But I acknowledge to you, it is incredibly difficult to do. And you got to be prepared to take a risk, and the risk is serious. The down side is high. The costs economically are severe. But I think we're at the point now where we have to take those risks. But it's not easy. It is not easy because the truth of the matter is, we inherited what was there, we helped make and sustained what was there, but we did it for reasons relating to our immediate self interests that were of consequence to us, enabling us to do other things in other parts of the world that were necessary to be done.

So, it's, yes, as a former President once said, life ain't fair. Well, the world ain't fair, and we're left with a lot of Hobson's Choices. If I can elaborate on one piece. This dissemination of information, I put together a proposal that I've been discussing with the administration. I've been sort of the guy who has, and a lot of you have as well, but I mean in the Senate, in the House, I've been sort of the godfather of the radios lately, Radio Free Europe, Radio Liberty, the Voice of America, et cetera. It's woefully underfunded. For example, in the largest Muslim state in the world, where they have 220 million people, we spend two million dollars on the radio, for example. So I put together a proposal at the President's urging, quite frankly, because one of the things I discussed with him, that I'm going to present to him when he gets back, is over a half a billion dollar initial investment, 250 million dollars a year, for public diplomacy, and fundamentally altering the way in which we're able to broadcast to that part of the world. As part of this, I asked my staff, and I have some very talented staff people who know the region well, have worked in the region, and are very academically qualified as well as practically qualified, if they would get together some two or three or four of the most knowledgeable folks on Islam in the world, so that we in fact, when I propose this, I was doing something that was counterproductive. So that we wouldn't find we were causing more problems than there were solutions. And I sat with these four folks, I'll tell you what they said to me. Now, they're not the end of the day, but they said to me, they said, look, the idea of winning the hearts and minds of the Islamic world, and the Arab Islamic world is not likely. The best you can do is give some reasons for the moderates within that regime to have a reason to sustain their position against the extremists in . . . did I say regime? I meant to say region, against extremists in the region. And they went on to say, the problem isn't with the American people, it's with American foreign policies, and then they ticked off the foreign policy. Being part of propping up regimes that in fact are anti-democratic and are part of the problem, because again, Osama Bin Laden is after Riyadh, not after Jerusalem.

And it's a different problem. And also they then point out Israel, and they say part of the problem relates to our policy relative to Israel. Well, there are certain things we're not going to change. There are certain things we're not going to change, so the question is, what utility would a significant investment in our public diplomacy have? And it seems to me the minimum what it would have, it would give a context in which we were able to . . . they were able to make judgments about the totality of our action, and would not in fact change the attitude in that part of the world toward us, but would moderate it. And so these are very difficult questions, though, but I am going to propose we make this major investment, and I think it will fall on, quite frankly, friendly ears in the administration, based on my conversations with the President.

VW: Is there an opportunity to take that a step further to the whole foreign policy budget of the government, the United Nations that you've been involved in, support for our embassies abroad that's been underfunded for some time, foreign aid budget, is that a part of the whole response?

JB: No, because . . . and I'm not being . . . I didn't mean to be so sure. (Laughs) I don't mean . . . (Overlap)

VW: . . . short answer (?) . . .

JB: . . . that's right. (Scattered Laughter) Now, well . . . the answer is no for the following reasons. For the federal government to engage in public diplomacy at home is a very dangerous thing, in my view. For us to fund news organizations that promote a governmental position, it seems to me is not what we need, domestically in the United States. But we do need it abroad. What will change, and has changed that, as Ambassador Negroponte knows, he not only . . . I mean, I love the guy. We held him up for God knows how long before we approved him, so everybody made sure any accusation ever against wouldn't rub off on them, and they all turned out to be false, and we approved unanimously, wasn't it? I don't think anybody voted against it. And he went up there and did something no one's been able to do, including Prince Holbrooke, no one's been able to do this. (Laughter) And you know what he did? He went up and there and got immediately the right wing Republicans to free up the money in the House. You know what did that? The world changed. They did not want to have to, as former Senator Carol Moseley Braun would say, wear the jacket of us not being able to put together a coalition because he was unable to do his job in the United Nations because he had to face the constant charge that we weren't meeting our end of the deal.

So I think events alter those kinds of things and I think you're going to see foreign policy much more on the front burner of American domestic politics for the reasons that were stated at the outset, that we'll, in fact, up those budgets and people are beginning to understand the complexity. It's not all military, it's diplomacy. We have to lead in other ways, and I think that will be helped by this terrible circumstance.

VW: Senator Biden, thank you for . . . (Overlap)

DG: I'm Dick Garwin, Council on Foreign Relations. Thank you for an insightful and constructive presentation. Now, on the ABM Treaty and missile defense, I can just say Amen, but the rest of the topics you mentioned, we need to have not only some priorities, but more than that. That administration and the Congress are going to have to do a number of things together. First, it seems to me that we have to have refugee camps, and the refugee camps have to be training grounds for democracy. So, we need to work with the United Nations to do this, and to accomplish that. We need to provide security, but we need to provide more than security.

The next priority I think has to be the chemical and biological weapons conventions, especially the BWC . . . essentially all the nations of the world have signed up, but they're not all obeying it. They're not all doing what they said. Before we have any compliance, we've got to have them say, we're going to do this, we're passing a law, everybody has to stop affiliating with biological weapons and we're going to destroy our stocks. Seems to me that's the next. And finally, in my talk, is the Pakistani nuclear weapons. You read in the New York Times Bruce Wehr(?), saying we ought to provide means of going in, and capturing them in case Pakistan regime falls. Well, we'll get a lot more cooperation if we fund Pakistani regime in order to destroy their own, or render them ineffective if the regime falls, and with uranium weapons that can be done in reasonably expeditious fashion. But how do you solve the problem of priorities, and doing a number of things at the same time which neither administrations nor Congress are good at?

JB: Let me tell you, I fully agree with your list, I shortened my speech on the fly here, I'll give you a copy of it, it mentions all three of those things, particularly the biological and chemical weapons treaty and the implementation. And I think you do just what you said. Those discussions are underway with the Democratic Congress and the Republican members of Congress and the President on setting those priorities. The question is, the President has an internal dilemma he has to overcome first. He is focusing on first things first, but then he has to deal with . . . and I'm going to get in trouble for saying this . . . but he has to deal with what has not gone away. There is, for lack of a better phrase, still a Rumsfeld-Powell split on how they look at the world, and how they look at these very issues that you've stated here. I was discussing here at my table, my perception, and maybe, what's that old expression, the father is . . . the wish is the father of the thought, or whatever it is, that maybe I'm just sort of making this up as I go along because I want to feel it. But my impression is, this President is arriving at his own foreign policy. He is arriving at his own foreign policy. I think he accepted wholesale sort of the movement right position on foreign policy issues, because as a Governor he hadn't paid much attention to those. And I think he's finding that those as a prescription don't fit the modern day world as easily as he thought they may.

And so I see the first thing that has to happen is the President himself has to decide

what he thinks about these issues. And I hope we throw in CTBT here, because I think to me that is one of the . . . that is the single most important thing we could do at the front end. But . . . Vin is looking at his watch, understandably, I happen to agree with you. With regard to priorities, Dick Lugar and I are going to be introducing this week after call for a commission that is, I know we got a lot of commissions, but a commission made up, appointed by the President, the House and the Senate, made up of the leading people in America that we could find with the greatest stature, to come forward with us with a threat assessment, a threat assessment that in fact reflects, for purposes of deciding what priorities we should be focusing on. And so I can talk to you more about that later, but my time is . . . (Overlap)

VW: I don't know if we have time for one or two more, but one there, and if there's time for two, it's over there. Les is telling me only one, I'm sorry to say, (inaudible).

M: (inaudible) Talbot(?). Senator, thank you for this broad guarded approach to the problems we face. My question is this, do you foresee the need or the expectation of a Congressional declaration of war, which the Constitution calls for, and if so, against whom? (Scattered Laughter)

JB: The answer is yes, and we did it. I happen to be a professor of Constitutional law. I'm the guy that drafted the Use of Force proposal that we passed. It was in conflict between the President and the House. I was the guy who finally drafted what we did pass. Under the Constitution, there is simply no distinction . . . Louis Fisher(?) and others can tell you, there is no distinction between a formal declaration of war, and an authorization of use of force. There is none for Constitutional purposes. None whatsoever. And we defined in that Use of Force Act that we passed, what . . . against whom we were moving, and what authority was granted to the President.

And why don't you take that question, it's not two o'clock, I'll give a yes or no. He may be from Delaware. (Laughter)

RP: Roland Paul, Senator, I concur with everybody else in commending you on your comments, and anyone who's heard you before would certainly not be surprised at how good they were. I would return to a question you answered earlier, and you said as long . . . the bombing, every day it goes on, the harder it may be for us to do something in the past(?). What do you see as the situation if we don't defeat the Taliban in the next four weeks, and winter sets in in Afghanistan?

JB: Again, I'm not a military man. I think the American public and the Islamic world is fully prepared for us to take as long as we need to take, if it is action that is mano-a-mano. If it's us on the ground going against other forces on the ground. The part that I think flies in the face of and plays into every stereotypical criticism of us is we're this high tech bully that thinks from the air we can do whatever we want to do, and it builds the case for those who want to make the cause against us that all we're doing is indiscriminately bombing innocents, which is not the truth. Some innocents are (indiscriminately) bombed, but that is not the truth. I think the American public is prepared for a long siege. I think the American public is prepared for American losses. I think the American public is prepared, and the President must continue to remind them to be prepared, for American body bags coming home.

There is no way that you can in fact go after and root out al-Qaeda and/or Bid Laden without folks on the ground, in caves, risking and losing their lives. And I believe that the tolerance for that in the Islamic world is significant . . . exponentially higher than it is for us bombing. That's a generic point I wish to make. I am not qualified enough to tell you, although I can tell you what the military guys have said to me, this is not 1948. This is 2001, I'm not at all they're correct, and our ability to wage conflict in the winter, in parts of this region, is within our control, I don't know enough to vouch for that or not, but I do think it clearly makes it more difficulty, and the weather window is closing, as opposed to the tolerance window for a behavior, in my view. Thank you all very, very much. (Applause)

Mr. BIDEN. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. MILLER). The majority leader.

Mr. DASCHLE. I thank the Senator from Delaware for his clarification, although there was none required on my part.

Mr. BIDEN. I knew it would not be required on the Senator's part.

Mr. DASCHLE. I have the greatest admiration for the extraordinary experience and leadership provided by the Senator from Delaware. I am not surprised he was misquoted, and I think he is wise. He speaks from experience in coming to the floor to ensure if there is any misunderstanding it has now been clarified.

He did it in a way I would expect. He has come to the Chamber with a complete explanation. I have read some of the remarks because after being asked the question, I was informed of the Senator's comments. I applaud him for the way in which he handled the questions and applaud him as well for his speech. I appreciate his willingness to come to the Chamber, and I thank him for the extraordinary job he does every day as chairman of our Foreign Relations Committee.

Mr. BIDEN. Very briefly in response, I thank the Senator. I know the public listening to this would say they expect two guys who are friends and in the same party to say the same thing, but the truth is we are all going to be tested over the next several months. The President of the United States, who we all think is doing a very fine job, is going to have to make some very tough decisions.

I, for one, and I know my two leaders and the Senator from Oregon as well are not into Monday morning quarterbacking. Some of the decisions we are going to make are going to turn out to be brilliant. Some we are going to make are not going to be so good.

I would say this: This President, in my view, so far has made the right choices. He has done the right thing. He is pursuing the right way. This notion of how long we bomb versus how long before we put forces on the ground is an incredibly difficult decision. You can be assured every single mistake we accidentally make—and by the way, to our credit the Defense Department acknowledged today, like no other Defense Department would, I think, that, yes, there was an errant bomb, and it did take out some innocent people. What other great nation would acknowledge that?

That is going to happen. It is horrible that it will, but the President has a series of very tough choices. I want him to know that not only I, but we all wish him well, and as long as he is trying, as he is, to keep this coalition together, to keep it moving, I am willing to yield to his judgment in the prosecution of this war.

So I thank my friend for his kind comments, and I hope this puts it to rest. I am sure the gentleman on the House side who made the comments was probably told by staff, and I think it was kind of like a drive-by shooting because I have never had a cross word with this particular House Member, but I understand things got pretty hot in the House today. I think I was the first Democrat who came across his radar, and I think this would be called a political drive-by shooting—accidental, I hope—and it will get straightened out.

I am not criticizing or making light of what was said. I want the RECORD to be straight because it is important the world knows and the Nation knows we are behind the President and we are not at this point second-guessing his judgment, particularly about bombing.

MORNING BUSINESS

Mr. DASCHLE. Mr. 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.

TRIBUTE TO GENERAL CHARLES T. ROBERTSON, JR.

Mr. LOTT. Madam President, I wish to take this opportunity to recognize and say farewell to an outstanding Air Force officer, General Charles T. ''Tony'' Robertson, Jr., upon his retirement from the Air Force after more than 33 years of commissioned service. Over the years, many Members and staff have enjoyed the opportunity to meet with General Robertson on a variety of joint military issues and have come to appreciate his many talents. Indeed, throughout his career, General Robertson has served with distinction, and it is my privilege today to recognize his many accomplishments and to commend him for the superb service he has provided the Air Force and our Nation.

General Robertson entered the Air Force in 1968 as a graduate of the U.S. Air Force Academy. After successfully completing pilot training, he served his Nation by flying 150 combat missions as a gunship pilot in Southeast Asia while stationed with the 18th Special Operations Squadron in South Vietnam. Lieutenant Robertson was then assigned to Wright-Patterson Air Force Base, Ohio, where he became a B–52 copilot, aircraft commander, instructor

pilot, and flight examiner with the 17th Bombardment Wing. Moving on to Offutt Air Force Base, Nebraska, he first became Assistant to the Chief of Staff, then Aide and Executive Officer to the Vice Commander in Chief, Headquarters, Strategic Air Command. His next assignment was to Plattsburgh Air Force Base, New York, as an FB–111 Aircraft Commander, Flight Commander, and Assistant Operations Officer.

As a lieutenant colonel, he served as a Plans and Programming Officer in the Air Force Programs and Evaluation Directorate at the Pentagon before returning to Plattsburgh Air Force Base, in 1982, as Commander, 529th Bomb Squadron, and then as Assistant Deputy Commander for Maintenance, 380th Bombardment Wing. After completing studies at the National War College at Fort McNair in Washington D.C., he was promoted to colonel in 1985.

During that same year, Colonel Robertson returned to the Pentagon to serve as Executive Officer to the Air Force Vice Chief of Staff, Headquarters U.S. Air Force. He went on to become Commander of the 2nd Bombardment Wing, Barksdale Air Force Base, Louisiana, in 1987, then Commander of the 384th Bombardment Wing at McConnell Air Force Base, Kansas, in 1989. As Commander of the 384th, Colonel Robertson was honored as the Strategic Air Command Outstanding Wing Commander of the Year for 1989. Following his tour at McConnell, he returned to Offutt Air Force Base where he served as Assistant Deputy Chief of Staff, Plans and Resources, Headquarters Strategic Air Command, and was promoted to Brigadier General in 1991.

As a general officer, General Robertson excelled in a number of key assignments, including Director of Personnel Plans, Headquarters U.S. Air Force and then Vice Director of the Joint Staff, Joint Chiefs of Staff at the Pentagon; Vice Commander, Air Mobility Command, Scott Air Force Base, Illinois; Commander, 15th Air Force at Travis Air Force Base, California; and culminating with his current assignment as Commander in Chief, United States Transportation Command, USTRANSCOM, and Commander, Air Mobility Command, AMC.

Over his career, General Robertson demonstrated his skill as an aviator by safely accumulating over 4,700 hours of flight time in the AC–119K, B–1B, B–2, B–52, C–5, C–9, C–17, C–20B, C–21, C–37, C–130, C–141, EC–135, FB–111A, KC–10, KC–135, T–1, T–6, T–37, T–38, and T–39 aircraft.

As Commander in Chief, USTRANSCOM, General Robertson's leadership has been indispensable to the readiness of the Defense Transportation System to accomplish its mission, getting troops to the fight, sustaining the fight, and then bringing the troops back home when the fight is over. As a tireless ''Total Force'' advocate, his commitment to fully integrating guard and reserve forces into all aspects of the Command has reaped great dividends and great praise. Recognizing the essential role of our commercial transportation industry in supporting the USTRANSCOM mission, General Robertson lifted this partnership to unprecedented levels through such critical programs as the Civil Reserve Air Fleet, the Maritime Security Program, and the Voluntary Intermodal Sealift Agreement. Following the terrorist bombing of Khobar Towers, and then again after the attack on the USS COLE, the global force protection programs he developed for his always ''in-transit'' forces were held as the model for others to emulate.

His factual and pointed testimonies before the Senate Armed Services Committee illustrated the professionalism and expertise which has enabled him to foster exceptional rapport with all members of the Senate and was a clear indication of his ability to work with the Congress in addressing the priorities of his Command. Finally, as evidence of his clear vision for the future, he diligently labored to ensure programs such as follow-on C–17 procurement, C–5 modernization, and airlift defensive systems were in-place to ensure the transformation of the mobility fleet to meet the challenges of tomorrow.

An exemplary officer of unmatched skill and talent, General Robertson personifies the Air Force core values of integrity, selfless service, and excellence in all things. I offer my congratulations to him, his wife, Brenda, and sons, Sean and Jason. The Congress and the country applaud the selfless commitment his entire family has made to the Nation in supporting his military career.

I know I speak for all of my colleagues in expressing my heartfelt appreciation to General Robertson. He is a credit to both the Air Force and the United States and I congratulate him on the completion of an outstanding and successful career. May God continue to bless Tony, his family and the United States of America.

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 April 20, 2000 in Stafford, VA. Thomas Rivers, 18, allegedly attacked a 15-year-old gay teenager by bashing him in the back of the head with a metal pole, almost killing him. The previous year, after Rivers learned that the younger boy was attracted to him, Rivers lashed out by shouldering him in hallways at school, shouting slurs and spitting on him. The attack came eight months later when Rivers saw the boy walking in an area park.

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.

FIRST ANNIVERSARY OF BREAST AND CERVICAL CANCER TREATMENT ACT

Mr. CHAFEE. Madam President, I would like to remind the Senate that October is not only Breast Cancer Awareness Month, but also the first anniversary of the enactment of the Breast and Cervical Cancer Treatment Act. As we take time this month to remember all those who've lost their lives to this tragic disease, we must also celebrate the great strides we've made in diagnosing and treating breast cancer in women from all walks of life.

As many of us remember, the Centers for Disease Control has long operated a program to provide low-income uninsured women with coverage for cancer screening. Since its creation in 1990, the CDC's Breast and Cervical Cancer Early Detection Program has proved a great success, providing over one million mammograms to women 40 years or older through March 1999. Of these, over 77,000 were found to be abnormal and 5,830 cases of breast cancer were diagnosed. Additionally, through March 1997, 300 cases of invasive cervical cancer were discovered in over 700,000 pap tests.

Despite this high rate of success, the Early Detection Program contained a fatal flaw. The CDC program provided no treatment options for low-income, uninsured women who tested positive for breast or cervical cancer. Instead of receiving the help they needed, the women diagnosed with cancer under this program were left to find treatment for themselves. Unfortunately, early detection is pointless unless it is followed by immediate and vigorous treatment.

To address this shortcoming, I joined with Senators BARBARA MIKULSKI, OLYMPIA SNOWE, and others to sponsor legislation to allow individual states the option of providing treatment through their state Medicaid programs. As enacted, the Breast and Cervical Cancer Treatment Act provides enhanced federal matching funds to states that choose to operate a treatment plan for women diagnosed under the CDC program. Instead of imposing a new federal mandate, the bill offered positive incentives and tangible funding options to those states whose populations are most in need.

Today, on the 1-year anniversary of the enactment of this momentous legislation, I'm proud to tell you that the Act has been a great success. Over the

course of the past year, thirty-three states have already begun using the enhanced federal matching funds to provide treatment to women diagnosed with breast or cervical cancer through the CDC screening program. Women across America are already benefiting from treatment program in these thirty-three states.

I am especially proud to note that Rhode Island was one of the first to join. In fact, Governor Lincoln Almond, his wife Marilyn, and the Director of Rhode Island's Human Services Department, Christine Ferguson, were strong and tireless proponents of the Breast and Cervical Cancer Treatment Act. By leading the charge for this bill at the state level, the Governor and his Human Services Director highlighted once again why Rhode Island has one of the best health-care systems in the country.

TRIBUTE TO MICHAEL LEE SELVES

Mr. SMITH of Oregon. Madam President, I would like to take this opportunity to pay tribute to Oregon native, Michael Lee Selves, an American hero and patriot whose distinguished service to our Nation spanned 32 years. Michael's life was tragically cut short on September 11, 2001, when American Airlines flight 77 crashed into the Pentagon. Michael Selves served this great Nation as both an officer and civilian with the United States Army. Mr. Selves entered the Army in 1969, and during his illustrious career selflessly defended freedom at duty stations in Europe, Korea, and across the United States. Rising to the rank of Lieutenant Colonel before leaving military service, he was admired and respected by superiors and subordinates alike as a gifted and caring leader of soldiers. His numerous decorations include the Legion of Merit and three Meritorious Service Medals.

As a Department of the Army civilian, Mr. Selves brought his leadership skills to the office of the Administrative Assistant to the Secretary of the Army. His vast skills were quickly recognized as he was appointed Director of the Army's Information Management Support Center. Under his leadership, a cohesive team of information technology professionals was formed that produced the highest score for customer satisfaction within the Pentagon. The actions of his subordinates in the hours immediately following the attack on the Pentagon attests to his leadership. Despite Mr. Selves' absence, and extensive damage to the automation infrastructure, they were able to restore services within 70 hours.

On behalf of his family and many friends, let the record show that the Congress of the United States of America honors the memory of Michael Lee Selves and the ultimate sacrifice he made for our grateful Nation. My thoughts and prayers are with his family members, especially his wife and parents, Jack and Florence Selves, and will remain with them in the months to come.

ADDITIONAL STATEMENTS

SENATOR CORZINE'S RECORD

• Mr. HOLLINGS. Madam President, on financial matters, our colleague, Mr. CORZINE, has an unparalleled record. He worked his way to the top of the financial world on his own merit. He started as a bond trader and ended up 20 years later as chairman and chief executive officer of Goldman Sachs, one of Fortune magazine's 10 best companies in America. In terms of economics and business, he knows of what he speaks. After conquering the hurdles of the financial world, he has brought his expertise to the Senate. Albert Hunt outlined JON CORZINE's background and philosophy on the economic stimulus package being considered by Congress in the Wall Street Journal on October 11, 2001, and I ask this article be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Thurs., Oct. 11, 2001]

A SENATOR WHO HAS MET A PAYROLL

POLITICS AND PEOPLE

(By Albert R. Hunt)

Which person is better for advice on stimulating the economy: A professor who has spent most of his adult life on the public payroll, or a business executive who headed one of the world's most successful investment-banking firms?

Phil Gramm or Jon Corzine? These two senators have decidedly different approaches to an increasingly faltering economy in the wake of last month's terrorism.

Sen. Corzine, a freshman Democrat from New Jersey who used to be chairman of Goldman Sachs, wants a $150-billion-a-year stimulus package focused on security spending initiatives and temporary tax cuts to boost consumption. Republican Sen. Gramm, an economics professor at Texas A&M before his 23 years in Congress, wants large and permanent individual and corporate tax cuts directed at upper-income Americans.

President George W. Bush moved toward Mr. Gramm's position when he declared additional stimulus should be limited to more tax cuts.

This appeals to the GOP's ''pitchfork-and-torch'' crowd—indeed, Mr. Gramm is its intellectual leader in Congress. But the Corzine approach is eminently preferable. It is closer to the goals articulated by congressional budget committees, as well as the public and private testimony of Federal Reserve Chairman Alan Greenspan and former Treasury Secretary Bob Rubin: Economic stimulus should pump money quickly into the economy on a temporary basis, not adversely affect longer-term fiscal discipline. President Bush's focus tax cuts fails those tests; Sen. Gramm's proposals are worse.

''The overarching issue,'' said Sen. Corzine over breakfast this week, ''is to get a lot of fiscal stimulus now and avoid fiscal disaster in the long term.''

A corporate tax cut now, the investment-banker-turned-senator notes, is misdirected: It rewards previous investments more than encouraging new ones. Better would be short-term accelerated depreciation to encourage new investments.

The Bush administration is pushing a ''middle class'' tax cut to reduce the 27% tax rate next year to 25%. That's bogus. This rate applies to everyone with taxable income above $46,700. So for a construction worker making $65,000, with $50,000 of taxable income, the tax cut would total $66. But for anyone making more than $150,000, with taxable income of over $112,850, it'd be a $1,300 tax cut.

As economic stimulus, this idea flounders even more on efficacy than equity. Studies demonstrate lower-income people spend more of their disposable income, and what this economy needs is more consumption. Sen. Corzine, worth $400 million earlier this year, rejects the GOP's upper-income-oriented tax cuts: ''The wealthy, including myself, are not going to change spending habits with such tax cuts.''

Making new tax reductions permanent would aggravate persistently high long-term interest rates, he asserts. The opposition to temporary tax cuts by the likes of Glenn Hubbard, chairman of the president's Council of Economic Advisers, is situational; only a few years ago Mr. Hubbard co-authored a paper arguing ''temporary investment incentives can have even larger short-run impacts on investment than permanent investment incentives.''

Further, the initiatives launched by the White House would, Sen. Corzine notes, ''give almost nothing to the people who've been in the front lines—the cops, the firemen who climbed those stairs at the World Trade Center, the grunts who did the cleanup work. That's wrong.''

Sen. Gramm questions whether extending jobless claims ''has anything to do with stimulus.'' It's true the unemployed won't put any added money in the secret foreign bank accounts Sen. Gramm has so eagerly protected, but they'll do something more contributory with the money: They'll spend it. The stinginess of the Bush proposals on this score is stunning. If the economic downturn is comparable to the recession of the early 1990s, the president's proposed $5 billion limited extended jobless claims would be less than one-fifth the $28 billion spent on such measures a decade ago, calculates Bob Greenstein of the Center on Budget and Policy Priorities.

Sen. Corzine is sympathetic to support for expanded jobless benefits and more health insurance coverage for the unemployed—although he doesn't suggest, as the White House does, that we should take some of it out of the Children's Health Insurance Program. He thinks a better approach, however, is temporary ''revenue sharing'' with fiscally pressed state and local governments, which would head off counterproductive budget cuts or tax hikes. ''If we don't do this, much of the stimulus at the federal level will be cut away by state and local tax increases,'' he says.

He favors major spending investments to bolster the deteriorating economy, geared to the terrorist threat. These include a new federal aviation authority air-control system; major investments in transportation infrastructure, such as bridges and tunnels (''all of which could be terrorist targets''); and assistance for more sophisticated communications systems for local police and fire departments. These spending priorities, he declares, should all be with an eye to greater security.

The former banker is leery of bailing out the myriad industries lining up at the federal trough. After a few changes he voted for the airline bailout—''there are tons of airline jobs in New Jersey''—but fears it wasn't well crafted. He'd make at least one exception: You've got to do something for the insurance industry, otherwise insurance rates will be off the charts and unavailable.''

On tax cuts, he would support a tax rebate for the lowest-income people—some 30 million lower-income workers didn't get any cuts in the tax bill enacted this year—but is pushing what he believes is much better idea: a two year ''holiday'' on a portion of employees' payroll taxes. It would disproportionately go to those most likely to spend it and, he argues, ''have a much bigger ongoing effect on stimulus than a one-shot rebate.''

Jon Corzine agrees generally with his former partner, Bob Rubin, on the shape of any stimulus, but disagrees on the size. ''Bob is too cautious,'' he worries. ''If we're too cautious on the short end, it will come back to haunt us on the back end.''

But they're in complete agreement that as central as the need for short-term assistance is the need for long-term fiscal discipline. This is not possible without modifying the huge tax cuts for the wealthy slated to take effect over the next decade. Warns the former top Wall Street executive: ''If we don't change the back end of those tax cuts we will have a fiscal train wreck no matter what we do now.''●

RECOGNITION OF WORLD POPULATION AWARENESS WEEK

● Mr. CHAFEE. Madam President, I would like to take this time to recognize the week of October 21–28 as ''World Population Awareness Week.''

Rapid population growth and urbanization have become catalysts for many serious environmental problems. They are applying substantial pressures on infrastructure, manifested especially in pollution, transportation, health, sanitation, and public safety problems. These all make urbanization an issue we cannot afford to ignore. Cities and urban areas today occupy only two percent of the earth's land, but contain half of the world's population and consume 75 percent of its resources.

Therefore, it is important for us to recognize the problems associated with rapid population growth and urbanization. Governor Lincoln Almond has proclaimed the week of October 21–28 as ''World Population Awareness Week'' in Rhode Island. I ask that Governor Almond's proclamation be printed in the RECORD.

The material follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS—GUBERNATORIAL PROCLAMATION

Whereas, world population stands today at more than 6.1 billion and increases by some one billion every 13 years; and,

Whereas, the most significant feature of the 20th century phenomenon of unprecedented world population growth was rapid urbanization; and,

Whereas, cities and urban areas today occupy only 2% of the earth's land, but contain 50% of its population and consume 75% of its resources; and,

Whereas, the most rapid urban growth over the next two decades is expected in cities with populations ranging from 250,000 to one million; and,

Whereas, along with advantages and amenities, the rapid growth of cities leads to substantial pressure on their infrastructure, manifested in sanitary, health and crime problems, as well as deterring the provision of basic social services; and,

Whereas, World Population Awareness Week was proclaimed last year by Governors of 32 states, as well as Mayors of more than 315 United State cities, and co-sponsored by 231 organizations in 63 countries; and,

Whereas, the theme of World Population Awareness Week in 2001 is ''Population and the Urban Future''; now,

Therefore, I, Lincoln Almond, Governor of the State of Rhode Island and Providence Plantations, do hereby proclaim, October 21–28, 2001, as World Population Awareness Week.●

THE 100TH ANNIVERSARY OF THE MILTON FIRE DEPARTMENT

Mr. BIDEN. Madam President, on November 14, 1901, after more than a decade of effort by a group of concerned citizens, the Volunteer Fire Company of Milton, Delaware was organized. The Town Council elected Charles H. Davidson as the first Fire Chief, and 26 men signed up as volunteer firefighters. R.B. Hopkins was named President.

In remembering the founding of the company, its current president, Lynn Rogers, rightly noted that, although the formal Ladies Auxiliary was not organized until years later, the women of Milton provided vital support to the town's fire service from the very start.

By a vote of 76 to 33, the citizens of Milton voted to purchase a fire truck, and the Town bought a Howe chemical and water engine, with the then hefty price tag of $1,250. In 1902, there was another purchase, a Fire King hose cart that can still be found at the Milton fire station today.

It wasn't long before the resources of the Milton Fire Company and its members were tested to their fullest; a disastrous fire struck the town in August of 1909. In just four hours, with the firefighters and the citizens working together against it, the fire raged through the lower part of Milton, destroying 18 buildings in the business district.

It was the kind of devastation that challenges the spirit and character of a community, just as we have been challenged as a nation this fall. And in the tradition of the American spirit and the American character, Milton came back, with its Fire Company helping to lead the way.

The Milton Fire Department has been a leader in the Delaware Volunteer Firemen's Association from the first meeting in 1921; the current President of the DVFA, Dale Callaway, is from Milton. The Department's leadership has been marked by incredible dedication, with officers who regularly serve for 25 years or more. Just one of many possible examples of this dedication, was when Linwood ''Jim'' Rogers asked to be replaced after 41 years as Treasurer, Denny Hughes took over, and he continues to hold the office 23 years later.

Over the years, the Milton Fire Department has grown with the town, with a new building dedicated in 1950, an additional property purchase in the 1960s and a renovation and addition in the early 1980s. An ambulance service has grown, from the first ambulance purchase in 1948, to the dedication of members of the Ladies Auxiliary in the 1970s, who took ambulance attendant courses to ensure quality service.

Lynn Rogers made another comment at the 100th anniversary celebration that I would like to cite. He said, ''The fire service of Delaware is a family. We no longer grow as one department; the fire service grows together; we depend on each other more every day, with the specialized emergencies that we all face.''

Even beyond the family of our small State, to the broader community of our Nation, we have learned that lesson together in recent weeks—the depths of our bond to one another, how we depend on each other, and the debt and support we owe to those we rely upon in an emergency.

The great tradition of the fire service is alive and well in Milton, DE, and as we approach November 14th, the 100th anniversary of the Milton Fire Department, I am proud to share the pride of Delaware, and to convey the congratulations of the United States Senate, to Chief Jack Hudson, President Lynn Rogers and all the members and friends of the Milton Fire Department and Ladies Auxiliary.

MESSAGES FROM THE HOUSE

At 12:07 p.m., a message from the House of Representatives, delivered by Ms. Niland, 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. 980. An act to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System.

H.R. 1814. An act to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trials System.

H.R. 2792. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes.

H.R. 2899. An act to authorize the Secretary of the Treasury to issue War Bonds in support of recovery and response efforts relating to the September 11, 2001 hijackings and attacks on the Pentagon and the World Trade Center, and for other purposes.

H.R. 2924. An act to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes.

H.R. 2925. An act 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.

H.R. 3086. An act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President of the United States on September 14, 2001.

H.R. 3160. An act 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.

H.R. 3162. An act 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 message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate.

H. Con. Res. 184. Concurrent resolution providing for a National Day of Reconciliation.

At 5:38 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3090. An act to provide tax incentives for economic recovery.

The message also announced that pursuant to section 8162(c)(3) of Public Law 106–79, the Speaker appoints the following Members of the House of Representatives to the Dwight D. Eisenhower Memorial Commission: Mr. THORNBERRY of Texas, Mr. MORAN of Kansas, Mr. MOORE of Kansas, and Mr. BOSWELL of Iowa.

ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker, were signed by the President pro tempore (Mr. BYRD) on October 24, 2001:

H.R. 146. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

H.R. 182. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 1000. An act to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes.

H.R. 1161. An act to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G.Masaryk in the District of Columbia.

H.R. 1668. An act to authorize the Adams Memorial foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family.

H.R. 2904. An act to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 980. An act to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 1814. An act to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System; to the Committee on Energy and Natural Resources.

H.R. 2792. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2899. An act to authorize the Secretary of the Treasury to issue War Bonds in support of recovery and response efforts relating to the September 11, 2001 hijackings and attacks on the Pentagon and the World Trade Center, and for other purposes; to the Committee on Finance.

H.R. 3086. An act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President of the United States on September 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3090. An act to provide tax incentives for economic recovery; to the Committee on Finance.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 184. Concurrent resolution providing for a National Day of Reconciliation; to the Committee on Rules and Administration.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELMS (for himself, Mr. LIEBERMAN, Mr. LUGAR, Mr. DURBIN, Mr. SMITH of Oregon, Ms. MIKULSKI, Mr. KYL, Mr. ALLEN, Mr. HAGEL, Mr. MCCAIN, Mr. BROWNBACK, Mr. MCCONNELL, Mr. FRIST, Mr. DEWINE, Mr. VOINOVICH, Mr. GRASSLEY, Mr. HATCH, Mr. LOTT, and Mr. ENZI):

S. 1572. A bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 1482

At the request of Mr. HARKIN, the name of the Senator from Wyoming (Mr. ENZI) 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.

S. 1538

At the request of Mr. BINGAMAN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1538, a bill to further continued economic viability in the communities on the High Plains by promoting sustainable groundwater management of the Ogallala Aquifer.

AMENDMENT NO. 1843

At the request of Mr. WELLSTONE, his name was added as a cosponsor of amendment No. 1843 intended to be proposed to H.R. 2506, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (for himself, Mr. LIEBERMAN, Mr. LUGAR, Mr. DURBIN, Mr. SMITH of Oregon, Ms. MIKULSKI, Mr. KYL, Mr. ALLEN, Mr. HAGEL, Mr. MCCAIN, Mr. BROWNBACK, Mr. MCCONNELL, Mr. FRIST, Mr. DEWINE, Mr. VOINOVICH, Mr. GRASSLEY, Mr. HATCH, Mr. LOTT, and Mr. ENZI):

S. 1572. A bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes; to the Committee on Foreign Relations.

Mr. HELMS. Mr. President, on behalf of myself, Senator LIEBERMAN, Senator LUGAR, Senator DURBIN, and fourteen other of our colleagues I send to the desk a bill entitled the Freedom Consolidation Act of 2001. An identical bill is being introduced simultaneously in the House of Representatives by Congressmen DOUG BEREUTER, TOM LANTOS, and others.

The Freedom Consolidation Act reaffirms what I believe to be a strong and bipartisan Congressional commitment to NATO enlargement. Focusing on the NATO Alliance's Prague summit in November of 2002, the bill endorses the vision of a Europe whole, undivided, free and secure. Indeed, this bipartisan vision has guided U.S. policy toward Europe for the last fifty years.

It's a vision that President Clinton helped to make a reality through the integration of Poland, the Czech Republic and Hungary into NATO.

It is also a vision so powerfully reaffirmed by President George W. Bush in Warsaw this past June.

Some hoped that the tragic events of September 11 would weaken the NATO Alliance. In fact, quite the opposite has happened. It has reinvigorated awareness on both sides of the Atlantic that NATO, an organization of collective defense, remains vital to the interests and values of the community of democracies. Moreover, the atrocities of September 11 have reaffirmed the need for the Alliance to move decisively forward on its agenda of enlargement, military modernization, and enhancements of its capacities against weapons of mass destruction.

Today, we can build on NATO's fifty years of joint military planning, training, and operations as the foundation for U.S. and European cooperation in the war against terrorism. Consolidating the zone of peace, democracy and security in Europe should be the cornerstone of our integrated global strategy against the threats of the 21st century.

NATO enlargement must, thus, remain a leading priority of American foreign policy.

Recently, the heads of state of European democracies seeking NATO membership gathered in Sofia, Bulgaria, to explore how they can more effectively contribute to Euro-Atlantic security. Even more important is the fact that these democracies are conducting themselves today as de facto members of the NATO Alliance. Their troops stand shoulder to shoulder with U.S. forces keeping the peace in the Balkans. They were among the first to offer their services, including not only the use of their bases, but even the deployment of their own troops in this war against terrorism.

The most recent round of NATO enlargement, which was ratified by the Senate with an overwhelming 80 votes, has proven to be a success. Polish, Czech, and Hungarian membership have strengthened the Alliance. Their integration into NATO has enhanced European security and stability. And contrary to NATO nay-sayers their integration into NATO has helped to normalize not only their bilateral relationships with Russia, but also relations between Russia and the West.

I am confident that the Alliance's summit in Prague next year will initiate the next round of enlargement, which will strengthen the Alliance. It will help reverse the historic wrongs of Yalta, and it will bring us that much closer to fulfilling the vision of a Europe, whole, free and secure.

I urge my colleagues to consider supporting the Freedom Consolidation Act of 2001, and I urge them to do so.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1922. Mr. WELLSTONE (for himself and Mrs. BOXER) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

SA 1923. Mr. WELLSTONE proposed an amendment to the bill H.R. 2506, supra.

SA 1924. Mr. MCCONNELL (for Mr. INHOFE) proposed an amendment to the bill H.R. 2506, supra.

SA 1925. Mr. REID (for Mr. LEAHY (for himself, Mr. MCCONNELL, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 2506, supra.

SA 1926. Mr. MCCONNELL (for himself, Mr. LEAHY, and Mr. HELMS) proposed an amendment to the bill H.R. 2506, supra.

SA 1927. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1928. Mr. REID (for Mr. LEAHY (for himself, Mr. HARKIN, and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1929. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1930. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1931. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1932. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, supra.

SA 1933. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, supra.

SA 1934. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1935. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1936. Mr. MCCONNELL (for himself, Mr. LEAHY, Mr. BROWNBACK, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, supra.

SA 1937. Mr. REID (for Mr. WELLSTONE) proposed an amendment to the bill H.R. 2506, supra.

SA 1938. Mr. REID (for Mr. WELLSTONE (for himself and Mrs. BOXER)) proposed an amendment to the bill H.R. 2506, supra.

SA 1939. Mr. MCCONNELL (for Mr. STEVENS (for himself and Mr . INOUYE)) proposed an amendment to the bill H.R. 2506, supra.

SA 1940. Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. DOMENICI, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, supra.

SA 1941. Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. ALLEN, Mr. DOMENICI, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, supra.

SA 1942. Mr. LEAHY (for Mr. HELMS) proposed an amendment to the bill H.R. 2506, supra.

SA 1943. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, supra.

SA 1944. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, supra.

SA 1945. Mr. LEAHY (for Mr. MCCONNELL (for himself and Mr. LEAHY)) proposed an amendment to the bill H.R. 2506, supra.

SA 1946. Mr. LEAHY (for Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, supra.

SA 1947. Mr. LEAHY (for Ms. MIKULSKI) proposed an amendment to the bill H.R. 2506, supra.

SA 1948. Mr. LEAHY (for Mr. SMITH, of Oregon (for himself, Mr. HATCH, and Mr. HELMS)) proposed an amendment to the bill H.R. 2506, supra.

SA 1949. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2506, supra.

SA 1950. Mr. GRAHAM (for himself, Mr. HAGEL, Mr. DODD, Mr. MCCAIN, Mr. KYL, and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2506, supra.

SA 1951. Mr. FEINGOLD (for himself and Mr. WELLSTONE) proposed an amendment to the bill H.R. 2506, supra.

SA 1952. Mr. FEINGOLD (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 2506, supra.

SA 1953. Mr. REID (for Mr. DODD) proposed an amendment to the bill H.R. 2506, supra.

SA 1954. Mr. LEAHY (for Mr. DURBIN) proposed an amendment to the bill H.R. 2506, supra.

SA 1955. Mr. MCCONNELL (for Mr. HELMS (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, supra.

SA 1956. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, supra.

SA 1957. Mr. LEAHY (for Mr. BYRD) proposed an amendment to the bill H.R. 2506, supra.

SA 1958. Mr. MCCONNELL (for Mr. FRIST (for himself, Mr. BROWNBACK, Mr. HELMS, and Mr. FEINGOLD)) proposed an amendment to the bill H.R. 2506, supra.

SA 1959. Mr. DODD (for himself and Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2506, supra.

SA 1960. Mr. MCCONNELL (for Mrs. HUTCHISON (for himself and Mr. INOUYE)) proposed an amendment to the bill H.R. 2506, supra.

SA 1961. Mr. LEAHY (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2506, supra.

SA 1962. Mr. LEAHY (for himself and Mr. DASCHLE) proposed an amendment to the bill H.R. 2506, supra.

SA 1963. Mr. LEAHY (for Ms. STABENOW) proposed an amendment to the bill H.R. 2506, supra.

SA 1964. Mr. LEAHY (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2506, supra.

SA 1965. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, supra.

SA 1966. Mr. MCCONNELL proposed an amendment to amendment SA 1921 submitted by Mr. Brownback and intended to be proposed to the bill (H.R. 2506) supra.

SA 1967. Mr. MCCONNELL (for himself and Mr. SARBANES) proposed an amendment to the bill H.R. 2506, supra.

SA 1968. Mr. LEAHY (for Mr. SMITH, of Oregon (for himself and Mr. WYDEN)) proposed an amendment to the bill H.R. 2506, supra.

TEXT OF AMENDMENTS

SA 1922. Mr. WELLSTONE (for himself and Mrs. BOXER) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

It is the sense of the Senate that—

(1) Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

(2) as the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe; and

(3) the United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

SA 1923. Mr. WELLSTONE proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place insert:

SEC. . UZBEKISTAN.

REPORTS.—Not later than three months after the date of the enactment of this Act, and then six months thereafter, the Secretary of State shall submit to the appropriate Congressional committees on the following:

(1) The defense article, defense services, and financial assistance provided by the United States to Uzberkistan during the six-month period ending on the date of such report.

(2) the use during such period of defense articles and defense services provided by the United States by units of the Uzbek armed

forces, border guards, Ministry of National Security, or Ministry of Internal Affairs.

(3) The extent to which any units referred to in paragraph (2) engaged in Human rights violations, or violations of international law, during such period.

SA 1924. Mr. MCCONNELL (for Mr. INHOFE) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows;

On page 125 line 16, before the period at the end of the line insert the following: ": *Provided further*, That, of the funds appropriated under this heading, up to $100,000 should be made available for an assessment of the causes of the flooding along the Volta River in Accra, Ghana, and to make recommendations for solving the problem".

SA 1925. Mr. REID (for Mr. LEAHY (for himself, Mr. MCCONNELL, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 133, line 17, after "States" insert the following: ", of which not to exceed $28,000,000 shall be available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for the Federal Republic of Yugoslavia".

SA 1926. Mr. MCCONNELL (for himself, Mr. LEAHY, and Mr. HELMS) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 229, line 12, after "steps" insert the following: ", additional to those undertaken in fiscal year 2001,".

On page 229, line 16, strike everything after "(3)" through "law" on line 17, and insert in lieu thereof: "taking steps, additional to those undertaken in fiscal year 2001, to implement policies which reflect a respect for minority rights and the rule of law, including the release of all political prisoners from Serbian jails and prisons.".

SA 1927. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 176, line 15, strike "$14,500,000" and insert in lieu thereof: "$15,500,000".

SA 1928. Mr. REID (for Mr. LEAHY (for himself, Mr. HARKIN, and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert:

DISABILITY ACCESS

SEC. . Housing that is constructed with funds appropriated by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and to carry out the provisions of the Support for East European Democracy (SEED) Act of 1989, shall to the maximum extent feasible, be wheelchair accessible.

SA 1929. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 142, line 18, after "That", insert the following: "of the amount appropriated under this heading, not less than $101,000,000 shall be made available for Bolivia, and not less than $35,000,000 shall be made available for Ecuador: *Provided further*, That".

On page 142, line 25, strike everything after "with" through "General" on page 143, line 1, and insert in lieu thereof: "the Administrator of the Environmental Protection Agency and the Director of the Centers for Disease Control and Prevention".

On page 143, line 6, strike "according to the" and insert in lieu thereof: "in accordance with Colombian laws and regulations, and".

On page 143, line 10, strike "in place" and insert in lieu thereof: "being utilized".

On page 143, line 12, after "and" insert: "to".

On page 216, line 14, strike "concerning" and insert in lieu thereof: ", including the identity of the person suspended and".

SA 1930. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 127, line 12, strike everything after "rehabilitation" through "Maluka" on line 13, and insert in lieu thereof: "and reconstruction, political reconciliation, and related activities in Aceh, Papua, West Timor, and the Malukus".

On page 220, line 23, after "Indonesia" insert the following: ", including imposing just punishment for those involved in the murders of American citizen Carlos Caceres and two other United Nations humanitarian workers in West Timor on September 6, 2000".

On page 221, lines 17 and 18, strike "having in place a functioning system for".

On page 221, lines 19 and 20, strike "that fund activities".

SA 1931. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 128, line 9, insert the following:

LAOS

Of the funds appropriated under the headings "Child Survival and Health Programs Fund" and "Development Assistance", $5,000,000 should be made available for Laos: *Provided*, That funds made available in the previous proviso should be made available only through nongovernmental organizations,

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SA 1932. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 127, line 19, strike "should" and insert in lieu thereof "shall".

SA 1933. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 127, line 26, after "law:" insert the following: "*Provided further*, That none of the funds appropriated by this Act may be used to provide humanitarian assistance inside Burma by any individual, group, or association unless the Secretary of State certifies and reports to the Committees on Appropriations that the provision of such assistance includes the direct involvement of the democratically elected National League for Democracy:".

SA 1934. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

COMMUNITY-BASED POLICE ASSISTANCE

SEC. . (a) AUTHORITY.—Funds made available to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority in Jamaica through training and technical assistance in internationally recognized human rights, the rule of law, strategic planning, and through the promotion of civilian police roles that support democratic governance including programs to prevent conflict and foster improved police relations with the communities they serve.

(b) REPORT.—Twelve months after the initial obligation of funds for Jamaica for activities authorized under subsection (a), the Administrator of the United States Agency for International Development shall submit a report to the appropriate congressional committees describing the progress the program is making toward improving police relations with the communities they serve and institutionalizing an effective community-based police program.

(c) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

SA 1935. Mr. REID (for Mr. LEAHY (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 179, line 7, after "democracy" insert ", human rights".

On page 179, line 8, after "which" insert: "not less than $5,000,000 should be made available for the Human Rights and Democracy Fund of the Bureau of Democracy,

Human Rights and Labor, Department of State, for such activities, and of which''.

SA 1936. Mr. MCCONNELL (for himself, Mr. LEAHY, Mr. BROWNBACK, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert:

SEC. . SEPTEMBER 11 DEMOCRACY AND HUMAN RIGHTS PROGRAMS.

Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $15,000,000 shall be made available for programs and activities to foster democracy, human rights, press freedoms, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: *Provided*, That funds appropriated under this section should support new initiatives or bolster ongoing programs and activities in those countries: *Provided further*, that not less than $2,000,000 of such funds shall be made available for programs and activities that train emerging Afghan women leaders in civil society development and democracy building: *Provided further*, That not less than $10,000,000 of such funds shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy Human Rights and Labor, Department of State, for such activities: *Provided further*, That funds made available pursuant to the authority of this section shall be subject to the regular notification procedures of the Committees on Appropriations.

SA 1937. Mr. REID (for Mr. WELLSTONE) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill insert:

SEC. . UZBEKISTAN.

REPORTS.—Not later than three months after the date of the enactment of this Act, and six months thereafter, the Secretary of State shall submit a report to the appropriate congressional committees describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to Uzbekistan during the six-month period ending on the date of such report.

(2) The use during such period of defense articles and defense services provided by the United States by units of the Uzbek armed forces, border guards, Ministry of National Security, or Ministry of Internal Affairs.

(3) The extent to which any units referred to in paragraph (2) engaged in human rights violations, or violations of international law, during such period.

SA 1938. Mr. REID (for Mr. WELLSTONE (for himself and Mrs. BOXER)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

SEC. . HUMANITARIAN ASSISTANCE FOR AFGHANISTAN.

It is the sense of the Senate that:

(1) Afghanistan's neighbors should reopen their borders to allow for the safe passage of refugees, and the international community must be prepared to contribute to the economic costs incurred by the flight of desperate Afghan civilians;

(2) as the United States engages in military action in Afghanistan, it must work to deliver assistance, particularly through overland truck convoys, and safe humanitarian access to affected populations, in partnership with humanitarian agencies in quantities sufficient to alleviate a large scale humanitarian catastrophe; and

(3) the United States should contribute to efforts by the international community to provide long-term, sustainable reconstruction and development assistance for the people of Afghanistan, including efforts to protect the basic human rights of women and children.

SA 1939. Mr. MCCONNELL (for Mr. STEVENS (for himself and Mr. INOUYE)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 153 line 7, after the colon insert the following: ''*Provided further*, That of the funds appropriated by this paragraph, not less than $2,300,000 shall be made available for assistance for Thailand:''.

SA 1940. Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. DOMENICI, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. . SENSE OF THE SENATE REGARDING THE IMPORTANT ROLE OF WOMEN IN THE FUTURE RECONSTRUCTION OF AFGHANISTAN.

(a) FINDINGS.—The Senate finds that:

(1) Prior to the rise of the Taliban in 1996, women throughout Afghanistan enjoyed greater freedoms, compromising 70 percent of school teachers, 50 percent of civilian government workers, and 40 percent of doctors in Kabul.

(2) In Taliban-controlled areas of Afghanistan, women have been banished from the work force, schools have been closed to girls and women expelled from universities, women have been prohibited from leaving their homes unless accompanied by a close male relative, and publicly visible windows of women's houses have been ordered to be painted black.

(3) In Taliban-controlled areas of Afghanistan, women have been forced to wear the burqa (or chadari)—which completely shrouds the body, leaving only a small mesh-covered opening through which to see.

(4) In Taliban-controlled areas of Afghanistan, women and girls have been prohibited from being examined by male physicians while at the same time, most female doctors and nurses have been prohibited from working.

(5) In Taliban-controlled areas of Afghanistan, women have been brutally beaten, publicly flogged, and killed for violating Taliban decrees.

(6) The United States and the United Nations have never recognized the Taliban as the legitimate government of Afghanistan, in part, because of their horrific treatment of women and girls.

(7) Afghan women and children now make up 75 percent of the millions of Afghan refugees living in neighboring countries in substandard conditions with little food and virtually no clean water or sanitation.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Afghan women organizations must be included in planning the future reconstruction of Afghanistan.

(2) Future governments in Afghanistan should work to achieve the following goals:

(A) The effective participation of women in all civil, economic, and social life.

(B) The right of women to work.

(C) The right of women and girls to an education without discrimination and the reopening of schools to women and girls at all levels of education.

(D) The freedom of movement of women and girls.

(E) Equal access of women and girls to health facilities.

SA 1941. Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. ALLEN, Mr. DOMENICI, and Mrs. CLINTON) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. . SENSE OF THE SENATE CONDEMNING SUICIDE BOMBINGS AS A TERRORIST ACT.

(a) FINDINGS,—The Senate finds that:

(1) Suicide bombings have killed and injured countless people throughout the world.

(2) Suicide bombings and the resulting death and injury demean the importance of human life.

(3) There are no circumstances under which suicide bombings can be justified, including considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

(4) Religious leaders, including the highest Muslim authority in Saudi Arabia, the Grand Mufti, have spoken out against suicide bombings.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Suicide bombings are a horrific form of terrorism that must be universally condemned.

(2) the United Nations should specifically condemn all suicide bombings by resolution.

SA 1942. Mr. LEAHY (for Mr. HELMS) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 142, line 21, after the colon, insert the following: ''*Provided further*, That of the amount appropriated under this heading, up to $2,000,000 should be made available to support democracy-building activities in Venezuela:''.

SA 1943. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 130, line 4, strike ''September 30, 2003'', and insert in lieu thereof: ''expended''.

SA 1944. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section:

AUTHORIZATIONS

SEC. . The Secretary of the Treasury may, to fulfill commitments of the United States, contribute on behalf of the United States to the seventh replenishment of the resources of the Asian Development Fund, a special fund of the Asian Development Bank, and to the fifth replenishment of the resources of the International Fund for Agriculture Development. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: $412,000,000 for the Asian Development Fund and $30,000,000 for the International Fund for Agricultural Development.

SA 1945. Mr. LEAHY (for Mr. MCCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 133, line 8 insert before the period: ": *Provided further*, That of the funds appropriated under this heading, not less than $250,000 should be made available for assistance for the Documentation Center of Cambodia:

Provided further, That not later than 60 days after the enactment of this Act, the Secretary of State shall report to the Committees on Appropriations on a 3-year funding strategy for the Documentation Center of Cambodia''.

SA 1946. Mr. LEAHY (for Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 136, line 24 strike ''$25,000,000'' and insert in lieu thereof ''$35,000,000''.

SA 1947. Mr. LEAHY (for Ms. MIKULSKI) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 190, between line 14 and 15, insert the follow new subsection:

(f) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

SA 1948. Mr. LEAHY (for Mr. SMITH of Oregon (for himself, Mr. HATCH, and Mr. HELMS)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 232, between lines 23 and 24, insert the following:

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 581. None of the funds appropriated or otherwise made available by this Act may be made available for the Government of the Russian Federation after the date that is 180 days after the date of the enactment of this Act, unless the President determines and certifies in writing to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives that the Government of the Russian Federation has not implemented any statute, executive order, regulation, or other similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

SA 1949. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

The Senate Finds that—

Currently 106 Federal judgeships are vacant, representing 12.3 percent of the Federal judiciary;

40 of those vacancies have been declared ''judicial emergencies'' by the Administrative Office of the Courts;

Last year, at the adjournment of the 106th Congress, 67 vacancies existed, representing 7.9 percent of the judiciary;

In May 2000, when there were 76 Federal judicial vacancies, Senator Daschle stated, ''The failure to fill these vacancies is straining our Federal court system and delaying justice for people all across this country'';

In January 1998, when there were 82 Federal judicial vacancies, Senator Leahy stated, ''Any week in which the Senate does not confirm three judges is a week in which the Senate is failing to address the vacancy crisis'';

The events of September 11, 2001, make it more important than ever that the branches of the Federal Government should operate at maximum efficiency which requires the Federal judiciary to be as close to full strength as possible;

100 percent of President Reagan's judicial nominees sent to the Senate prior to the 1981 August recess were confirmed during his first year in office;

100 percent of President George H.W. Bush's judicial nominees sent to the Senate prior to the 1989 August recess were confirmed during his first year in office;

93 percent of President Clinton's judicial nominees sent to the Senate prior to the 1993 August recess were confirmed during his first year in office;

President George W. Bush nominated and sent to the Senate 44 judicial nominees prior to the 2001 August recess;

21 of all pending nominees have been nominated to fill ''judicial emergencies''; and

The Senate has confirmed only 12 judicial nominees to date, which represents 27 percent of President Bush's judicial nominations sent to the Senate prior to the 2001 August recess:

It is the sense of the Senate that (1) prior to the end of the first session of the 107th Congress, the Committee on the Judiciary shall hold hearings on, and the Committee on the Judiciary and the full Senate shall have votes on, at a minimum, the judicial nominations sent to the Senate by the President prior to August 4, 2001, and (2) the standard for approving pre-August recess judicial nominations for past administrations should be the standard for this and future administrations regardless of political party.

SA 1950. Mr. GRAHAM (for himself, Mr. HAGEL, Mr. DODD, Mr. MCCAIN, Mr. KYL, and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 142, line 17, strike ''$567,000,000'' and insert ''$731,000,000, of which, $164,000,000 shall be derived from reductions in amounts otherwise appropriated in this act.''

SA 1951. Mr. FEINGOLD (for himself and Mr. WELLSTONE) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 143, beginning on line 9, strike ''and (3)'' and all that follows through the colon and insert the following: ''(3) effective mechanisms are in place to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial coca fumigation, and provide fair compensation for meritorious claims; and (4) within 6 months of the enactment of this provision alternative development programs have been developed, in consultation with communities and local authorities in the departments in which such aerial coca fumigation is planned, and in the departments in which such aerial fumigation has been conducted, such programs are being implemented within 6 months of the enactment of this provision.''

SA 1952. Mr. FEINGOLD (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill insert the following sections:

SEC. . COST OF LIVING ADJUSTMENT FOR MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2002.

SA 1953. Mr. REID (for Mr. DODD) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 232, between lines 23 and 24, insert the following:

INCREASED PEACE CORPS PRESENCE IN MUSLIM COUNTRIES

SEC. 581.(a) FINDINGS.—Congress makes the following findings:

(1) In the aftermath of the terrorist attacks of September 11, 2001, it is more important than ever to foster peaceful relationships with citizens of predominantly Muslim countries.

(2) One way to foster understanding between citizens of predominantly Muslim countries and the United States is to send United States citizens to work with citizens of Muslim countries on constructive projects in their home countries.

(3) The Peace Corps mission as stated by Congress in the Peace Corps Act is to promote world peace and friendship.

(4) Within that mission, the Peace Corps has three goals:

(A) To assist the people of interested countries in meeting the need of those countries for trained men and women.

(B) To assist in promoting a better understanding of Americans on the part of the peoples served.

(C) To assist in promoting a better understanding of other peoples on the part of Americans.

(5) The Peace Corps has had significant success in meeting these goals in the countries in which the Peace Corps operates, and has already established mechanisms to put volunteers in place and sustain them abroad.

(6) The Peace Corps currently operates in very few predominantly Muslim countries.

(7) An increased number of Peace Corps volunteers in Muslim countries would assist in promoting peace and understanding between Americans and Muslims abroad.

(b) STUDY.—The Director of the Peace Corps shall undertake a study to determine—

(1) the feasibility of increasing the number of Peace Corps volunteers in countries that have a majority Muslim population;

(2) the manner in which the Peace Corps may target the recruitment of Peace Corps volunteers from among United States citizens who have an interest in those countries or who speak Arabic;

(3) appropriate mechanisms to ensure the safety of Peace Corps volunteers in countries that have a majority Muslim population; and

(4) the estimated increase in funding that will be necessary for the Peace Corps to implement any recommendation resulting from the study of the matters described in paragraphs (1) through (3).

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, the Director of the Peace Corps shall submit to the appropriate congressional committees a report containing the findings of the study conducted under subsection (b).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

SA 1954. Mr. LEAHY (for Mr. DURBIN) proposed an amendment to the bill H.R. 2506 making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 230, line 6, after ''grams'' insert the following: '', and to oppose the approval or endorsement of such user fees or service charges in connection with any structural adjustment scheme or debt relief action, including any Poverty Reduction Strategy Paper''.

SA 1955. Mr. MCCONNELL (for Mr. HELMS (for himself and Mr. MCCONNELL)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

RESTRICTION ON FUNDING FOR CAMBODIAN GENOCIDE TRIBUNAL

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to any tribunal established by the Government of Cambodia pursuant to a Memorandum of Understanding with the United Nations unless the President determines and certifies to Congress that—

the tribunal is capable of delivering justice for crimes against humanity and genocide in an impartial and credible manner.

SA 1956. Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2002, and for other purposes, as follows:

SEC. . EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES.

Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavia Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Slovenia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan: *Provided*, That section 105 of Public Law 104–164 is amended by striking ''2000 and 2001'' and inserting ''2002 and 2003''.

SA 1957. Mr. LEAHY (for Mr. BYRD) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert:

SEC. 417. MACHINE READABLE PASSPORTS.

(a) AUDITS.—The Secretary of State shall—

(1) perform annual audits of the implementation of section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B));

(2) check for the implementation of precautionary measures to prevent the counterfeiting and theft of passports; and

(3) ascertain that countries designated under the visa waiver program have established a program to develop tamper-resistant passports.

(b) PERIODIC REPORTS.—Beginning one year after the date of enactment of this Act, and every year thereafter, the Secretary of State shall submit a report to Congress setting forth the findings of the most recent audit conducted under subsection (a)(1).

(c) ADVANCING DEADLINE FOR SATISFACTION OF REQUIREMENT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended by striking ''2007'' and inserting ''2003''.

(d) WAIVER.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended—

(1) by striking ''On or after'' and inserting the following:

(A) IN GENERAL.—Except as provided in subparagraph (B), on or after''; and

(2) by adding at the end the following:

(B) LIMITED WAIVER AUTHORITY.—During the period beginning October 1, 2003, and ending September 30, 2007, the Secretary of State may waive the requirement of subparagraph (A) with respect to nationals of a program country (as designated under subsection (c)), if the Secretary of State finds that the program country—

(i) is making progress toward ensuring that passports meeting the requirement of subparagraph (A) are generally available to its nationals; and

(ii) has taken appropriate measures to protect against misuse of passports the country has issued that do not meet the requirement of subparagraph (A).''.

SA 1958. Mr. MCCONNELL (for Mr. FRIST (for himself, Mr. BROWNBACK, Mr. HELMS, and Mr. FEINGOLD)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 232, between lines 23 and 24, insert the following:

SUDAN

SEC. 581. (a) FINDINGS REGARDING THE NEED FOR HUMANITARIAN ASSISTANCE.—The Senate makes the following findings:

(1) The war in Sudan has cost more than 2,000,000 lives and has displaced more than 4,000,000 people.

(2) The victims of this 18-year war are not confined to one ethnic group or religion as moderate Moslems in eastern and western Sudan suffer greatly, as do Christians and animists in southern Sudan.

(3) Humanitarian assistance to the Sudanese is a cornerstone of United States foreign assistance policy and efforts to end the war in Sudan.

(4) The United States Government has been the largest single provider of humanitarian assistance to the Sudanese people, providing $1,200,000,000 in humanitarian assistance to war victims during the past 10 years, including $161,400,000 during fiscal year 2000 alone.

(5) Continued strengthening of United States assistance efforts and international humanitarian relief operations in Sudan are essential to bring an end to the war.

(b) FINDINGS REGARDING THE NIF GOVERNMENT.—In addition to the findings under subsection (a), the Senate makes the following findings:

(1) The people of the United States will not abandon the people of Sudan, who have suffered under the National Islamic Front (NIF) government.

(2) For more than a decade, the NIF government has provided safe haven for well-known terrorist organizations, including to Osama bin Laden's al-Qaeda and the Egyptian Islamic Jihad.

(3) The NIF government has been engaged, and continues to engage, in gross human rights violations against the civilian population of Sudan, including the enslavement of women and children, the bombardment of civilian targets, and the scorched-earth destruction of villages in the oil fields of Sudan.

(c) SENSE OF THE SENATE.—In recognition of the sustained struggle for self-determination and dignity by the Sudanese people, as embodied in the IGAD Declaration of Principles, and the statement adopted by the United States Commission on International

Religious Freedom on October 2, 2001, it is the sense of the Senate that—

(1) the National Islamic Front (NIF) government of Sudan should—

(A) establish an internationally supervised trust fund that will manage and equitably disburse oil revenues;

(B) remove all bans on relief flights and provide unfettered access to all affected areas, including the Nuba Mountains;

(C) end slavery and punish those responsible for this crime against humanity;

(D) end civilian bombing and the destruction of communities in the oil fields;

(E) honor the universally recognized right of religious freedom, including freedom from coercive religious conversions;

(F) seriously engage in an internationally sanctioned peace process based on the already adopted Declaration of Principles; and

(G) commit to a viable cease-fire agreement based on a comprehensive settlement of the political problems; and

(2) the President should continue to provide generous levels of humanitarian, development, and other assistance in war-affected areas of Sudan, and to refugees in neighboring countries, with an increased emphasis on moderate Moslem populations who have been brutalized by the Sudanese government throughout the 18-year conflict.

SA 1959. Mr. DODD (for himself and Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in the bill add the following new section:

Sec. . During fiscal year 2002 funds in this Act that would otherwise be withheld from obligation or expenditure under Section 490 with respect to countries in the Western Hemisphere may be obligated or expended provided that—

(a) Not later than November 30 of 2001 the President has submitted to the appropriate congressional committees a report identifying each country in the Western Hemisphere determined by the President to be a major drug-transit country or major illicit drug producing country.

(b) In each report under subsection (a), the President shall also—

(1) designate each country, if any, identified in such report that has failed demonstrably, during the previous 12 months, to make substantial efforts—

(A) to adhere to its obligations under international counter narcotics agreements; and

(B) to take the counter narcotics measures set forth in section 489(a)(1); and

(2) include a justification for each country so designated.

(c) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—In the case of a country identified in a report for a fiscal year 2002 under subsection (a) that is also designated under subsection (b) in the report, United States assistance may be provided under this act to such country in fiscal year 2002 only if the President determines and reports to the appropriate congressional committees that—

(1) provision of such assistance to the country in such fiscal year is vital to the national interests of the United States; or

(2) commencing at any time after November 30, 2001, the country has made substantial efforts—

(A) to adhere to its obligations under international counternarcotics agreements; and

(B) to take the counternarcotics measures set forth in section 489(a)(1).

(d) INTERNATIONAL COUNTERNARCOTICS AGREEMENT DEFINED.—In this section, the term ''international counternarcotics agreement'' means—

(1) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; or

(2) any bilateral or multilateral agreement in force between the United States and another country or countries that addresses issues relating to the control of illicit drugs, such as—

(A) the production, distribution, and interdiction of illicit drugs,

(B) demand reduction,

(C) the activities of criminal organizations,

(D) international legal cooperation among courts, prosecutors, and law enforcement agencies (including the exchange of information and evidence),

(E) the extradition of nationals and individuals involved in drug-related criminal activity,

(F) the temporary transfer for prosecution of nationals and individuals involved in drug-related criminal activity,

(G) border security,

(H) money laundering,

(I) illicit firearms trafficking,

(J) corruption,

(K) control of precursor chemicals,

(L) asset forfeiture, and

(M) related training and technical assistance; and includes, where appropriate, timetables and objective and measurable standards to assess the progress made by participating countries with respect to such issues; and

(e) Section 490 (b)–(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j) shall not apply during FY 2002 with respect to any country in the Western Hemisphere identified in subsection (a) of this section.

(f) STATUTORY CONSTRUCTION.—Nothing in this section supersedes or modifies the requirement in section 489(a) of the Foreign Assistance Act of 1961 (with respect to the International Control Strategy Report) for the transmittal of a report not later than March 1 of 2002 under that section.

(g) SENSE OF CONGRESS ON ENHANCED INTERNATIONAL NARCOTICS CONTROL.—

It is the sense of Congress that—

(1) many governments are extremely concerned by the national security threat posed by illicit drug production, distribution, and consumption, and crimes related thereto, particularly those in the Western Hemisphere;

(2) an enhanced multilateral strategy should be developed among drug producing, transit, and consuming nations designed to improve cooperation with respect to the investigation and prosecution of drug related crimes, and to make available information on effective drug education and drug treatment;

(3) the United States should at the earliest feasible date convene a conference of representatives of major illicit drug producing countries, major drug transit countries, and major money laundering countries to present and review country by country drug reduction and prevention strategies relevant to the specific circumstances of each country, and agree to a program and timetable for implementation of such strategies; and

(4) not later than one year after the date of the enactment of this Act, the President should transmit to Congress any legislation necessary to implement a proposed multilateral strategy to achieve the goals referred to in paragraph (2), including any amendments to existing law that may be required to implement that strategy.

SA 1960. Mr. MCCONNELL (for Mrs. HUTCHISON (for herself and Mr. INOUYE)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 120, line 3, strike ''$1,455,500,000'' and insert in lieu thereof: ''$1,465,500,000.''

On page 121, line 6, after ''diseases'' insert the following: '', of which not less than $65,000,000 should be made available for the prevention, treatment, and control of, and research on, tuberculosis''.

On page 142, line 17, strike ''$567,000,000'' and insert the lieu thereof: ''$557,000,000''.

SA 1961. Mr. LEAHY (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 142, line 17, strike ''$567,000,000'' and insert in lieu thereof: ''$557,000,000''.

On page 124, line 17, strike ''$1,235,000,000'' and insert in lieu thereof; ''$1,245,000,000''.

At the appropriate place in the bill, insert the following new section:

CENTRAL AMERICA DISASTER RELIEF

SEC. . Of the funds appropriated under the headings ''International Disaster Assistance'', ''Development Assistance'', and ''Economic Support Fund'', not less than $35,000,000 should be made available for relief and reconstruction assistance for victims of earthquakes and drought in El Salvador and elsewhere in Central America.

SA 1962. Mr. LEAHY (for himself and Mr. DASCHLE) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 116, line 23, delete ''$753,323,000'' and insert in lieu thereof: ''$727,323,000''.

On page 145, line 17, delete $326,500,000'' and insert in lieu thereof: ''$318,500,000''.

On page 157, line 3, strike ''CONTRIBUTION'' and all that follows through the period on line 8.

On page 136, line 9, delete ''$800,000,000'' and insert in lieu thereof: ''$795,500,000''.

On page 128, line 13, delete ''$255,000,000'' and insert in lieu thereof: ''$245,000,000''.

On page 133, line 13, delete ''$603,000,000'' and insert in lieu thereof: ''$615,000,000''.

On page 121, line 5, delete ''$175,000,000'' and insert in lieu thereof ''$185,000,000''.

On page 121, line 6, after ''diseases'' insert: , of which not less than $65,000,000 should be made available to combat malaria

On page 159, line 13, delete ''$217,000,000'' and insert in lieu thereof: ''$218,000,000''.

On page 160, line 1, delete ''$39,000,000'' and insert in lieu thereof: ''$40,000,000''.

On page 120, line 3, delete ''$1,455,500,000'' and insert in lieu thereof: ''$1,500,500,000''.

On page 120, line 24, delete ''$415,000,000'' and insert in lieu thereof: ''$450,000,000''.

On page 120, line 25, delete ''$40,000,000'' and insert in lieu thereof: ''$90,000,000''.

SA 1963. Mr. LEAHY (for Ms. STABENOW) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 232, between lines 23 and 24, insert the following:

PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

SEC. 581. The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by inserting before title V the following:

"TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

''(a) DEFINITION.—In this section, the term 'Foundation' means the Points of Light Foundation funded under section 301, or another nonprofit private organization, that enters into an agreement with the Corporation to carry out this section.

''(b) IDENTIFICATION OF PROJECTS.—

''(1) ESTIMATED NUMBER.—Not later than December 1, 2001, the Foundation, after obtaining the guidance of the heads of appropriate Federal agencies, such as the Director of the Office of Homeland Security and the Attorney General, shall—

''(A) make an estimate of the number of victims killed as a result of the terrorist attacks on September 11, 2001 (referred to in this section as the 'estimated number'); and

''(B) compile a list that specifies, for each individual that the Foundation determines to be such a victim, the name of the victim and the State in which the victim resided.

''(2) IDENTIFIED PROJECTS.—The Foundation shall identify approximately the estimated number of community-based national and community service projects that meet the requirements of subsection (d). The Foundation shall name each identified project in honor of a victim described in subsection (b)(1)(A), after obtaining the permission of an appropriate member of the victim's family and the entity carrying out the project.

(c) ELIGIBLE ENTITIES.—To be eligible to have a project named under this section, the entity carrying out the project shall be a political subdivision of a State, a business, or a nonprofit organization (which may be a religious organization, such as a Christian, Jewish, or Muslim organization).

''(d) PROJECTS.—The Foundation shall name, under this section, projects—

''(1) that advance the goals of unity, and improving the quality of life in communities; and

''(2) that will be planned, or for which implementation will begin, within a reasonable period after the date of enactment of this section, as determined by the Foundation.

''(e) WEBSITE AND DATABASE.—The Foundation shall create and maintain websites and databases, to describe projects named under this section and serve as appropriate vehicles for recognizing the projects.''.

SA 1964. Mr. LEAHY (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 125, line 16, before the period at the end of the line insert the following: '' : *Provided further*, That, of the funds appropriated under this heading or under 'Child Survival and Health Programs Fund' $5,000,000 should be made available for activities in South and Central Asia aimed at reintegrating 'child soldiers' and other war-affected youth''.

SA 1965. Mr. MCCONNELL proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 137, line 17 through page 138 line 11, strike all after ''(e)'' through ''assistance.''

SA 1966. Mr. MCCONNELL proposed an amendment to amendment SA 1921 submitted by Mr. BROWNBACK and intended to be proposed to the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

Strike all after the word sec. and add the following:

Section 907 of the FREEDOM Support Act shall not apply to—

(A) activities to support democracy or assistance under Title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or nonproliferation assistance;

(B) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(C) any activity carried out by a member of the United States and Foreign Commercial Services while acting within his or her official capacity;

(D) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(E) any financing provided under the Export-Import Bank Act of 1945; or

(F) humanitarian assistance.

(2) The President may waive section 907 of the FREEDOM Support Act if he determines and certifies to the Committees on Appropriations that to do so:

(A) is necessary to support United States efforts to counter terrorism; or

(B) is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter terrorism; or

(C) is important to Azerbaijan's border security; and

(D) will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbarijan or be used for offensive purposes against Armenia.

(3) The authority of paragraph (2) may only be exercised through December 31, 2002.

(4) The President may extend the waiver authority provided in paragraph (2) on an annual basis on or after December 31, 2002 if he determines and certifies to the Committees on Appropriations in accordance with the provisions of paragraph (2).

(5) The Committees on Appropriations shall be consulted prior to the provision of any assistance made available pursuant to paragraph (2).

(6) Within 60 days of any exercise of the authority under Section (2), the President shall send a report to the appropriate Congressional committees specifying in detail the following:

(A) the nature and quantity of all training and assistance provided to the government of Azerbaijan pursuant to Section (2);

(B) the status of the military balance between Azerbaijan and Armenia and the impact of U.S. assistance on that balance; and

(C) the status of negotiations for a peaceful settlement between Armenia and Azerbaijan and the impact of U.S. assistance on those negotiations.

SA 1967. Mr. MCCONNELL (for himself and Mr. SARBANES) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 152 line 10, after the word ''Appropriations'' and before the period insert the following: '': *Provided further*, That of the funds appropriated by this paragraph, not less than $600,000 shall be made available for assistance for Armenia''.

On page 153 line 7, after the colon, insert the following: ''*Provided further*, That of the funds appropriated by this paragraph, not less than $4,000,000 shall be made available for assistance for Armenia''.

SA 1968. Mr. LEAHY (for Mr. SMITH of Oregon (for himself and Mr. WYDEN)) proposed an amendment to the bill H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. . FEDERAL INVESTIGATION ENHANCEMENT ACT OF 2001.

(a) SHORT TITLE.—This section may be cited as the ''Federal Investigation Enhancement Act of 2001.''

(b) UNDERCOVER INVESTIGATIVE PRACTICES CONDUCTED BY FEDERAL ATTORNEYS.—Section 530 B(a) of title 28, United States Code, is amended by inserting after the first sentence, ''Notwithstanding any provision of State law, including disciplinary rules, statutes, regulations, constitutional provisions, or case law, a Government attorney may, for the purpose of enforcing Federal law, provide legal advice, authorization, concurrence, direction, or supervision on conducting undercover activities, and any attorney employed as an investigator or other law enforcement agent by the Department of Justice who is not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings may participate in such activities, even though such activities may require the use of deceit or misrepresentation, where such activities are consistent with Federal law.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 24, 2001, for the purpose of holding a hearing on terrorism insurance.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 24, 2001, at 10:30 a.m., to hold a nominations hearing.

Agenda

Nominees: Mr. Cameron R. Hume, of New York, to be Ambassador to the Republic of South Africa; Ms. Margaret K. McMillion, of the District of Columbia, to be Ambassador to the Republic of Rwanda; Ms. Wanda L. Nesbitt, of Pennsylvania, to be Ambassador to the Republic of Madagascar; and Mr. Robert V. Royall, of South Carolina, to be

Ambassador to the United Republic of Tanzania.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to hold a closed hearing on intelligence matters on Wednesday, October 24, 2001, at 2:30 p.m., in room S–407 in the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that the privilege of the floor be granted to staff members of the Foreign Relations Committee, Lauren Marcott and Robert Hyams.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Madeline Lohman, an intern in my office, be allowed to be on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, OCTOBER 25, 2001

Mr. DASCHLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. Thursday, October 25, and on Thursday, immediately 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 there be a period for morning business until 10:00 a.m, with Senators permitted to speak for up to 10 minutes each, with the following exception: Senator HUTCHISON from Texas or her designee, 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DASCHLE. At 10 a.m. on Thursday, the Senate will begin consideration of the counterterrorism act with 5 hours and 10 minutes of debate.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DASCHLE. Mr. President, if there are no further requests for morning business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:09 p.m, adjourned until Thursday, October 25, 2001, at 9:30 a.m.

EXTENSIONS OF REMARKS

UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

SPEECH OF

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 23, 2001

Mr. NADLER. Mr. Speaker, I rise to make a clarification to ensure that the legislative language of the bill reflects the reality of technology today and will not affect the status of pending civil actions brought under Section 1030. We need to encourage our businesses to protect their information and computer systems with redundant systems, and we must be careful not to limit legal protection to only one computer when an entire network may be affected.

As I understand the bill, the parenthetical in 1030(a)(5)(B)(i) is not meant to change current law or inhibit the ability of a corporate Section 1030 plaintiff to base a claim upon loss incurred in connection with a database that is run from more than one server or other computer. In light of the interest in greater Internet security that is demonstrated by this legislation, and the need for data and server redundancy, which minimize potential risks to data integrity, such system redundancy is very important. The section amending 18 U.S.C. 1030 should not be read to undermine the current state of the law or the goals behind data and system redundancy.

TRIBUTE TO MR. WILLIE JEFFRIES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to ask my colleagues to join me in paying tribute to Mr. Willie Jeffries, who is retiring after 42 years of coaching, including 19 seasons at my alma mater as head coach of the South Carolina State University Bulldogs.

''Jeff,'' the winningest football coach in South Carolina State's 105-year history and owner of more Mid-Eastern Atlantic Conference (MEAC) victories than any other coach is already enshrined in the South Carolina, South Carolina State University, and MEAC halls of fame. That's very impressive for a kid from Union, South Carolina who matriculated—a word he would claim not to know the meaning of—at South Carolina State in the late 1950's to earn a civil engineering degree. Just months after graduating from South Carolina State in 1960, Jeffries began working as an Assistant Coach at Barr Street High School in Lancaster. He then moved on to become Head Coach at Granard High School in Gaffney, compiling a 65–7–2 record and winning three consecutive Class AAA state championships from 1964–1966.

Jeffries began his collegiate career in 1968 at North Carolina A & T as an assistant under Hornsby Howell. He later coached under Johnny Majors at the University of Pittsburgh before returning to his alma mater, South Carolina State for his first collegiate head coaching position in 1973. He turned a floundering program around, going 50–13–4 in six seasons, before leaving for Wichita State where he became the first black Head Coach at a Division I school. Five-years after making his historic trek at Wichita State, Jeffries returned to the NIEAC in 1984 as Head Coach at Howard University. Jeffries returned home to South Carolina State for a second tenure in 1989.

Apart from his enviable record, six MEAC titles, and two Black National Football championships, Jeffries has earned the love and respect of many in South Carolina as a teacher and mentor to countless young men and women. In addition, Coach Jeffries has contributed to the development of many young men who earn a college degree, as South Carolina State graduates 70 percent of its football players, more than any other historically black college and university. Jeffries has produced a multitude of players who have distinguished themselves in the professional ranks including Robert Porcher, Harry Carson, Donnie Shell, and Charlie Brown. Jeffries has coached against some of the game's legends such as Bear Bryant and Eddie Robinson.

The word legend hardly speaks for what Willie Jeffries has done for South Carolina and South Carolina State University. He is a trailblazer; a man who set the stage for many black men and inspired them to do many things—mainly coach. If a man's worth is judged by the number of people he's touched, then Coach Jeffries has indeed lived a wealthy life. Mr. Speaker, please join me in honoring a good friend and loyal supporter Coach Willie Jeffries, for his many years of hard work, outstanding leadership, and service as a role model to South Carolina, South Carolina State and the nation.

TRIBUTE TO FIREFIGHTERS FROM MEHLVILLE FIRE PROTECTION DISTRICT IN ST. LOUIS COUNTY

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Mr. GEPHARDT. Mr. Speaker, I rise today to pay tribute to three brave firefighters from the Mehlville Fire Protection District in St. Louis County. Steve Mossotti, Joe Schmidt and Dave Waser each have, more than 20 years firefighting experience and service to our community and, in addition, are members of the Missouri Urban Search and Rescue Task Force 1. The Task Force consists of highly motivated and expertly trained search, medical, rescue and technical specialists and are utilized as resources to local communities and work directly for the local fire department commanders.

Messrs. Mossotti, Schmidt and Waser were part of the first Task Force groups to arrive at ''Ground Zero'' in New York City. They departed Whiteman Air Force Base in Missouri shortly before 10 p.m. on Tuesday, September 11, 2001, as part of the Federal Emergency Management response to the terrorist attack at the World Trade Center. Their acts of heroism over an intense and very dangerous eight-day period at Ground Zero are so impressive that it would be easy to overlook the men behind these acts. They were not fearless but, in spite of fear, acted in a selfless and courageous manner under unimaginable conditions, searching for victims of the attack and for the rescuers who lost their lives in the line of duty. This is the mark of a true hero.

These men belong to a very special group, and the memories unique to their experience at Ground Zero will remain with them all their lives. They will never forget those who paid the ultimate price. I pray that we will never forget the profound debt of gratitude we owe to them, and to all who responded by giving their best in this time of the Nation's great need. Their acts of bravery and their commitment to the Nation and to their fellow men exemplify the highest and best tradition of fire and rescue workers everywhere. We owe Steve Mossotti, Joe Schmidt and Dave Waser our most profound gratitude.

Now that they are safely home in Missouri, I join the residents of Garden Villas South in paying them special tribute at this ceremony today, Saturday, October 27, 2001. Gentlemen, we as a nation commend you again, and thank you for your selfless courage. You have made us proud.

TRIBUTE TO VITILAS ''VETO'' REID

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Mr. CLAY. Mr. Speaker, I rise to honor and offer my congratulations to Vitilas ''Veto'' Reid on his recent retirement from the U.S. Postal Service after fifty years of service. During his half century of distinguished service, Mr. Reid held several management positions, including Postmaster of the St. Charles, Missouri post office.

Vitilas Reid was an honor graduate of Vashon High School in St. Louis, and he later attended Stowe Teachers College and the University of Missouri—St. Louis.

Mr. Reid joined the Postal Service on August 20, 1951 as an indefinite substitute clerk in St. Louis. In 1953, he was made a full-time regular clerk and he worked in several clerk assignments until he was promoted to Supervisor of Mails in 1969. In 1977, Mr. Reid was

detailed to Chicago, Illinois to serve on a special assignment with the Delivery Programs branch.

Months later, he returned to St. Louis to serve as Manager of the Chouteau Station, the first African American manager to serve in South St. Louis. In 1983, Mr. Reid was appointed Officer-in-Charge of the St. Charles post office, where he later was promoted to Postmaster, the position he ultimately retired from. He was the recipient of the National Association of Postmaster's first Postmaster's Leadership Award, which was presented to him at its National Convention in 1992.

In addition to his long and distinguished career with the Postal Service, Veto Reid is also an active and effective community leader. He serves on numerous local and regional Advisory Boards, Boards of Directors and committees, including the St. Louis NAACP Executive Board; the Tri-County United Way; the St. Louis Chapter of Habitat for Humanity; the Equal Housing Opportunity Council; the St. Charles County Community College Advisory Board; and the Linwood University Board of Overseers.

He was also inducted into the Vashon High School Hall of Fame in 1990; was appointed President of the St. Joseph Hospital SSM Advisory Board in 1995; and was elected President of the Rotary Club of St. Charles in 1999, the first African American to hold these positions.

Veto Reid has devoted his life to community service and helping others realize their dreams. He has made a positive impact on countless lives he has touched and for that we are all grateful for his efforts. Therefore, I want to take this time to proclaim November 3, 2001, as ''Vitilas 'Veto' Reid Day'' in Missouri's First Congressional District.

PERSONAL EXPLANATION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Mr. STEARNS. Mr. Speaker, on rollcall Nos. 395, 396 an 397, I was inadvertently detained. Had I been present, I would have voted ''aye'' on all three.

UNITING AND STRENGTHENING AMERICA BY PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT TERRORISM (USA PATRIOT) ACT OF 2001

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 23, 2001

Mr. BLUMENAUER. Mr. Speaker, I voted against H.R. 3162 because there are still problems regarding freedom of speech; 4 years is too long a period before mandatory Congressional review, and because there was no opportunity for the House to offer reasonable amendments to further refine the legislation. When we are dealing with the fundamental freedoms of every American there is no excuse not to take the appropriate time to do the best we can. This bill is better than when it first passed the House, not as good as the bipartisan bill that passed out of Judiciary Committee (36–0), and is certainly not our best.

MEMORIALIZING JOHN ''JACK'' TERRY'S LIFE AND SERVICE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Mr. GILMAN. Mr. Speaker, I rise today to recognize and to remember the life and service of a dear friend, a veteran and a former Member of this distinguished body, John ''Jack'' Hart Terry.

Congressman Terry was a gentleman, a committed family man, and a dedicated public servant for the people of New York and the Communities of the Syracuse region.

Jack's life, filled with significant accomplishments, began with his success at Notre Dame and the Syracuse Law School. His long, distinguished career included his law partnership with Smith & Sovik and subsequently as the senior vice president, general counsel and secretary to Niagra Mohawk Power Corp., for the Hiscock & Barclay law firm.

Jack Terry also served the Onondaga board of supervisors for six terms and was later appointed as the assistant secretary to the Governor of New York. He served for five years in the New York State Assembly and thereafter was elected as the representative of the people of New York's 34th Congressional District in 1970.

I had the honor and pleasure of working with Congressman Terry during my very first congressional campaign. He played a key role in my campaign activities and assisted me in organizing my Washington congressional office. During my first year in Congress, Jack provided me with invaluable guidance and friendship as my mentor.

During World War II, Jack Terry was awarded a Bronze Star and a Purple Heart, for his courageous service. As a veteran, he was an ardent supporter of our men and women in uniform.

My wife, Georgia, and I, join all of Jack's family and friends in sending our heartfelt condolences and prayers to his four daughters, Carole, Susan, Lynn, and Jean, his grandchildren, and the entire Terry family. We know that mere words can no way assuage their sense of loss.

However, we hope that they can take some comfort in the rich and fruitful life jack lived and the way the world embraced his charitable spirit. May the knowledge that many of us share their loss be of some consolation to the Terry family.

Jack Terry was a staunch advocate and an outstanding public servant for the people of his region and the state of New York. His dedicated service was a testimony to his life. Jack will be long missed.

PERSONAL EXPLANATION

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2001

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to be present during legislative business on Tuesday, October 23, 2001. Had I been present I would have voted ''aye'' on H.R. 3086, The Higher Education Relief Opportunities for Students Act, Rollcall No. 395; on H.R. 3160, The Bioterrorism Prevention Act, Rollcall No. 396; and H.R. 2924, Rewards to Protect the Federal Power Marketing Administrations.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 25, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 29

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the future of ensuring terrorism risk.

SR–253

OCTOBER 30

9:30 a.m.

Commerce, Science, and Transportation

To continue hearings to examine the future of ensuring terrorism risk.

SR–253

NOVEMBER 1

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on S. 1530, to provide improved safety and security measures for rail transportation, and provide for improved passenger rail service.

SR–253

Daily Digest

HIGHLIGHTS

Senate passed Foreign Operations Appropriations Act.

The House passed H.R. 3162, Patriot Act under Suspension of the Rules.

The House passed H.R. 3090, Economic Security and Recovery Act.

House committee ordered reported the Department of Defense appropriations for fiscal year 2002.

Senate

Chamber Action

Routine Proceedings, pages S10907–S10988

Measures Introduced: One bill was introduced, as follows: S. 1572. **Page S10980**

Measures Passed:

Foreign Operations Appropriations: By 96 yeas to 2 nays (Vote No. 312), Senate passed H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, after taking action on the following amendments proposed thereto:

Pages S10908, S10911–17, S10919–22, S10924–69

Adopted:

Wellstone/Boxer Modified Amendment No. 1922, to express the sense of the Senate with respect to safe passage of refugees, humanitarian relief, and reconstruction and development in Afghanistan.

Pages S10911–13, S10915

Subsequently, the adoption of the amendment was vitiated. **Page S10944**

Wellstone Modified Amendment No. 1923, to require the Secretary of State to submit to the appropriate Congressional committees a report describing the use of defense articles and defense services, financial assistance, and human rights or international law violations in Uzbekistan. **Pages S10913–15**

Subsequently, the adoption of the amendment was vitiated. **Page S10944**

McConnell (for Inhofe) Amendment No. 1924, to make available funds to assess the cause of the flooding along the Volta River in Accra, Ghana, and to make recommendations on how to solve the problem. **Pages S10915–17**

Reid (for Leahy/McConnell/Voinovich) Amendment No. 1925, to provide that no more than $28,000,000 shall be available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for the Federal Republic of Yugoslavia.

Pages S10915–17

McConnell/Leahy/Helms Amendment No. 1926, to take steps to implement policies which reflect a respect for minority rights and the rule of law, including the release of all political prisoners from Serbian jails and prisons. **Pages S10915–17**

Reid (for Leahy/McConnell) Amendment No. 1927, to make a certain technical correction.

Pages S10915–17

Reid (for Leahy/Harkin/McConnell) Amendment No. 1928, to provide that housing that is constructed with funds appropriated by this Act to carry out certain provisions of the Foreign Assistance Act of 1961, and to carry out the provisions of the Support for East European Democracy (SEED) Act of 1989, shall to the maximum extent feasible, be wheelchair accessible. **Pages S10915–17**

Reid (for Leahy/McConnell) Amendment No. 1929, to provide that not less than $101,000,000 shall be made available for Bolivia, and not less than $35,000,000 shall be made available for Ecuador.

Pages S10915–17

Reid (for Leahy/McConnell) Amendment No. 1930, to amend certain provisions relating to the reconstruction, political reconciliation, and related activities in Aceh, Papua, West Timor, and the Malukus, and provisions relating to the murders of American citizen Carlos Caceres and two other United Nations humanitarian workers in West Timor on September 6, 2000. **Pages S10915–17**

Reid (for Leahy/McConnell) Amendment No. 1931, to make available funds for Laos.

Pages S10915–17

McConnell Amendment No. 1932, of a technical nature. **Pages S10915–17**

McConnell Amendment No. 1933, to prohibit humanitarian assistance inside Burma unless certain conditions are met.

Reid (for Leahy/McConnell) Amendment No. 1934, to make available funds to enhance the effectiveness and accountability of civilian police authority in Jamaica. **Pages S10915–17**

Reid (for Leahy/McConnell) Amendment No. 1935, to make available funds for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State. **Pages S10915–17**

McConnell/Leahy/Brownback Amendment No. 1936, to make available funds to foster democracy, human rights, press freedoms, and the rule of law in countries with a significant Muslim population, including programs and activities that train emerging Afghan women leaders in civil society development and democracy building. **Pages S10915–17**

Reid (for Wellstone) Amendment No. 1937, to require the Secretary of State to submit to the appropriate Congressional committees a report describing the use of defense articles and defense services, financial assistance, and human rights or international law violations in Uzbekistan. **Pages S10915–17**

Reid (for Wellstone) Amendment No. 1938, to express the sense of the Senate with respect to safe passage of refugees, humanitarian relief, and reconstruction and development in Afghanistan. **Pages S10915–17**

McConnell (for Stevens/Inouye) Amendment No. 1939, to make available funds for assistance for Thailand. **Pages S10915–17**

Boxer/Brownback Amendment No. 1940, to express the sense of the Senate regarding the important role of women in the future reconstruction of Afghanistan. **Page S10921**

Boxer Amendment No. 1941, to express the sense of the Senate condemning suicide bombings as a terrorist act. **Page S10921–22**

Leahy (for Helms) Amendment No. 1942, to make available funds to support democracy-building activities in Venezuela. **Pages S10924–27**

Leahy/McConnell Amendment No. 1943, of a technical nature. **Pages S10924–27**

Leahy/McConnell Amendment No. 1944, to make available funds for the Asian Development Fund and for the International Fund for Agricultural Development. **Pages S10924–27**

Leahy (for McConnell/Leahy) Amendment No. 1945, to make available funds for assistance for the Documentation Center of Cambodia. **Pages S10924–27**

Leahy (for McConnell) Amendment No. 1946, of a technical nature. **Pages S10924–27**

Leahy (for Mikulski) Amendment No. 1947, to allow the United States Agency for International Development to provide an exception to the fair opportunity process for placing task orders under multiple award indefinite quantity contracts when the order is placed with any category of small or small disadvantaged business. **Pages S10924–27**

Leahy (for Smith (OR)/Hatch/Helms) Amendment No. 1948, to restrict the availability of funds for the Government of the Russian Federation unless certain conditions are met. **Pages S10924–27**

Leahy (for Durbin) Amendment No. 1954, to oppose the approval or endorsement of such user fees or service charges in connection with any structural adjustment scheme or debt relief action, including any Poverty Reduction Strategy Paper. **Pages S10951–53**

McConnell (for Helms/McConnell) Amendment No. 1955, to prohibit funding for any Cambodian genocide tribunal unless certain conditions are met. **Pages S10951–53**

Leahy (for Leahy/McConnell) Amendment No. 1956, to provide funds to the Department of Defense for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of this Act. **Pages S10951–53**

Reid (for Dodd) Amendment No. 1953, to require a study and report on the feasibility of increasing the number of Peace Corps volunteers serving in countries having a majority Muslim population. **Pages S10944, S10951–53**

Leahy (for Byrd) Amendment No. 1957, to prevent abuses in the visa waiver program. **Pages S10951–53**

McConnell (for Frist/Brownback) Amendment No. 1958, to express the sense of the Senate with respect to Sudan. **Pages S10951–53**

Feingold/Wellstone Modified Amendment No. 1951, to provide an additional condition for the procurement of chemicals for aerial coca fumigation under the Andean Counterdrug Initiative. **Pages S10938–43, S10951–53**

Dodd/Hutchison Amendment No. 1959, to modify the annual drug certification procedures for Fiscal Year 2002 with respect to countries in the Western Hemisphere. **Pages S10956–58**

McConnell (for Hutchison/Inouye) Amendment No. 1960, to make available funds for the prevention, treatment, and control of, and research on, tuberculosis. **Pages S10958–59**

Leahy (for Bingaman) Amendment No. 1961, to make available funds for relief and reconstruction assistance for victims of earthquakes and drought in El Salvador and elsewhere in Central America. **Pages S10958–59**

Leahy Amendment No. 1962, of a technical nature. **Pages S10958–59**

Leahy (for Stabenow/Kyl) Amendment No. 1963, to provide for projects honoring victims of terrorist attacks. **Pages S10958–59**

Leahy (for Landrieu) Amendment No. 1964, to make available funds for services aimed at the reintegration of war-affected youth in East Asia. **Pages S10958–59**

McConnell Amendment No. 1965, of a technical nature. **Pages S10958–59**

McConnell Amendment No. 1966 (to Amendment No. 1921), of a perfecting nature. **Pages S10959–61**

Brownback Amendment No. 1921, to authorize the President to waive the restriction of assistance for Azerbaijan if the President determines that it is in the national security interest of the United States to do so. **Pages S10959–61**

McConnell/Sarbanes Amendment No. 1967, to make available funds for assistance for Armenia. **Page S10961**

Leahy (for Smith (OR)) Amendment No. 1968, to amend Section 530B(a) of title 28, United States Code, to allow a government attorney to provide legal advice, authorization, concurrence, direction, or supervision on conducting undercover activities. **Page S10961**

During consideration of this bill today, the Senate also took the following action:

Senate sustained a point of order against Specter Amendment No. 1949, to urge the Senate, prior to the end of the first session of the 107th Congress, to vote on at least the judicial nominations sent to the Senate by the President prior to August 4, 2001, as being not germane under Rule 16, and the amendment thus fell. **Pages S10927–28**

Subsequently, Specter Amendment No. 1949 (listed above) was then modified. **Page S10928**

Senate sustained a point of order against Feingold/Baucus Amendment No. 1952, to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2002, as being not germane under Rule 16, and the amendment thus fell. **Pages S10943–44**

A point of order was made that Graham/Hagel/Dodd Amendment No. 1950, of a technical nature, was in violation of Section 302(f) of the Congressional Budget Act and, by 27 yeas to 72 nays (Vote No. 311), three fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the aforementioned section with respect to consideration of the amendment. Subsequently, the point of order was sustained and the amendment thus fell. **Pages S10932–38, S10954–56**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Byrd, McConnell, Specter, Gregg, Shelby, Bennett, Campbell, Bond and Stevens. **Page S10969**

Counterterrorism Bill—Agreement: A unanimous-consent-time agreement was reached providing for consideration of H.R. 3162, to deter and punish terrorist acts in the United States and around the world, and to enhance law enforcement investigatory tools, at 10 a.m., on Thursday, October 25, 2001, with a vote on final passage to occur thereon. **Pages S10969–70**

Agriculture Appropriations Bill—Agreement: A unanimous-consent agreement was reached providing that upon the disposition of H.R. 3162, Counterterrorism Bill, Committee on Appropriations be discharged from further consideration of H.R. 2330, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and the Senate then proceed to its consideration, the committee substitute amendment be agreed to, and it be considered as original text for the purpose of further amendment. **Pages S10970–71**

Messages From the House: **Pages S10979–80**

Measures Referred: **Page S10980**

Additional Cosponsors: **Page S10980**

Statements on Introduced Bills/Resolutions: **Pages S10980–81**

Additional Statements: **Pages S10978–79**

Amendments Submitted: **Pages S10981–87**

Authority for Committees to Meet: **Pages S10987–88**

Privilege of the Floor: **Page S10988**

Record Votes: Two record votes were taken today. (Total—312) **Pages S10956, S10969**

Adjournment: Senate met at 10:30 a.m., and adjourned at 7:09 p.m., until 9:30 a.m., on Thursday, October 25, 2001. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10988.)

Committee Meetings

(Committees not listed did not meet)

TERRORISM INSURANCE

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine how the insurance industry should respond to risks posed by potential terrorist attacks and the extent to which the government should play a role alongside the industry to address these risks, in light of the events of September 11, 2001, and how these decisions will effect insurance coverage and premiums on property and casualty reinsurance contracts as they come up for renewal, receiving testimony from Senator Bill Nelson; Paul H. O'Neill, Secretary of the Treasury; Robert Glenn Hubbard, Chairman, Council of Economic Advisers; Thomas J. McCool, Managing Director, Financial Markets and Community Investment, General Accounting Office; Kathleen Sebelius, Kansas Insurance Department, Topeka, on behalf of the National Association of Insurance Commissioners; J. Robert Hunter, Consumer Federation of America, Arlington, Virginia; and Kenneth A. Froot, Harvard University School of Business, Boston, Massachusetts.

Hearings will continue tomorrow.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Cameron R. Hume, of New York, to be Ambassador to the Republic of South Africa, Margaret K. McMillion, of the District of Columbia, to be Ambassador to the Republic of Rwanda, Wanda L. Nesbitt, of Pennsylvania, to be Ambassador to the Republic of Madagascar, and Robert V. Royall, of South Carolina, to be Ambassador to the United Republic of Tanzania, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again tomorrow.

House of Representatives

Chamber Action

Measures Introduced: 4 public bills, H.R. 3165–3168; and 1 resolution, H.J. Res. 70, were introduced. **Page H7308**

Reports Filed: No reports were filed today.

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Eugene Roberson, First Corinthian Missionary Baptist Church of Chicago, Illinois. **Page H7219**

Journal: Agreed to the Speaker's approval of the Journal of Tuesday, Oct. 23 by a yea-and-nay vote of 367 yeas to 48 nays, Roll No. 399. **Pages H7219, H7224–25**

Suspension—Patriot Act: The House agreed to suspend the rules and pass H.R. 3162, to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools (agreed to by a yea-and-nay vote of 357 yeas to 66 nays, Roll No. 398). The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill. The motion to pass the bill was debated on Tuesday, Oct. 23, 2001. **Pages H7224, H7225**

Economic Security and Recovery Act: The House passed H.R. 3090, to provide tax incentives for economic recovery by a yea-and-nay vote of 216 yeas to 214 nays, Roll No. 404. **Pages H7236–82**

Rejected the Turner motion to recommit the bill to the Committee on Ways and Means with instructions to report it back with amendments that reduce tax cut provisions to an amount equal to the cost of financing anti-terrorism efforts, fully offset the legislation in the Internal Revenue Code over the next ten years while providing for the legislation to be temporary, and provides assistance to workers who lost their jobs and health insurance coverage and to business affected by the circumstances following the attacks of September 11 by a recorded vote of 199 ayes to 230 noes, Roll No. 403. **Pages H7280–82**

Pursuant to the rule the Committee amendment in the nature of a substitute now printed in the bill (H. Rept. 107–251) was considered as adopted. **Page H7242**

Rejected the Rangel amendment in the nature of a substitute that sought to provide rebates of $600 for joint filers and $300 for single filers, extend for one year all expiring tax provisions, create $11 billion in school construction financing; waive certain AMT limitations, and expand unemployment benefits by a yea-and-nay vote of 166 yeas to 261 nays, Roll No. 402. **Pages H7260–80**

The House agreed to H. Res. 270, the rule that provided for consideration of the bill by a recorded vote of 225 ayes to 199 noes, Roll No. 401. Earlier, agreed to order the previous question by a yea-and-nay vote of 219 yeas to 207 nays, Roll No. 400. **Pages H7225–36**

Order of Business: Agreed that Representatives Fossella of New York be authorized to introduce a joint resolution to amend Title 36, United States Code, to designate September 11 as United We Stand Remembrance Day. Further agreed that it be in order at any time on October 25, 2001, without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 70) making further continuing appropriations for the fiscal year 2002, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour equally divided and controlled by the chairman and ranking member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

Page H7300

Order of Business: Agreed that it be in order at any time on Thursday, October 25, 2001, without intervention of any point of order to consider in the House the joint resolution introduced by Representative Fossella of New York pursuant to the previous order of the House (to amend Title 36, United States Code, to designate September 11 as United We Stand Remembrance Day); that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the committee on Government Reform; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

Page H7300

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H7224, H7224–25, H7235–36, H7236, H7279–80, H7281–82, and H7282. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:40 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Ordered reported a measure making appropriations for the Department of Defense for the fiscal year ending September 30, 2002.

WAR ON TERRORISM

Committee on International Relations: Held a hearing on the War on Terrorism. Testimony was heard from Colin L. Powell, Secretary of State.

TRADE-IN-SERVICES

Committee on Small Business: Held a hearing on Trade-In-Services. Testimony was heard from John B. Taylor, Under Secretary, International Affairs, Department of the Treasury; Grant D. Aldonas, Under Secretary, International Trade, Department of Commerce; and public witnesses.

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 25, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Treasury and General Government, to hold hearings to examine security of U.S. mail and the financial future of the U.S. Postal Service, 10 a.m., SR–325.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine mayors' perspectives on homeland security issues, 2 p.m., SC–6, Capitol.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold closed hearings to examine the Dark Winter scenario and bioterrorism; to be followed by open hearings, 10 a.m., SR–222.

Full Committee, to hold hearings to examine the role of the Department of Defense in homeland security, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to continue hearings to examine terrorism insurance, 10 a.m., SC–5, Capitol.

Committee on the Budget: to hold hearings to examine economic stimulus matters, 9 a.m., SC–211, Capitol.

Committee on Energy and Natural Resources: to hold hearings on the nomination of Michael Smith, of Oklahoma, to be Assistant Secretary of Energy for Fossil Energy, 3:30 p.m., S–324, Capitol.

Committee on Foreign Relations: to hold hearings to examine the recent international campaign against terrorism, 2 p.m., SR–325.

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to promote the best interests of children, focusing on proposals to establish a family court in the District of Columbia Superior Court, 9:30 a.m., SC–6, Capitol.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2:30 p.m., S–407, Capitol.

Committee on the Judiciary: to hold hearings on the nomination of Harris L. Hartz, of New Mexico, to be United States Circuit Judge for the Tenth Circuit; the nomination of John D. Bates, of Maryland, to be United States District Judge for the District of Columbia; the nomination of Kurt D. Engelhardt, of Louisiana, to be United States District Judge for the Eastern District of Louisiana; the nomination of 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; and the nomination of Sharee M. Freeman, of Virginia, to be Director, Community Relations Service, 2 p.m., SR–385.

House

Committee on Small Business, hearing entitled "Medicare-Endorsed Prescription Drug Discount Cards and Their Impact on Small Business," 10 a.m., 409 3rd Street, S.W., Washington, D.C.

Next Meeting of the SENATE

9:30 a.m., Thursday, October 25

Senate Chamber

Program for Thursday: After the recognition of one Senator for a speech and the transaction of any morning business (not to extend beyond 10 a.m.) Senate will begin consideration of H.R. 3162, Counterterrorism Bill, with a vote on final passage to occur thereon. Also, upon disposition of H.R. 3162, Senate will begin consideration of H.R. 2330, Agriculture Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 25

House Chamber

Program for Thursday: Consideration of H.J. Res. 70 making Continuing Appropriations; and consideration of a joint resolution to designate September 11 as United We Stand Remembrance Day.

Extensions of Remarks, as inserted in this issue

HOUSE

Blumenauer, Earl, Ore., E1922
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