

“(2) RESEARCH AND DEVELOPMENT EXPENDITURES.—The term ‘research and development expenditures’ means any expenditures which may be treated as expenses under section 174.

“(3) AGGREGATION RULES.—All members of the same controlled group of corporations (within the meaning of section 52(a)) and all persons under common control (within the meaning of section 52(b)) shall be treated as 1 person.”.

(b) CONFORMING AMENDMENT.—The table of sections for such part IX is amended by adding after the item relating to section 280H the following:

“Sec. 280I. Limitation on tax deductions for advertising by fda prescription drug manufacturers.”

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

(d) TRANSFER TO THE FEDERAL HOSPITAL INSURANCE TRUST FUND OF RESULTING BUDGETARY SAVINGS.—There is appropriated to the Federal Hospital Insurance Trust Fund established under section 1817 of the Social Security Act amounts equal to the increase in Federal revenues resulting from the amendment made by subsection (a). Such appropriated amounts shall be transferred from the general fund of the Treasury on the basis of estimates of such revenues made by the Secretary of the Treasury.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 263—CONGRATULATING THE REPUBLIC OF CROATIA ON THE 10TH ANNIVERSARY OF ITS RECOGNITION BY THE UNITED STATES

Mr. MCCAIN (for himself, Mr. DURBIN, Mr. LIEBERMAN, Mr. VOINOVICH, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 263

Whereas the United States recognized the Republic of Croatia on April 7, 1992, acknowledging the decision of the Croatian people to live in an independent, democratic, and sovereign country;

Whereas, during the 10 years since the recognition, the people of Croatia have overcome the legacy of the autocratic Tudjman government and persevered in building a democratic society, based on the rule of law, respect for human rights, and a free market economy, as shown by the democratic parliamentary and presidential elections held in January and February 2000;

Whereas the people and Government of the Republic of Croatia share the democratic values of the international community and the responsibility to uphold them, actively promoting democratic values in international organizations;

Whereas Croatia, cooperating on the basis of partnership and solidarity, participates in the Vilnius Group, which is committed to the common values of security and democratic stability through future North Atlantic Treaty Organization membership;

Whereas Croatia is a reliable friend and ally of the United States, actively contributing to the stabilization of South Central Europe; and

Whereas Croatia immediately positioned itself within the antiterrorism coalition of nations, sharing the common interests and values of the free and democratic world: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Republic of Croatia for the significant progress it has made during the past decade, and encourages its democratic orientation and further strengthening of respect for human rights, the rule of law, and the free market;

(2) supports the Republic of Croatia's aspirations to become a member of the North Atlantic Treaty Organization (NATO), welcomes its commitment to the reforms required for NATO membership, acknowledges the importance of its continued commitment to those reforms, and recommends its acceptance into the Membership Action Plan at the NATO Ministerial in Reykjavik, Iceland in May 2002;

(3) encourages Croatia's continued contributions in bringing peace, stability, and prosperity to the region of South Central Europe, including continuing its cooperation with the International Criminal Tribunal for the former Yugoslavia; and

(4) recognizes the important role of the Croatian-American community in supporting the strengthening of bilateral relations between the United States and the Republic of Croatia.

SENATE RESOLUTION 264—EXPRESSING THE SENSE OF THE SENATE THAT SMALL BUSINESS PARTICIPATION IS VITAL TO THE DEFENSE OF OUR NATION, AND THAT FEDERAL, STATE, AND LOCAL GOVERNMENTS SHOULD AGGRESSIVELY SEEK OUT AND PURCHASE INNOVATIVE TECHNOLOGIES AND SERVICES FROM AMERICAN SMALL BUSINESSES TO HELP IN HOMELAND DEFENSE AND THE FIGHT AGAINST TERRORISM

Mr. KERRY (for himself and Mr. BOND) submitted the following resolution; which was referred to the Committee on Small Business and Entrepreneurship:

S. RES. 264

Whereas on September 11, 2001, the people of the United States were subject to the worst terrorist attack in American history;

Whereas in October 2001, the Pentagon's Technical Support Working Group, which is responsible for seeking new technologies to assist the military, sent an urgent plea, seeking ideas on how to fight terrorism;

Whereas in just 2 months, over 12,500 ideas were submitted to the Technical Support Working Group, most of them from small businesses;

Whereas small businesses remain the most innovative sector of the United States economy, accounting for the vast majority of new product ideas and technological innovations; and

Whereas despite their achievements, small businesses often have difficulty marketing and supplying goods and services to Federal, State, and local governments: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) small business participation is vital to the defense of the United States and should play an active role in assisting the United States military, Federal intelligence and law enforcement agencies, and State and local police forces to combat terrorism through the design and development of innovative products; and

(2) Federal, State, and local governments should aggressively seek out and purchase

innovative technologies and services from, and promote research opportunities for, American small businesses to help in homeland defense and the fight against terrorism.

Mr. KERRY. Mr. President, I am pleased today to submit a Resolution expressing the sense of the Senate that small business participation is vital to the defense of our Nation, and that Federal, State, and local governments should aggressively seek out and purchase innovative technologies and services from American small businesses to help in homeland defense and the fight against terrorism.

Since the events of September 11, the people of our Nation have come together in many ways to help protect our land and its citizens. Whether it is the high number of individuals signing up to become Sky Marshals, fighter pilots pulling letters of resignation and staying in the military, expressions of pride through the display of the American flag or other patriot memorabilia, or the desire of innovative small businesses to sell products to the Federal Government for the fight against terrorism or for homeland defense, the ground swell of patriotism has been truly uplifting.

But today, I want to focus the attention of my colleagues on the contributions being made specifically by our small businesses. Throughout the years, small businesses have also heard the call to arms and to defend the nation, and have responded through the development of innovative products to protect our Nation.

Whether it's a need for a new type of night vision scope for a lonely sniper in the field, lighter materials for a Marine's backpack, more reliable field communications gear, or nonlethal weaponry, America's small businesses have heard the call and met the challenge.

Fortunately, our government has recognized the need to promote a diverse defense industrial base, and since World War II, the Federal Government has actively sought to grow and maintain a thriving small business sector. And like many policies designed to promote defense, government policy to foster small business creation and growth has turned out to be a great boon for the U.S. economy. Today, small businesses represent more than 99 percent of all employers, employ 51 percent of private sector workers, account for 96 percent of all exporters of goods, and provide 75 percent of net new jobs. Additionally, small businesses are more adaptable, more innovative and more likely to retain and hire employees during an economic downturn than their larger brethren.

Our government's commitment to purchasing goods and services from small businesses is a key element in creating a positive environment for small business creation and growth. It results in more competition and increased productivity, which leads to lower prices and new innovations.

Yet with all of these positive elements, today, we are faced with a

unique challenge. Budgetary pressures in the Federal Government have resulted in demands for faster and cheaper purchases of goods and services. Federal procurement personnel have retired and not been replaced, government streamlining has hurt competition by eliminating or severely reducing the array of small business suppliers in the Federal procurement arena, and contract bundling has made it increasingly more difficult for small businesses to compete for government contracts.

That is why, as our Nation looks for new technologies to promote homeland defense and fight terrorism, small businesses should play an active role.

I would like to commend the Pentagon's Technical Support Working Group, which is responsible for seeking new technologies to assist the military, for sending an urgent plea seeking ideas on how to fight terrorism. America's small businesses responded, and in just two months, over 12,500 ideas were submitted to the Technical Support Working Group, most of them from small businesses.

This not only demonstrates the commitment of America's small businesses and demonstrates their ability to be innovative, it clearly shows that when the Federal Government calls for action, small businesses respond.

The Resolution I am introducing today, along with the support of Senator BOND, the ranking member of the Committee on Small Business and Entrepreneurship, which I chair, seeks to encourage Federal procurement officials to seek out and purchase innovative technologies and services from, and promote research opportunities for, American small businesses to help in homeland defense and the fight against terrorism.

This Resolution is a precursor to the Small Business Homeland Defense Exposition that Senator BOND and I are jointly sponsoring, which will take place this July here on Capitol Hill. At the Expo, a selection of small businesses will help send the message to Federal officials that they should look to small businesses for true innovations that will help us win the war against terrorism. The Expo will showcase high-tech, innovative products that have been developed by our nation's small businesses.

For the last month, Senator BOND and I have been soliciting small business homeland defense nominees from our colleagues, so that we can select truly unique products for the Expo. As expected, the response has been enthusiastic and I would encourage all of my colleagues to attend this event so that they may see and try these products. My only regret is that we do not have the space available to allow every small business to participate. However, every nominee will be included in our event book highlighting these innovative small businesses.

I would like to conclude by once again stressing the importance of our

Nation's small businesses, both to our economic security and our national security. Supporting small businesses is supporting America.

I urge all of my colleagues to cosponsor this Resolution.

SENATE RESOLUTION 265—RECOGNIZING THE ELLIS ISLAND MEDAL OF HONOR AND COMMENDING THE NATIONAL ETHNIC COALITION OF ORGANIZATIONS

Mrs. CLINTON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. 265

Whereas the Ellis Island Medal of Honor, established by the National Ethnic Coalition of Organizations in 1986, pays tribute to individuals of various ethnic origins who have distinguished themselves through their contributions to the United States;

Whereas the Ellis Island Medal of Honor has been awarded on a bipartisan basis to 6 Presidents and numerous Representatives and Senators;

Whereas the National Ethnic Coalition of Organizations is the largest organization of its kind in the United States, representing more than 5,000,000 family members and serving as an umbrella group for more than 250 organizations that span the spectrum of ethnic heritage, culture, and religion;

Whereas the mandate of the National Ethnic Coalition of Organizations is to preserve ethnic diversity, promote equality and tolerance, combat injustice, and bring about harmony and unity among all peoples;

Whereas the Ellis Island Medal of Honor is named for the gateway through which more than 12,000,000 immigrants passed in their quest for freedom of speech, freedom of religion, and economic opportunity;

Whereas the Ellis Island Medal of Honor celebrates the richness and diversity of American life by honoring not only individuals, but the pluralism and democracy that have enabled the Nation's ethnic groups to maintain their identities while becoming integral parts of the American way of life;

Whereas during the 15-year history of the Ellis Island Medal of Honor, more than 1,500 individuals from scores of different ethnic groups have received the Medal, and more than 5,000 individuals are nominated each year for the Medal; and

Whereas at the 2002 Ellis Island Medal of Honor ceremony in New York City, individuals from different ethnic groups will be honored for their contributions to the rescue and recovery efforts of September 11, 2001, the war against terrorism, and the enhancement of the Nation's homeland security: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the Ellis Island Medal of Honor for acknowledging individuals who live exemplary lives as Americans while preserving the values of their particular ethnic groups; and

(2) commends the National Ethnic Coalition of Organizations for its—

(A) sponsorship of the Ellis Island Medal of Honor; and

(B) ongoing work to promote harmony and understanding between groups.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3394. Mr. KENNEDY (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R.

3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table.

SA 3395. Mr. KENNEDY (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill H.R. 3009, supra; which was ordered to lie on the table.

SA 3396. Mr. DAYTON (for himself, Mr. CRAIG, Mr. DURBIN, Mr. SHELBY, Mr. KERRY, Mr. HELMS, Mr. WELLSTONE, Ms. COLLINS, Ms. MIKULSKI, Mr. SMITH of New Hampshire, Mr. DORGAN, Mr. ALLEN, Mr. HOLLINGS, Mr. WARNER, Mr. LEVIN, Mr. CRAPO, Mr. ROCKEFELLER, Mr. ENZI, Mr. FEINGOLD, Mr. SPENCER, Mr. JOHNSON, Mr. CAMPBELL, Ms. STABENOW, Mr. SESSIONS, Mrs. CLINTON, and Mr. BURNS) submitted an amendment intended to be proposed to amendment SA 3386 proposed by Mr. DASCHLE to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3397. Mr. BAYH (for himself, Mr. DURBIN, and Mrs. CARNAHAN) submitted an amendment intended to be proposed to amendment SA 3386 proposed by Mr. DASCHLE to the bill (H.R. 3009) supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3394. Mr. KENNEDY (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 248, strike line 21 and all that follows through page 249, line 4, and insert the following:

(v) providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms;

(B) to secure fair, equitable, and non-discriminatory market access opportunities for United States persons that rely upon intellectual property protection; and

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001.

SA 3395. Mr. KENNEDY (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following new title:

TITLE —BUSINESS INCUBATION

SEC. 01. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This title may be cited as the "Linking Educators and Developing Entrepreneurs for Reaching Success Act of 2002".

(b) FINDINGS.—Congress makes the following findings:

(1) Business incubators housed in academic settings provide unique educational opportunities for students, provide entrepreneurs with enhanced access to a skilled workforce, and bring a wealth of resources to business, academia, and communities.

(2) Academic affiliated incubators bridge the missions of academic institutions by