

are two contrasting views to be chosen. I can recall 4 years ago coming to the Senate when the Republicans all lined up and said that our economy was in such terrible shape, and the Federal budget was in such bad shape, we would have to amend the Constitution with a balanced budget amendment because of our deficits. They were so desperate they wanted to give the power to the Federal courts to stop Congress from spending.

Four years later, look at the difference. We are not talking about deficits; we are talking about how to spend the surplus, and we are talking about an economy which, for 8 years, has been cooking, creating 22 million new jobs. There is more home ownership than at any time in our history. Welfare rolls are coming down and crime rates are coming down. Opportunities for businesses, for minorities, for women are unparalleled in our history. When you look at advanced placement courses in schools, we have more Hispanics and African Americans enrolling in them than ever before in our history.

America is moving forward, and I am glad to say we have been part of it in Congress. We can't take credit for it anymore than the President can or Alan Greenspan can. It is a joint effort of families and businesses across America. But make no mistake, the right policy in Washington set the stage for this to happen. When President Clinton said, "I am going to make a meaningful effort to reduce the national deficits," frankly, we didn't get a single Republican vote to support us. Not one. Vice President GORE came to the floor of the Senate and cast the tie-breaking vote, and we started on a path in 1993 that led to where we are today. There are some people who think this is automatic in America, that prosperity is a matter of standing aside and watching it happen.

I know better. I have been in the Congress long enough to know that the wrong policies in the White House can jeopardize economic prosperity. Do you remember the early days of the Reagan years when they came up with an idea called "supply side economics" and the appropriately named "Laffer curve"? We followed that crazy notion long enough to find ourselves deep in red ink, with the biggest deficits in history, the largest national debt and America on the ropes. Thank goodness we have broken away from that.

Should we experiment again? George W. Bush suggests he wants a \$1.6 trillion tax cut going primarily to wealthy people in America. Can we run that risk? The highest 1 percent of wage earners who will see over 40 percent of the George W. Bush tax cut are people who are making more than \$300,000 a year. I can't understand why a person who has an income of \$25,000 a month needs a \$2,000 a month tax cut. But that is what Governor Bush has proposed. He says it is only fair and right; these are taxpayers, too. Think of Bill

Gates. He has been very successful with Microsoft. He is worth billions of dollars. According to George W. Bush, he needs a tax cut. I don't think so.

George W. Bush should take into consideration that the net worth of Bill Gates is greater than the combined net worth of 106 million Americans. He doesn't need our help. The people who need our help, frankly, are families struggling to pay for college expenses. We on the Democratic side believe that we need tax cuts targeted to help families in a real way so they can deduct college tuition and fees up to \$12,000 a year to help kids get through college and have a better life.

We also believe we ought to help families who are going to work trying to find something to do with their children. Day care is an important issue for so many families. We want to increase the tax credit for day care and also give a tax credit for stay-at-home moms who are willing to make the economic sacrifice for their children.

Finally, when it comes to long-term care, so many of us have seen aging parents and grandparents who need a helping hand. I have seen families making extra sacrifices for those parents. Our tax program would give a targeted tax cut to help those families.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

CAMPAIGNING ON THE SENATE FLOOR

Mr. KYL. Mr. President, I think it is somewhat unseemly to use the Senate floor for campaign purposes with respect to attacking the qualifications of one of the two candidates for President of the United States. I would like to do some business here and suggest that my colleagues on the other side of the aisle who use their time to engage in campaign tactics really ought to be helping us take care of a bit of business that I think ought to move to the top of the agenda, such as fighting terrorism in the aftermath of the attack on the U.S.S. *Cole*.

ENHANCING THE FIGHT AGAINST TERRORISM

Mr. KYL. Mr. President, we now have more reports of specific credible evidence of planned attacks against the United States—terrorism that must be prevented. We have not done everything we can do to prevent terrorism. According to a Commission that has reported to the Congress, there is more to be done. I have incorporated that Commission's recommendations into a bill. We are trying to get the bill passed. It runs into objections from the other side. Today, I am going to lay it out because there isn't much time left.

Earlier this month, I introduced the Counterterrorism Act of 2000, cosponsored by my friend and colleague, Senator DIANNE FEINSTEIN. This should have bipartisan support. As the chairman and ranking member of the Judi-

ciary Subcommittee on Technology, Terrorism, and Government Information, I have held hearings, along with Senator FEINSTEIN, on steps that would better prepare this country to thwart and defend against and prevent and respond to terrorist attacks. Our legislation will do that by capturing many of the recommendations of the National Commission on Terrorism.

The Commission was mandated by the Congress, and it released its report earlier this year. It is bipartisan, led by Ambassador Paul Bremer and Maurice Sonnenberg. They have a long record—both of them—of experience and expertise in this matter. The Commission, with 10 members in all, came to unanimous conclusions on the gaps in America's counterterrorism efforts and made extensive recommendations in their report.

In addition to Ambassador Bremer, who formerly served as Ambassador-at-Large for Counterterrorism and Mr. Sonnenberg, who serves on the President's Foreign Intelligence Advisory Board, the Commission included eight other outstanding experts in the field: former CIA Director, James Woolsey; former Assistant Director-in-Charge of the FBI's National Security Division, John Lewis; former Congresswoman Jane Harman, who served on the House Armed Services and Intelligence Committees; former Under Secretary of Defense, Fred Ikle; former Commander-in-Chief of U.S. Special Operations Command, Gen. Wayne Downing; Director of National Security Studies at the Council on Foreign Relations, Richard Betts; former foreign policy adviser to the Speaker of the House of Representatives, Gardner Peckham; Harvard professor Juliette Kayyem, who formerly served as legal advisor to the U.S. Attorney General.

In June, the members of this Commission testified before the Intelligence Committee, of which I am a member, with their findings and recommendations. A week later, the Commission's report was the subject of a Foreign Relations Committee hearing. At the end of June, Senator FEINSTEIN and I invited the Commissioners to testify at a hearing of the Judiciary subcommittee which I chair. The purpose of our hearing was to explore the findings of the Commission and clarify some recommendations that have been mischaracterized. So the Senate thought that this Commission report was important enough to hold three specific hearings on its findings and recommendations.

Senator FEINSTEIN and I then decided to take action on the recommendations by drafting the Counterterrorism Act of 2000. We believe this is an important first step in addressing shortfalls in America's fight against the growing threat of terrorism.

In summary, this is what the bill would do:

First, it expresses the sense of Congress that the United States Government should take immediate actions to

investigate the unprovoked attack on the U.S.S. *Cole*, should ensure that the perpetrators of this cowardly act are brought to justice.

It directs the President to establish a joint task force to develop a broad approach toward discouraging the fund-raising of international terrorists.

It directs the Director of the CIA to report to Congress with a response to the Commission's findings regarding guidelines for recruitment of terrorist informants and whether those guidelines inhibit the recruitment of such informants.

In effect, what the Commission said is if you are going to try to infiltrate terrorist organizations, you are probably dealing with nefarious characters. They are not Boy Scouts. And you can't demand of them the same clean standards that we would in trying to recruit informants against other governments. When you are dealing with terrorist organizations, you are dealing with terrorists.

The bill also directs the Attorney General to conduct a review of the legal authority of various agencies, including the Defense Department, to respond to catastrophic terrorist attacks, and it requires that a report be provided to the Congress.

It directs the President to establish a long-term research and development program relating to technology to prevent, preempt, interdict, and respond to catastrophic terrorist attack.

It directs the FBI Director to report to Congress on the feasibility of creating an intelligence reporting function within the Bureau to assist in disseminating information collected by the Bureau on international terrorism and other national security matters.

It directs the President to report to Congress on legal authorities that govern the sharing of criminal wiretap information between law enforcement agencies and the intelligence community. The Commission noted there is currently a great deal of confusion in this area. We have to get that squared away so the agencies know how they can share information with each other.

The bill would direct the Attorney General to report to Congress the recommendations on how to improve controls on biological pathogens and the equipment necessary to produce biological weapons. It directs the Secretary of Health and Human Services to report to Congress with recommendations for improving security and physical protection of biological pathogens at research laboratories and other facilities.

It authorizes the full reimbursement for professional liability insurance for law enforcement or intelligence officers performing counterterrorism duties.

And finally, the bill expresses the sense of Congress that Syria should remain on the list of states that sponsor terrorism, as should Iran, until they meet certain conditions.

I recently received a letter from Ambassador Bremer and Mr. Sonnenberg,

expressing very strong support for the Kyl-Feinstein legislation. I also received letters from the American Israeli Public Affairs Committee, the Zionist Organization of America, and the Anti-Defamation League applauding the bill. In addition, the American Jewish Congress released a statement in support of the legislation.

I ask unanimous consent at the conclusion of my remarks these documents be printed in the RECORD.

The PRESIDING OFFICER (Mr. L. CHAFEE). Without objection, it is so ordered.

(See Exhibit 1.)

Mr. KYL. The text of the Counterterrorism Act 2000 should be familiar to Members because we tried to move it as an amendment to the intelligence authorization bill. We were open to comments by Senators and we made several modifications to the language in order to suit Senators and the Department of Justice. We agreed in the end to withdraw the bill at that point so the intelligence bill could move forward but indicated our desire then to move the bill as a separate bill, which is now what we are doing.

Among the Senators who have talked to us is Senator LEAHY. We have tried to address his concerns with respect to the bill. Originally his staff advised that if the Justice Department didn't object to the bill, Senator LEAHY would consent to its passage. The Justice Department has cleared the bill. After that, Senator LEAHY's office advised us they desired to have 10 other changes considered and sent another list of 4 other changes. Senator FEINSTEIN and I agreed to make changes to the bill to accommodate 12 of those 14 requests of Senator LEAHY. Yet he still remains in opposition. Under the rules of the Senate prevailing at this time, any Senator can object to the consideration of the legislation and thus block it, which Senator LEAHY, I understand, has done.

This morning my office received some additional concerns purportedly coming from Senator LEAHY. I find them, frankly, not to rise to the level that should take the Senate's time. For example, he objects to a provision, or his staff objects to a provision, that requires the President to report to Congress on the Commission's recommendations about sharing law enforcement information with intelligence agencies on the grounds that this would help set "a dangerous precedent for blurring the line between law enforcement and intelligence activities." A report to Congress on legal authorities on the state of the law sets no dangerous precedent. There are similar types of concerns expressed.

We have to get serious about this. At the very moment that our forces are on a heightened state of alert, at the very moment our embassies are telling people not to travel to certain countries because of terrorist threats against Americans, the Congress has before it a bill embodying the recommendations of the Terrorism Commission, and we

are not acting on it because, as far as I know, one Member of this body is not willing to allow it to move forward.

I plead with him, I plead with other Members, if there are concerns, let's talk about them. But the time is short. Perfection cannot be the enemy of the good considering the nature of the challenge that we face with terrorists around the world and the need to do more about it. This isn't simply something that has been pulled out of thin air to try to deal with this problem. We have embodied most of the recommendations of the Terrorism Commission specifically mandated by Congress to give us recommendations about what else we need to be doing in this legislation.

I say to Senator LEAHY and any others, time is short. We need to visit. We need to talk about these things. We need to clear them away so we can pass this legislation. After the Senate acts, the House will need to act. They are expected to act with alacrity. For example, Representative GILMAN, chairman of the Foreign Relations Committee, and Representative GOSS, chairman of the Intelligence Committee, and I understand the leadership is prepared, if we can pass this bill, to take it up very quickly. However, I don't know how many days or hours are left in this session.

I think it would be a travesty, given the events of the past month, given the threats that currently have been made against the United States, for the Congress to ignore the recommendations of the very Commission that we asked to give us advice, to ignore the recommendations of that Commission and conclude this Congress without acting to pass those recommendations to take additional steps to deal with the terrorist threat.

Let's leave politics aside. This is a bipartisan effort of Senator FEINSTEIN and myself. It has broad support on both sides of the aisle. I encourage my colleagues to please come forth if they have additional concerns so we can get this done.

EXHIBIT 1

SEPTEMBER 22, 2000.

Senator JON KYL,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR KYL: In our capacities as former Chairman and Vice Chairman of the National Commission on Terrorism, we have been asked to comment on the proposed legislation which we understand you intend to introduce to the 106th Congress (called the "Counterterrorism Act of 2000").

As you know, our bipartisan Commission concluded that the threat to Americans from terrorism is changing and becoming more serious. To meet this threat, the Commission made a number of important recommendations to the President and Congress in its final report of June 5, 2000.

We have reviewed the draft bill and wish to commend you and your colleagues for the job of translating into law a number of the Commission's most important recommendations. We are particularly pleased to see the bill address issues such as state sponsorship of terrorism, better collection and dissemination of terrorist intelligence, a broader strategy for disrupting terrorist fund-raising, and

efforts to prevent or deal with catastrophic terrorism in the United States.

We hope that this important bill will become law and that Congress and the Executive branch will do everything possible to implement it expeditiously.

Respectfully,

L. PAUL BROMER, III,
Former Chairman, National Commission on Terrorism.

MAURICE SONNENBERG,
Former Vice Chairman, National Commission on Terrorism.

AIPAC,

Washington, DC, October 16, 2000.

Hon. JON L. KYL,
U.S. Senate, Hart Building, Washington, DC.

DEAR SENATOR KYL: On behalf of AIPAC, we are writing to express our appreciation for your introduction of the Counterterrorism Act of 2000. This legislation takes a number of important steps to address the growing problem of terrorism in our country and abroad.

This bipartisan measure adopts many of the key recommendations of the National Commission on Terrorism, particularly with respect to long-term research and development efforts and methods of improving controls over biological pathogens. We believe this legislation will encourage cooperation among states like the United States and Israel that have worked so closely in fighting the scourge of terrorism. Of course, we also endorse the legislation's intent that Iran and Syria should remain on the list of states that sponsor terrorism until they cease their support for terrorist actions.

Thank you again for your leadership, and please let us know if we can be of assistance.

Sincerely,

HOWARD KOHR,
Executive Director.
MARVIN FEUER,
Director of Defense & Strategic Issues.

ZIONIST ORGANIZATION
OF AMERICA,
New York, NY, October 11, 2000.

Senator JON KYL,
U.S. Senate, Washington, DC.

DEAR SENATOR KYL: On behalf of the Zionist Organization of America (ZOA), which is the oldest and one of the largest Zionist organizations in the United States, I am writing to express the ZOA's enthusiastic support for S. 2507, the Counterterrorism Act of 2000.

This vital legislation will ensure that our country takes swift and effective action to impede the ability of terrorist groups to receive funding, acquire technology for use as weapons, and recruit new members. We have all seen, in recent years, the kind of devastation that terrorist groups can wreak. Our government must do everything possible to combat terrorist groups—and S. 2507 will mandate specific and important steps that will play a crucial role in the fight against terrorism.

We are also pleased to note that the S. 2507 urges that Syria be kept on the U.S. list of terror-sponsoring states until it takes concrete anti-terror steps, such as shutting down terrorist training camps and prohibiting the transfer of weapons to terrorists through Syrian-controlled territory. The legislation also appropriately urges that Iran be kept on the list of terror-sponsors until there is concrete, indisputable evidence that Iran has changed its ways and forsaken ter-

rorism. In the absence of such actions, governments such as those in Syria and Iran must be treated as the rogue regimes which they are.

With gratitude for your leadership role in this effort,

Sincerely,

MORTON A. KLEIN,
National President, Zionist Organization of America.

ADL,

New York, NY, October 12, 2000.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Washington, DC.

DEAR SENATOR FEINSTEIN: We welcome your leadership in introducing legislation to codify several important proposals of the bipartisan National Commission on Terrorism. As an organization committed to monitoring hate groups while safeguarding civil liberties, we support the bill's tough, constitutional approach to investigating and prosecuting terrorist crimes.

The bill's mechanism for allowing classified evidence to be used within a sound due process a framework represents the kind of balanced approach which would prevent the improper treatment of individuals, while allowing the government to protect sources. The legislation would also implement useful steps to prevent the US from being used as a fundraising base for terrorism.

It is well established that the government has the constitutional right—and the duty—to keep our nation from being used as a base for terrorist activity. The legislation you have crafted makes vital improvements in our nation's capability to investigate, deter, and prevent terrorism.

Sincerely,

HOWARD P. BERKOWITZ,
National Chairman.
ABRAHAM H. FOXMAN,
National Director.

AJCONGRESS WELCOMES LEGISLATION RESPONDING TO THREAT OF BIOLOGICAL AND CHEMICAL ATTACKS BY TERRORISTS; CALLS MEASURE 'A BEGINNING PLAN' TO DEAL WITH THE DANGER

American Jewish Congress Executive Director Phil Baum issued the following statement today following the decision by Senators Jon Kyl and Dianne Feinstein to introduce legislation responding to the recent report of the National Commission on Terrorism:

The danger not only to this country but to all of civil society from the threat of biological and chemical weapons is becoming ever more real and apparent. For some time now, commentators have been warning of the growing risk of terrorist attacks with these weapons unless effective counter measures are quickly put in place.

Those most expert and familiar with these matters warn that the question is not whether there will be an attack, but when.

A sobering report released recently by the National Commission on Terrorism has documented these concerns and has begun the process of alerting Americans to the danger we face and the steps that can be taken to meet that threat.

Until now, little has been done concretely to implement the Commission's report. Fortunately, there are now plans in the Senate to attach as an amendment to the fiscal 2001 Intelligence Authorization Act a measure which is attempting to respond to this challenge. Introduced by Senators Jon Kyl (R-Ariz) and Dianne Feinstein (D-Calif), the legislation lays out at least a beginning plan for dealing with these problems.

The bill for the first time would impose rigorous restrictions on procedures used in

research labs handling pathogens; calls for presidential leadership in the development of new technologies to counter terrorist attacks; limits the capacity of terrorist groups to raise funds in this country—which is often done under the guise of raising funds for social programs; and mandates the CIA and the FBI to report on the continuing effectiveness of anti-terrorist measures currently in place.

One provision of the bill—authorizing the FBI to share foreign intelligence information obtained from domestic wiretaps with the CIA and other intelligence agencies—has quite properly met with criticism has consequently been dropped by Senator Kyl. We are convinced that an effective fight against the new terrorist threat can be waged without violating Constitutionally guaranteed civil liberties—protections which must remain our first priority.

As the American people begin to focus on the dangers of chemical and biological terrorism, two equally unacceptable dangers present themselves: that we remain indifferent to the threat, or that we overreact, at the expense of our civil liberties. Neither is acceptable. A measured response is necessary, and the Kyl-Feinstein bill begins that process.

The legislation presents the Senate with the opportunity to move the American people off dead center and to address the danger in a composed and rational manner, without endangering American freedoms or our country's sense of confidence in its future. The new legislation rests on the premise that the future can be best assured by a realistic address to the dangers we confront.

New technologies have been a blessing for this generation. In the hands of terrorists, they become a curse for all generations.

The PRESIDING OFFICER. The Senator from Wyoming.

SENATE BUSINESS

Mr. ENZI. Mr. President, I join my colleague from Arizona in requesting the business of the Senate be allowed to go forward. We have seen many filibusters all year. That is what has gotten us into this situation where we are past October 1 and still working on the budget.

I think we ought to be doing the business of the Senate. My predecessor, Alan Simpson, who had this seat in the Senate, said several times, an accusation that isn't answered is an accusation accepted. There are a couple of things I have to clear up from this morning.

First, we did all this work on a balanced budget without the balanced budget constitutional amendment. Yes, we did. But the debate on the balanced budget constitutional amendment is what made the people of America rise up and tell every single one of their representatives that they wanted the budget of this country balanced. And it was the heat the people of this country put on the Congress that led Members to balance the budget. That wouldn't have happened without the debate on the balanced budget.

That is the reason we have what is being referred to as a "surplus" today. It isn't a surplus. It is tax overcharge. We have collected more from the people than we had planned to spend. We ought to refer to it as that.