

extend the current moratorium without creating a level playing field would perpetuate a fundamental inequity and ignore a growing problem that will gravely affect the readiness of the nation.

After months of hard work, negotiations, and compromise, the Internet Tax Moratorium and Equity Act has been introduced. I would like to commend several of my colleagues for their commitment to finding a solution and working with all parties to find that solution. I know this bill is the solution. The bill makes permanent the existing moratorium on Internet access taxes, but extends the current moratorium on multiple and discriminatory taxes for an additional four years through December 31, 2005.

Throughout the past several years, we have heard that catalog and Internet companies say they are willing to allow and collect sales tax on interstate sales, regardless of traditional or Internet sales, if States will simplify collections to one rate per State sent to one location in that State. I think that is a reasonable request. I have heard the argument that computers make it possible to handle several thousand tax entities, but from an auditing standpoint as well as simplicity for small business, I support one rate per State. I think the States should have some responsibility for redistribution not a business forced to do work for government. Therefore, the bill would put Congress on record as urging States and localities to develop a streamlined sales and use tax system, which would include a single, blended tax rate with which all remote sellers can comply. You need to be aware that States are prohibited from gaining benefit from the authority extended in the bill to require sellers to collect and remit sales and use taxes on remote sales if the States have not adopted the simplified sales and use tax system.

Further, the bill would authorize States to enter into an Interstate Sales and Use Tax Compact through which members would adopt the streamlined sales and use tax system. Congressional authority and consent to enter into such a compact would expire if it has not occurred by January 1, 2006. The bill also authorizes States to require all other sellers to collect and remit sales and use taxes on remote sales unless Congress has acted to disapprove the compact by law within a period of 120 days after the Congress receives it.

The bill also calls for a sense of the Congress that before the end of the 107th Congress, legislation should be enacted to determine the appropriate factors to be considered in establishing whether nexus exists for State business activity tax purposes.

I am introducing this bill today because I do not think there is adequate protection now. It is very important we do not build electronic loopholes on the Internet, an ever-changing Internet, one that is growing by leaps and

bounds, one that is finding new technology virtually every day.

I recognize this body has a constitutional responsibility to regulate interstate commerce. Furthermore, I understand the desire of several senators to protect and promote the growth of Internet commerce. Internet commerce is an exciting field. It has a lot of growth potential. The new business will continue to create millions of new jobs in the coming years.

The exciting thing about that for Wyomingites is that our merchants do not have to go where the people are. For people in my State, that means their products are no longer confined to a local market. They do not have to rely on expensive catalogs to sell merchandise to the big city folks. They do not have to travel all the way to Asia to display their goods. The customer can come to us on the Internet. It is a remarkable development, and it will push more growth for small manufacturers in rural America, especially in my State. We have seen some of the economic potential in the Internet and will continue this progress. It is a valuable resource because it provides access on demand. It brings information to your fingertips when you want it and how you want it.

I am very concerned, however, with any piece of legislation that mandates or restricts State and local governments' ability to meet the needs of its citizens. This has the potential to provide electronic loopholes that will take away all of their revenue. The Internet Tax Moratorium and Equity Act would designate a level playing field for all involved—business, government, and the consumer.

The States, and not the Federal Government, should have the right to impose, or not to impose, consumption taxes as they see fit. The reality is that emergency response personnel, law enforcement officials, and other essential services are funded largely by States and local governments, especially through sales taxes. Passing an extension of the current moratorium without taking steps toward a comprehensive solution would leave many States and local communities unable to fund their services. I urge my colleagues to support it.

By Mr. DASCHLE (for himself, Mr. LOTT, Ms. LANDRIEU, and Mr. ALLEN):

S.J. Res. 25. A joint resolution designating September 11 as "National Day of Remembrance"; considered and passed.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. RES. 25

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Day of Remembrance Act of 2001".

#### SEC. 2. NATIONAL DAY OF REMEMBRANCE.

(a) DESIGNATION.—September 11 is National Day of Remembrance.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) remembering those who tragically lost their lives as a result of the terrorist attacks on the United States on September 11, 2001, and honoring the police, firefighters, and emergency personnel who responded with such valor on September 11, 2001;

(2) calling on United States Government officials to display the flag of the United States at half mast on National Day of Remembrance in honor of those who lost their lives as a result of the terrorist attacks on the United States on September 11, 2001;

(3) inviting State and local governments and the people of the United States to observe National Day of Remembrance with appropriate ceremonies; and

(4) urging all people of the United States to observe a moment of silence on National Day of Remembrance in honor of those who lost their lives as a result of the terrorist attacks on the United States on September 11, 2001.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 171—EXPRESSING THE SENSE OF THE SENATE CONCERNING THE PROVISION OF FUNDING FOR BIOTERRORISM PREPAREDNESS AND RESPONSE

Mr. FRIST (for himself, Mr. KENNEDY, Mr. HATCH, Mr. BREAUX, Mr. WARNER, Ms. MIKULSKI, Mr. MURKOWSKI, Mr. DORGAN, Mr. BOND, Mr. CLELAND, Mr. BURNS, Mr. REED, Mr. INHOFE, Mrs. LINCOLN, Mr. THOMPSON, Mr. SANTORUM, Mr. ALLARD, Ms. COLLINS, Mr. ENZI, Mr. HUTCHINSON, Mr. HAGEL, Mr. ROBERTS, Mr. SESSIONS, Mr. CHAFEE, Mrs. CLINTON, and Mr. DOMENICI) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 171

Whereas additional steps must be taken to better prepare the United States to respond to potential bioterrorism attacks;

Whereas the threat of a bioterrorist attack is still remote, but is increasing for a variety of reasons, including—

(1) public pronouncements by Osama bin Laden that it is his religious duty to acquire weapons of mass destruction, including chemical and biological weapons;

(2) the callous disregard for innocent human life as demonstrated by the terrorists' attacks of September 11, 2001;

(3) the resources and motivation of known terrorists and their sponsors and supporters to use biological warfare;

(4) recent scientific and technological advances in agent delivery technology such as aerosolization that have made weaponization of certain germs much easier; and

(5) the increasing access to the technologies and expertise necessary to construct and deploy chemical and biological weapons of mass destruction;

Whereas coordination of Federal, State, and local terrorism research, preparedness, and response programs must be improved;

Whereas States, local areas, and public health officials must have enhanced resources and expertise in order to respond to a potential bioterrorist attack;

Whereas national, State, and local communication capacities must be enhanced to combat the spread of chemical and biological illness;

Whereas greater resources must be provided to increase the capacity of hospitals and local health care workers to respond to public health threats;

Whereas health care professionals must be better trained to recognize, diagnose, and treat illnesses arising from biochemical attacks;

Whereas additional supplies may be essential to increase the readiness of the United States to respond to a bio-attack;

Whereas improvements must be made in assuring the safety of the food supply;

Whereas new vaccines and treatments are needed to assure that we have an adequate response to a biochemical attack;

Whereas government research, preparedness, and response programs need to utilize private sector expertise and resources; and

Whereas now is the time to strengthen our public health system and ensure that the United States is adequately prepared to respond to potential bioterrorist attacks, natural infectious disease outbreaks, and other challenges and potential threats to the public health: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States should make a substantial new investment this year toward the following:

(1) Improving State and local preparedness capabilities by upgrading State and local surveillance epidemiology, assisting in the development of response plans, assuring adequate staffing and training of health professionals to diagnose and care for victims of bioterrorism, extending the electronics communications networks and training personnel, and improving public health laboratories.

(2) Improving hospital response capabilities by assisting hospitals in developing plans for a bioterrorist attack and improving the surge capacity of hospitals.

(3) Upgrading the bioterrorism capabilities of the Centers for Disease Control and Prevention through improving rapid identification and health early warning systems.

(4) Improving disaster response medical systems, such as the National Disaster Medical System and the Metropolitan Medical Response System and Epidemic Intelligence Service.

(5) Targeting research to assist with the development of appropriate therapeutics and vaccines for likely bioterrorist agents and assisting with expedited drug and device review through the Food and Drug Administration.

(6) Improving the National Pharmaceutical Stockpile program by increasing the amount of necessary therapies (including smallpox vaccines and other post-exposure vaccines) and ensuring the appropriate deployment of stockpiles.

(7) Targeting activities to increase food safety at the Food and Drug Administration.

(8) Increasing international cooperation to secure dangerous biological agents, increase surveillance, and retrain biological warfare specialists.

Mr. FRIST. Mr. President, I rise today to submit a resolution on behalf of myself, Senator KENNEDY, and 23 of our colleagues that will put the Senate on record in strong support of substantial new investment toward strengthening our Nation's preparedness to re-

spond to any potential bioterrorist threat.

Last year, Congress passed the bipartisan Frist-Kennedy Public Health Threats and Emergencies Act of 2000. That law provides a coherent framework for responding to health threats resulting from bioterrorism. It authorizes a series of important initiatives to strengthen the nation's public health system; to improve hospital response capabilities; to upgrade the Centers for Disease Control's rapid identification and early warning systems; to assure adequate staffing and training of health professionals to diagnose and care for victims of bioterrorism; to enhance our research and development capabilities; to expand our reserve of vaccines and antibiotics; and to pursue additional measures necessary to prevent, prepare, and respond to the threat of biological or chemical attacks. The framework exists, so now it is time to fund these critical initiatives.

The threat of a bioterrorist attack is remote, so we must not overreact or give into irrational fears. But remote as the threat may be, it is real. For a variety of reasons, the threat is higher today than it was one month ago, and it is growing. Osama bin Laden has said it is his religious duty to acquire weapons of mass destruction, including chemical and biological weapons. He and his followers have shown an utter disregard for human life. They, and other known terrorists, have the resources and motivation to acquire and use germ warfare. Recent advances in agent delivery technology, such as aerosolization, have made weaponization of germs easier. Finally, with the fall of the Soviet Union, the expertise of thousands of scientists knowledgeable in germ warfare may be available to the highest bidder.

We have made important strides during the past few years in preparing our Nation to meet this threat. There is much to be proud of in our response to the attacks of September 11, as well as the response to the recent anthrax outbreaks in Florida. But additional steps are needed, and they are needed now. To better prepare our Nation, the Administration, local and State officials, public health departments, and our front line medical response teams must have additional resources and support. I believe the best way to accomplish this is to provide additional funds toward the priorities outlined in the Public Health Threats and Emergencies Act and to better arm America to fight against bioterrorism.

Senator KENNEDY and I, and our colleagues, look forward to working with the Administration and those who serve on the Appropriations Committees to provide the funds necessary to fill the gaps in our current biodefense and surveillance systems and to take additional steps to prevent the use of bioweapons and fully prepare our communities to respond. So that the Senate is strongly on record in favor of

these efforts, I look forward to working with all of my colleagues to have this Sense of the Senate Resolution considered on an appropriate vehicle in the very near future.

Mr. KENNEDY. Mr. President, today I join my distinguished colleague, Senator BILL FRIST, and many other colleagues in the Senate to introduce a resolution stating our strong support for strengthening America's defenses against bioterrorism.

As our forces continue their actions over Afghanistan, we can expect that our enemies will try to strike against our country again. We must close the gaps in our ability to deal with the possibility of bioterrorism on American soil. Just as we support our armed forces overseas, we should support our front line defenses against bioterrorism—our public health and medical professionals.

We want to reassure all Americans that much has already been done to assure their safety from such an attack, and to minimize the spread of biological agents if an attack does occur. The kind of heroism we witnessed from average Americans on September 11 with Americans caring for and protecting their fellow citizens would take place once again in responding to a bioterrorist threat.

But every day we delay in expanding our capabilities exposes innocent Americans to needless danger. We cannot afford to wait.

Our first priority must be to prevent an attack from ever occurring. That means moving quickly to enhance our intelligence capacity and our ability to infiltrate terrorist cells, wherever they may exist. It also means using the renewed partnership between the United States and Russia to make sure that dangerous biological agents do not fall into the hands of terrorists. We've worked with Russia to prevent the spread of nuclear weapons, and we must work together now to prevent the spread of biological weapons.

We must also enhance America's preparedness for a bioterrorist attack. Our citizens need not live their lives in fear of a biological attack, but building strong defenses is the right thing to do.

Unlike the assaults on New York and Washington, a biological attack would not be accompanied by explosions and police sirens. In the days that followed, victims of the attack would visit their family doctor or the local emergency room, complaining of fevers, aches in the joints or perhaps a sore throat. The actions taken in those first few days will do much to determine how severe the consequences of the attack will be.

The keys to responding effectively to a bioterrorist attack lie in three key concepts: immediate detection, immediate treatment and immediate containment.

To improve detection, we should improve the training of doctors to recognize the symptoms of a bioterrorist attack, so that precious hours will not be lost as doctors try to diagnose their patients. As we've seen in recent days,

patients with anthrax and other rarely encountered diseases are often initially diagnosed incorrectly. In addition, public health laboratories need the training, the equipment and the personnel to identify biological weapons as quickly as possible.

In Boston, a recently installed electronic communication system will enable physicians to report unusual symptoms rapidly to local health officials, so that an attack could be identified quickly. Too often, however, as a CDC report has stated: "Global travel and commerce can move microbes around the world at jet speed, yet our public health surveillance systems still rely on a 'Pony Express' system of paper-based reporting and telephone calls."

To improve the treatment of victims of a bioterrorist attack, we must strengthen our hospitals and emergency medical plans. Boston, New York and a few other communities have plans to convert National Guard armories and other public buildings into temporary medical facilities, and other communities need to be well prepared too. Even cities with extensive plans need more resources to ensure that those plans will be effective when they are needed.

To improve containment, we must make certain that federal supplies of vaccines and antibiotics are available quickly to assist local public health officials in preventing the disease from spreading.

Developing new medical resources for the future is also essential. Scientists recently reported that they had determined the complete DNA sequence of the microbe that causes plague. This breakthrough may allow new treatments and vaccines to be developed against this ancient disease scourge. We should use the remarkable skills of our universities and biotechnology companies to give us new and better treatments in the battle against bioterrorism.

September 11 was a turning point in America's history. Our challenge now is to do everything we can to learn from that tragic day, and prepare effectively for the future.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1861. Mr. BREAUX proposed an amendment to the bill S. 1447, to improve aviation security, and for other purposes.

SA 1862. Mr. TORRICELLI submitted an amendment intended to be proposed to amendment SA 1855 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1447) supra; which was ordered to lie on the table.

SA 1863. Mr. MURKOWSKI (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1447, supra.

SA 1864. Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1865. Mr. HOLLINGS (for Mr. INOUE) proposed an amendment to the bill S. 1447, supra.

SA 1866. Mr. HOLLINGS (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 1447, supra.

SA 1867. Mr. HOLLINGS (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 1447, supra.

SA 1868. Mr. HOLLINGS (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 1447, supra.

SA 1869. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1870. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1871. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1872. Mr. LIEBERMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1873. Mr. MCCAIN (for Mr. KOHL) submitted an amendment intended to be proposed by him to the bill S. 1447, supra.

SA 1874. Mr. SMITH, of New Hampshire (for himself, Mr. MURKOWSKI, Mr. BURNS, Mr. THURMOND, and Mr. CRAPO) proposed an amendment to the bill S. 1447, supra.

SA 1875. Mr. BURNS (for himself, Mr. MCCONNELL, Mr. DEWINE, and Mrs. BOXER) proposed an amendment to the bill S. 1447, supra.

SA 1876. Mr. MCCAIN (for Mr. DOMENICI) proposed an amendment to the bill S. 1447, supra.

SA 1877. Mr. MCCAIN (for Mr. CLELAND) proposed an amendment to the bill S. 1447, supra.

SA 1878. Mr. MCCAIN (for Mr. THOMPSON) proposed an amendment to the bill S. 1447, supra.

SA 1879. Mr. MCCAIN (for Mr. LIEBERMAN (for himself and Mr. DURBIN)) proposed an amendment to the bill S. 1447, supra.

SA 1880. Mr. HOLLINGS (for Mrs. MURRAY (for herself, Mr. BYRD, and Mr. SHELBY)) proposed an amendment to the bill S. 1447, supra.

SA 1881. Mr. MCCAIN proposed an amendment to the bill S. 1447, supra.

SA 1882. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1883. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1884. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1885. Mr. HARKIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1886. Mr. MCCAIN (for Mr. ENZI (for himself and Mr. DORGAN)) proposed an amendment to the bill S. 1447, supra.

SA 1887. Mr. MCCAIN (for Mrs. HUTCHISON) proposed an amendment to the bill S. 1447, supra.

SA 1888. Mr. MCCAIN (for Mrs. HUTCHISON) proposed an amendment to the bill S. 1447, supra.

SA 1889. Mr. MCCAIN (for Mr. INHOFE) proposed an amendment to the bill S. 1447, supra.

SA 1890. Mr. MCCAIN (for Mr. INHOFE) submitted an amendment intended to be proposed by Mr. MCCAIN to the bill S. 1447, supra.

SA 1891. Mr. HOLLINGS (for Mr. FEINGOLD) proposed an amendment to the bill S. 1447, supra.

SA 1892. Mr. HOLLINGS (for himself and Mr. MCCAIN) proposed an amendment to the bill S. 1447, supra.

SA 1893. Mr. MCCAIN (for Mr. INHOFE) proposed an amendment to the bill S. 1447, supra.

SA 1894. Mr. HOLLINGS (for Mr. LEAHY) proposed an amendment to the bill S. 1447, supra.

SA 1895. Mr. HOLLINGS (for himself and Mr. MCCAIN) proposed an amendment to the bill S. 1447, supra.

SA 1896. Mr. WARNER (for himself and Mr. ALLEN) proposed an amendment to the bill S. 1447, supra.

SA 1897. Mr. MCCAIN (for Mr. JEFFORDS) proposed an amendment to amendment SA 1858 submitted by Mr. HOLLINGS and intended to be proposed to the bill (S. 1447) supra.

SA 1898. Mr. ALLEN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1532, to provide for the payment of emergency extended unemployment compensation; which was referred to the Committee on Finance.

SA 1899. Mr. FEINGOLD proposed an amendment to the bill S. 1510, to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

SA 1900. Mr. FEINGOLD proposed an amendment to the bill S. 1510, supra.

SA 1901. Mr. FEINGOLD proposed an amendment to the bill S. 1510, supra.

#### TEXT OF AMENDMENTS

**SA 1861.** Mr. BREAUX proposed an amendment to the bill S. 1447, to improve aviation security, and for other purposes; as follows:

At the appropriate place, insert the following:

#### SEC. . LESS-THAN-LETHAL WEAPONRY FOR FLIGHT DECK CREWS.

(a) NATIONAL INSTITUTE OF JUSTICE STUDY.—The National Institute of Justice shall assess the range of less-than-lethal weaponry available for use by a flight deck crewmember temporarily to incapacitate an individual who presents a clear and present danger to the safety of the aircraft, its passengers, or individuals on the ground and report its findings and recommendations to the Secretary of Transportation within 90 days after the date of enactment of this Act.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

“(h) AUTHORITY TO ARM FLIGHT DECK CREW WITH LESS-THAN-LETHAL WEAPONS.—

“(1) IN GENERAL.—If the Secretary, after receiving the recommendations of the National Institute of Justice, determines, with the approval of the Attorney General and the Secretary of State, that it is appropriate and necessary and would effectively serve the public interest in avoiding air piracy, the Secretary may authorize members of the flight deck crew on any aircraft providing air transportation or intrastate air transportation to carry a less-than-lethal weapon while the aircraft is engaged in providing such transportation.

“(2) USAGE.—If the Secretary grants authority under paragraph (1) for flight deck crew members to carry a less-than-lethal weapon while engaged in providing air transportation or intrastate air transportation, the Secretary shall—

“(A) prescribe rules requiring that any such crew member to trained in the proper use of the weapon; and

“(B) prescribe guidelines setting forth the circumstances under which such weapons may be used.”.