

(A) 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;

(B) an enhanced multilateral strategy should be developed among drug producing, transit, and consuming nations designed to improve co-operation with respect to the investigation and prosecution of drug related crimes, and to make available information on effective drug education and drug treatment;

(C) 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

(D) 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 subparagraph (B), including any amendments to existing law that may be required to implement that strategy.

CENTRAL AMERICA DISASTER RELIEF

SEC. 597. 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.

PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

SEC. 598. 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."

WAIVER OF RESTRICTION ON ASSISTANCE TO AZERBAIJAN

SEC. 599. (a) Section 907 of the FREEDOM Support Act shall not apply to—

(1) 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;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) 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.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

(b) 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—

(1) is necessary to support United States efforts to counter terrorism; or

(2) is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter terrorism; or

(3) is important to Azerbaijan's border security; and

(4) will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia.

(c) The authority of subsection (b) may only be exercised through December 31, 2002.

(d) The President may extend the waiver authority provided in subsection (b) 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 subsection (b).

(e) The Committees on Appropriations shall be consulted prior to the provision of any assistance made available pursuant to subsection (b).

(f) Within 60 days of any exercise of the authority under subsection (b) the President shall send a report to the appropriate congressional committees specifying in detail the following—

(1) the nature and quantity of all training and assistance provided to the Government of Azerbaijan pursuant to subsection (b);

(2) the status of the military balance between Azerbaijan and Armenia and the impact of United States assistance on that balance; and

(3) the status of negotiations for a peaceful settlement between Armenia and Azerbaijan and the impact of United States assistance on those negotiations.

FEDERAL INVESTIGATION ENHANCEMENT ACT OF 2001

SEC. 599A. (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 530B(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."

KENNETH M. LUDDEN

SEC. 599B. This Act shall be cited as the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002".

EXECUTIVE SESSION

EXECUTIVE CALENDAR AND DISCHARGE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 437, Benigno Reyna, to be Director of the United States Marshals Service, and that the HELP Committee be discharged from further consideration of the nomination of Charles Curie, to be Administrator of the Substance Abuse and Mental Health Services Administration; that the nominations be considered and confirmed en bloc, the motion to reconsider be laid upon the table en bloc, any statements thereon be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Benigno G. Reyna, of Texas, to be Director of the United States Marshals Service.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Charles Curie, of Pennsylvania to be Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

MAKING FURTHER CONTINUING APPROPRIATIONS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 70, just received from the House and which is at the desk.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 70) making further continuing appropriations for the fiscal year 2002, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. REID. Madam President, I ask unanimous consent that the joint resolution be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The joint resolution (H.J. Res. 70) was read the third time and passed.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to H.R. 2299, the Department of Transportation appropriations bill, that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

There being no objection, the Presiding Officer appointed Mrs. MURRAY, Mr. BYRD, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mr. DURBIN, Mr. LEAHY, Mr. INOUE, Mr. SHELBY, Mr. SPECTER, Mr. BOND, Mr. BENNETT, Mr. CAMPBELL, Mrs. HUTCHISON, and Mr. STEVENS conferees on the part of the Senate.

MEASURE READ THE FIRST TIME—H.R. 1552

Mr. REID. Madam President, I understand that H.R. 1552, which was just received from the House, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1552) to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003, and for other purposes.

Mr. REID. Madam President, I ask for its second reading and object to my own request on behalf of a number of my colleagues.

The PRESIDING OFFICER. Objection is heard.

The bill will remain at the desk.

ORDERS FOR FRIDAY, OCTOBER 26, 2001 AND TUESDAY, OCTOBER 30, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:30 a.m., Friday, October 26, for a pro forma session only; that following the Friday pro forma session, the Senate stand in adjournment until Tuesday, October 30, at 10 a.m.; immediately following the prayer and 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, and the Senate begin consideration of Calendar No. 197, H.R. 3061, the Labor-HHS Appropriations Act; further that the Senate recess from 12:30 to 2:15 p.m. for the weekly party conferences.

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

PROGRAM

Mr. REID. Madam President, the majority leader has asked me to announce to the Senate that there will be no roll-call votes prior to 2:15 p.m. on Tuesday.

ADJOURNMENT UNTIL 10:30 A.M., FRIDAY, OCTOBER 26, 2001

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:37 p.m., adjourned until Friday, October 26, 2001, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 25, 2001:

DEPARTMENT OF STATE

EARL NORFLEET PHILLIPS, JR., OF NORTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ST. KITTS AND NEVIS, SAINT LUCIA, ANTIGUA AND BARBUDA, THE COMMONWEALTH OF DOMINICA, GRENADA, AND SAINT VINCENT AND THE GRENADINES.

DEPARTMENT OF JUSTICE

JAMES A. MCDEVITT, OF WASHINGTON, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF WASHINGTON, FOR THE TERM OF FOUR YEARS, VICE JAMES PATRICK CONNELLY, RESIGNED.

JOHNNY KEANE SUTTON, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF TEXAS, FOR THE TERM OF FOUR YEARS, VICE JAMES WILLIAM BLAGG, RESIGNED.

RICHARD S. THOMPSON, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF GEORGIA, FOR THE TERM OF FOUR YEARS, VICE HARRY DONIVAL DIXON, JR., RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROBERT A. JOHNSON, 0000
JEFFREY D. PAULSON, 0000
TERRANCE L. STRATTON, 0000
JOHN T. WASHINGTON III, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate October 25, 2001:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHARLES CURIE, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF JUSTICE

BENIGNO G. REYNA, OF TEXAS, TO BE DIRECTOR OF THE UNITED STATES MARSHALS SERVICE.

WITHDRAWAL

Executive message transmitted by the President to the Senate on October 25, 2001, withdrawing from further Senate consideration the following nomination:

MICHELLE VAN CLEAVE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 21, 2001.