

the form and substance of international cargo liability reform.

While this is a field with which most of us are at best only vaguely familiar, it has been the subject of intense debate in maritime circles for many years. In fact, draft reform legislation proposed by the Maritime Law Association of the United States was the subject of a hearing in the Senate Commerce Committee in 1998. Similar draft legislation was also reviewed by the Subcommittee on Surface Transportation and Merchant Marine during the last Congress under the leadership of Senator KAY BAILEY HUTCHISON. Because of the inability of the commercial parties to agree on how or whether to proceed with such a proposal, however, the legislation was never introduced.

Last month, the World Shipping Council, representing the ocean shipping companies serving America's foreign trades, and the National Industrial Transportation League, representing American importers and exporters, announced that they had reached agreement on cargo liability reform. They issued a joint statement outlining their agreement and pledged to work through the process to be established by the U.N. Commission on International Trade Law, (UNCITRAL), to assist in the development and ratification of a new international cargo liability convention. The goal of this effort is to produce an internationally acceptable instrument that can be ratified by the United States and our trading partners.

Most parties are in agreement that the U.S. law governing cargo liability, which dates back to 1936, can benefit from being updated, ideally in the context of a uniform international legal regime. What they have not been able to agree on, until now, is what real reform should look like.

The shippers and carriers have also agreed on a reasonable timetable for pursuing an international solution, and the shippers will forego their push for U.S. legislation so long as the international process produces an acceptable convention within this timeframe.

I commend the carriers and shippers for agreeing to set aside their decades of differences on this issue and for trying to help produce an agreement that can be adopted by the United States. I also want to commend my colleague, Senator JOHN BREAUX, for his interest and leadership on this very important issue. As the ranking Republican on the Senate Subcommittee for Surface Transportation and Merchant Marine, which Senator BREAUX chairs, I will work closely with him to keep a watchful eye on this process and to consult with the World Shipping Council and the NIT League, as well as with all other interested parties over the next few years to receive progress reports.

I would also encourage the State Department, the Department of Transportation and other agencies within the U.S. Government that may be involved

in the multilateral negotiating process to consult regularly with the commercial parties and include them directly in the intergovernmental process.

As you can tell, I have two critical goals for this process: one, I want all relevant parties to work together for a commercially and politically-acceptable agreement for our trading partners; and, two, I want the U.S. Government to be a helpful and productive partner in this process. While these negotiations go on, I will be monitoring things closely, and hope that a positive international agreement can come together in the not-too-distant future.

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THE AMERICAN SMALL BUSINESS EMERGENCY RELIEF AND RECOVERY ACT OF 2001

Mr. KERRY. Madam President, I want to submit for the RECORD a managers' substitute amendment to S. 1499, the American Small Business Emergency Relief and Recovery Act of 2001, which incorporates a number of improvements to the emergency relief provided by the bill as introduced. Senator BOND and I have been trying to bring this up before the full Senate, but, for almost one month since October 15, two senators have been blocking its consideration and passage.

The Kerry-Bond bill is a fiscally responsible and measured response to help small businesses that are struggling because they were affected by the attacks on September 11 or because they can't get loans or venture capital from traditional private-sector lenders and investors who are pessimistic about the economy. This legislation makes loan capital and business counseling available to the small businesses in all of our States, and it does so by tailoring many of the Small Business Administration's, SBA, programs.

Let me draw your attention to changes included in the managers' substitute amendment:

One. For businesses located in a declared disaster area or at an airport, or for small businesses that were closed or suspended for related national security reasons by Federal mandate, they may use the disaster loan proceeds to refinance any existing business debt within the bill's loan caps. For one year after approval of such refinancing, principal payments on such refinancings will be deferred and the small business will be required to make interest only payments. Full payments will resume at the end of that year.

Two. For emergency relief loans under section 7(a) of the Small Business Act, the guaranteed percentage was reduced from 95 percent to 90 percent in response to the Administration's concerns that the government's risk was too high at 95 percent.

Three. The size standard applicable for travel agencies with respect to disaster loans and emergency 7(a) loans under the managers' amendment is increased from \$1 million to \$2 million in average annual receipts.

Four. The SBA Administrator's authority to waive or increase size standards and size regulations is applied to both disaster loans and emergency 7(a) guaranteed loans.

Five. In order to encourage lenders to make the emergency and regular 7(a) loans to small businesses adversely affected by the effects of the terrorist attacks of September 11, 2001, the managers' amendment reduces the on-going lenders' fee from one-half of 1 percent to one-quarter of 1 percent.

Six. The requirement of non-Federal match is waived for the Women's Business Centers program with respect to individualized assistance authorized under this Act.

Seven. It requires the SBA to report to the pertinent House and Senate Committees periodically on its implementation of this legislation.

Eight. The managers' amendment increases the authorization levels for the 7(a) and 504 programs by \$2 billion each, and for the Small Business Investment Company participating securities and debentures programs by \$700 million and \$200 million, respectively, to accommodate increased demand anticipated in the wake of the terrorist attacks of September 11, 2001.

Nine. In the loan term provisions for emergency 7(a) loans, a cap of \$3 million was added for the "gross amount of the loans." This clarifies that the other stated caps apply to the SBA-guaranteed portions of the loans.

Ten. To make clear that Congress expects the SBA to implement these emergency relief provisions as quickly as possible, a section was added requiring SBA to issue interim final rules and implementing guidelines within 20 days of the date of enactment of this legislation.

Eleven. Under the 7(a) stimulus loans, the managers' amendment reduces by half the upfront guarantee fee paid by the borrower, and it establishes a guarantee percentage of 85 percent on all such loans.

Twelve. Under 504 stimulus loans, the managers' amendment reduces by half the annual guarantee fee paid by the borrower, currently .41 percent, and retains the upfront bank fee of 50 basis points, .50 percent.

These are important changes that Senator BOND and I have worked out to make a good bill better. I am very pleased that the Chairman of the House Committee on Small Business, Congressman DON MANZULLO, and Congressman JIM MORAN introduced a bill identical to our managers' amendment on November 6 and appreciate their cooperation throughout this process.

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ADDITIONAL STATEMENTS

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THANK YOU TO STAFF FOR PUBLIC SERVICE

- Mr. CLELAND. Mr. President, times of adversity have always been fertile soil in which to find triumphs of the

human spirit. As an old English proverb so eloquently put it, "A Smooth sea never made a skilled mariner. Trials are not enemies of faith but are opportunities to prove God's faithfulness."

The events of Tuesday, September 11 will never be forgotten. Nor will we forget how this Nation has changed since that fateful day. In the weeks since the horrendous attacks on our country, there has been no shortage of stories about the heroic acts of everyday men and women who put their own lives on the line to help others. By now we've all heard the story of United flight 93 that crashed in rural Pennsylvania. By all accounts, the passengers, after discovering their hijackers sinister plan, rushed the cockpit and sacrificed their own lives in saving people on the ground. These were regular citizens placed in an unimaginable situation. They saved people, likely right here in this building, who never knew they were in danger.

But then we know that whenever times have gotten tough in this country, Americans have always stepped up to answer the call. We remember the story of Clara Barton, a woman who learned about medicine, and rushed to the battlefields of the Civil War to tend to the wounded. There were also the women who filled factories and other places of business during World War II when their husbands, fathers, and brothers left to fight. These women did what, at the time, had never been done before. They provided needed support, and carried our country during an unparalleled time of need.

Books of American history are full of stories about ordinary people accomplishing unbelievable things. The pages about today's events still awaiting the ink of hindsight will be no different. I would like to say now, that the men and women who work on Capitol Hill will be among the heroes history will remember.

I have been amazed at the strength of the men and women, many of them recently graduated from college, on my staff who have come to work every day since the attacks, prepared and ready to serve their country in the face of possible terrorist attacks or biological warfare. These men and women have risen to the occasion and answered the call of duty. Our interns, on their tour of duty in our Nation's Capitol without pay and far from home, come each day ready to work and willing to serve. Even when the Capitol complex was shut down, the 26,000 men and women who work in the six House and Senate office buildings scrambled to find alternate workspace and were always on call.

These attacks have left us feeling afraid and violated, but, my friends, our Nation has never been stronger. If that fact is ever doubted, just look up to the windows of the Dirksen Building with a flag in almost every window. Go to the offices of members whose colleagues continue to be displaced due to

anthrax closings where they share conference rooms, computers and phone lines, all in the name of doing the business of the American people. If the attackers plan was to drive us apart, they have failed. I would like to thank each member of my staff for their service to me, and to this great country.

At this time I would like to place into the RECORD the names of the men and women on my staff who have served in the aftermath of the September 11 attacks.

Cooper Allen, Michael Andel, Daniel Barton, Krista Boyd, Macio Cameron, Amanda Cooper, Adel Durani, Eric Easley, Eileen Force, Elizabeth Gladden, Charlie Godwin, Lori Gregory, Marilouis Hudgins, Elaine Iler, Farrar Johnston, Bill Johnstone, Tamara Jones, Lynn Kimmerly, Jamie Mackay, Neil Martin, Glen Marken, Matt McKenna, Patricia Murphy, Mark Pascu, Michel Pearis, Allison Priebe, Simon Sargent, Mark Stedham, Jane Terry, Steve Tryon, Donni Turner, Andrew Van Landingham, Charlotte Voorde, Derek Walters, and Adnan Zulfiqar.●

#### NATIONAL OSTEOPATHIC MEDICINE WEEK

• Mr. BOND. Mr. President, November 11-17 is National Osteopathic Medicine Week, a week when we recognize the more than 47,000 osteopathic physicians, D.O.s, across the country for their contributions to the American healthcare system. This year, we celebrate D.O.s commitment to preventative medicine and end-of-life care. I am especially pleased these festivities are taking place in my home State of Missouri.

During National Osteopathic Medicine, NOM, Week, D.O.s and patients celebrate the benefits of preventative health care by looking at the simple things that can be done to live healthier lives. As physicians who treat people, not just symptoms, the nation's D.O.s are dedicated to helping maintain health through a whole-person patient-centered approach to healthcare. And, within that principle, they recognize death as the legitimate endpoint to the human lifecycle and respect the dignity and special needs of both patients and caregivers.

During NOM Week, D.O.s across the country will explore multidisciplinary perspectives on end-of-life care, the ethical debate of pain management and physician-assisted suicide and ways to remove communications barriers in the physician-patient relationship at end of life. Activities also educate Americans about end-of-life care and related topics, such as advances in pain management, cultural sensitivities toward final stages of life, organ donation, advance directives, and end-of-life care options and financing.

For more than a century, D.O.s have made a difference in the lives and health of my fellow citizens in Missouri as well as all Americans. Overall, more

than 100 million patient visits are made each year to D.O.s. Osteopathic physicians are committed to serving the needs of rural and underserved communities and make up 15 percent of the total physician population in towns of 10,000 or less.

D.O.s are certified in nearly 60 specialties and 33 subspecialties. Similar to requirements set for M.D.s, D.O.s must complete and pass: 4 years of medical education at one of 19 osteopathic medical schools; a 1-year internship; a multi-year residency; and a State medical board exam. Throughout this education, D.O.s are trained to understand how the musculoskeletal system influences the condition of all other body systems. Many patients want this extra education as a part of their health care. Individuals may call 866-346-3236 to find a D.O. in their community.

In recognition of NOM Week, I would like to congratulate the over 1,700 D.O.s in Missouri, the 616 students at the Kirksville College of Osteopathic Medicine, 871 students at the University of Health Sciences College of Osteopathic Medicine and the 47,000 D.O.s represented by the American Osteopathic Association for their contributions to the good health of the American people.●

#### TRIBUTE TO MAJOR DAVID B. CHANDLER

• Mr. HUTCHINSON. Mr. President, I rise today to recognize Air Force Major David B. Chandler for his service as my military fellow this past year. I commend Major Chandler for his performance, and express my appreciation to him for all his efforts and dedication.

Major Chandler's leadership ability shined throughout his fellowship. During a very busy and challenging year for the Senate, Major Chandler handled a new Congress, a new administration, confirmations, a compressed defense authorization process, and finally, the tragic events of September 11. His composure in the face of all these challenges ensured timely inputs to me, my staff, and to the people of the great State of Arkansas.

He served as one of my key advisors on a variety of national security issues. Major Chandler's efforts with the bipartisan, bicameral C-130 Caucus resulted in a modernization plan supported by members of Congress from 27 States. He assisted me in my duties on the Senate Armed Services Committee, especially relating to my role as the ranking Republican on the Personnel Subcommittee. His hard work was greatly appreciated during Senate deliberations on the FY02 Defense Authorization bill.

Major Chandler has been a credit to the Air Force Legislative Fellows program. The Air Force should be very proud of his service this past year. Certainly, I will follow the development of Major Chandler's career with pride. My appreciation and best wishes go with