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No. 162

## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Generous God, we praise You that it is Your desire to give good gifts to those who ask You. Forgive us when we are stingy receivers. You give strength to the tense and tired, courage and boldness to those who are fearful, guidance to the humble who ask You to guide their decisions. We say with the psalmist, "The Lord is my strength and my shield; my heart trusted in Him, and I am helped; therefore my heart greatly rejoices."—Psalm 28:7 KJV.

Bless the Senators today. Astound them with new insight and fresh vision they could not conceive without Your blessing. May they truly seek You and really desire Your will in their responsibilities and relationships today. You are waiting to infuse their minds and hearts with wisdom and guidance. Help them to trust You to guide and provide. Fill each Senator with Your inspiration and this Chamber with Your presence and power. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Mrs. CLINTON). The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read as follows:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 28, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. CLINTON thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

### SCHEDULE

Mr. REID. This morning, the Senate will resume consideration of the motion to proceed to H.R. 10. Cloture was filed on the motion to proceed. The

Senate will therefore vote on cloture on the motion to proceed tomorrow morning. The Senate will be in recess today, by virtue of a unanimous consent agreement previously entered, from 12:30 to 2:15 p.m.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 2001—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to proceed to H.R. 10, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 10) to provide for pension reform, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

MEASURE PLACED ON CALENDAR—S. 1732

Mr. REID. Madam President, I understand that S. 1732 is at the desk and is now due for its second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

### NOTICE

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• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. REID. I ask that S. 1732 be read for the second time, and when that reading takes place, I will object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill.

The assistant legislative clerk read as follows:

A bill (S. 1732) to provide incentives for an economic recovery and relief for victims of terrorism, and for other purposes.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

UNANIMOUS CONSENT REQUEST—S. 1214

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Madam President, I ask unanimous consent that the majority leader, following consultation with the Republican leader, may proceed to consideration of Calendar No. 161, S. 1214, the Port, Maritime, and Rail Security Act; that when the measure is considered, it be under the following limitations:

That a managers' substitute amendment be in order; that the substitute amendment be considered and agreed to and the motion to reconsider be laid upon the table; that the bill, as thus amended, be considered as original text for the purpose of further amendment, with no points of order waived by this agreement; that all first-degree amendments must be transportation-related; that the second-degree amendments must be relevant to the first-degree amendment to which it is offered; that upon the disposition of all amendments, the bill be read the third time, and the Senate vote on passage of the bill, with this action occurring with no further intervening action or debate.

Mr. REID. Madam President, reserving the right to object, will the Senator explain the purpose of this legislation?

Mr. HOLLINGS. The purpose of this legislation, as we have now provided for airport and airline security, is to provide for port security and rail security. I want to make some comments about it. If that is permitted, we will go into debate, and if the Chair will recognize me, if they will allow it, I will explain in detail. This is what I want to do.

Mr. REID. I withdraw any reservation.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. THOMAS. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. HOLLINGS. Madam President, as requested by our leader, this matter of port security is really a very serious concern. Very few people realize this. The Financial Times and the Times of London, reported back in early October, almost 2 months ago, and I quote:

Intelligence actions across the world are examining Osama bin Laden's multimillion dollar shipping interests. He maintains a se-

cret fleet, under a variety of flags of convenience, allowing him to hide his ownership and transport goods, arms, drugs, and recruits with little official scrutiny.

Three years ago, nobody paid much attention to a crew unloading cargo from a rusting freighter tied up on the quayside in Mombasa, Kenya. The freighter was part of Osama bin Laden's merchant fleet and the crew were delivering supplies for the team of suicide bombers who weeks later would blow up the United States embassies in Kenya and Tanzania. Bin Laden's covert shipping interests were revealed at the trial of the bombers, but until now security services have been slow to track down how many vessels he operates.

Going further, Madam President, we heard that a suspected member of the al-Qaida terrorist network in October tried to stow away in a shipping container heading to Toronto, Canada. The container was furnished with a bed, a toilet, its own power source to operate the heater and recharge batteries.

According to the Toronto Sun, the man also had a global satellite telephone, a regular cell phone, a laptop computer, cameras, identity documents, airport maps, security passes for airports in Canada, Thailand, and Egypt, and he also had an airline mechanic's certificate. He is being held now as a suspected member of the al-Qaida group and bin Laden's movement.

The threat is real, there is not any question about it. Let me emphasize, when the FBI said there was no threat to the Golden Gate Bridge, that was nonsense. It has been reported in the news that four of these so-called martyrs can operate an oil tanker and run it right into the bridge. So we have to be on the lookout for terrorist attacks with respect to the ports of the United States.

Fortunately, my distinguished colleague from Florida, Senator GRAHAM, has led the fight to institute seaport security. In 1999, Senator GRAHAM got President Clinton to appoint a commission, and they did a study on this issue.

At the local level, this bill will mandate that all ports and waterfront facilities promulgate a comprehensive security plan approved by the Secretary of Transportation.

That is going to be a difficult task. There is not any question we have some 361 entities rated as ports. Some are privately operated, some are semi-privately operated and leased like in New York. Other ports are operated entirely by the State like in my own hometown of Charleston, SC. None of them has any security plan. Fifty of these three hundred and sixty-one ports account for 90 percent of all tonnage going to and from the United States.

The bill requires that the Customs Service, the port authorities, the Coast Guard, the controllers of ports, whether it be a private lessee or publicly run by the State or otherwise, get together and start coordinating and promulgating a security plan approved by the Secretary of Transportation.

The bill for the first time will require that we know more in advance about

the cargo and crew members coming into the United States. The more we know about a ship's cargo and where it originated, the better our Customs agents and other law enforcement officers can target suspicious containers and passengers.

In fact, I heard from one port official that these measures would cause a delay. No, it is going to be delayed at the port if they do not know ahead of time what to look for. It is going to take more time.

The bill requires that ships electronically send their cargo manifest to the port before gaining clearance to enter. Since it is going to take money to enforce the provisions of this bill, the bill provides \$390 million for grants to upgrade security infrastructure, another \$166 million to back the issuing of \$3.3 billion in loans and loan guarantees over 4 years for port security and infrastructure upgrades, another \$168 million to purchase nonintrusive screening and detection equipment for the U.S. Customs Service, \$145 million to increase the number of Customs personnel screening the cargo and to update the Customs computer systems, and \$75 million to develop weapons screening technologies for use at the seaports.

Talk about money; we spend billions and billions for an anti-ballistic missile defense system, and a cargo container can be delivered anywhere in the United States for \$5,000. The enemies of the United States can easily afford \$5,000 to import a container which could contain up to 60,000 pounds, 30 tons of materials. They could bring in a container of that size uninspected at Bayonne, NJ, full of anthrax, take it on up to Times Square, and blow it there. We talk about the thousands who were lost at Ground Zero in New York. The number will go into the millions with an attack like this.

At Tijuana, agents will actually tear apart car seats searching for drugs and other items, but thousands of truck-size cargo containers are being dumped on to the docks of the United States without any inspection whatsoever.

We are not playing games. The threat is serious, and it has to be paid for.

I particularly thank Senator GRAHAM for his leadership in this regard. It was the year before last that we introduced a bill. We had hearings last October. Following the hearings last October, we reintroduced the bill. It is a bipartisan bill.

I thank my ranking member, Senator MCCAIN, and particularly Rob Freeman of Senator MCCAIN's staff who worked very hard on this legislation.

I think the bill is in very good shape. We have coordinated time and again with the White House on this measure. They know the contents of it. I do not know their disposition at the present time, but I do not think we ought to adjourn this year without passing this well-considered bill, which has been developed over the past 3 years. We ought to get moving on this bill.

I again thank Senator MCCAIN and Senator GRAHAM. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BURNS. Madam President, we are on the railroad retirement bill; is that correct?

The ACTING PRESIDENT pro tempore. We are on the motion to proceed.

Mr. BURNS. Madam President, I ask unanimous consent that I may proceed as in morning business for 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. What was the request, Madam President?

Mr. BURNS. To proceed as in morning business for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ENERGY POLICY

Mr. BURNS. Madam President, we are in the closing weeks of the 1st session of the 107th Congress. We are in a defined recession and at war, and we seem to be talking about everything except those two items, and we are not doing anything about them.

As we talk about the security of the country, we have to consider how energy and energy security play a role in the survival of this country, especially in rebuilding the economy.

On Wednesday, November 14, the Energy Information Administration, which is a part of the Department of Energy, released a report that concludes that our dependence on foreign sources of energy is going to increase dramatically by the year 2020 because energy consumption will increase more rapidly than increased domestic production. So our need for new sources of energy continues.

Energy should be one of the highest priorities in the Senate. In terms of energy, there are two major reasons why the Senate should act this year on an energy bill as part of a stimulus package, if it is to be. First of all, for national security. Second, the economy needs the help right now. Energy costs hurt economic recovery as much as any other segment of our economy.

I see the Senator from Florida. I had the opportunity to spend some of the Thanksgiving break in his State. One would never think we were in an energy crisis with the price of gasoline up and down the road now, but nonetheless I think that is a short-lived situation.

I have a couple of examples on what we should be doing and why we should be doing it. Long before the terrorist attacks of September 11, President Bush recognized the vital role that energy plays in the economy and, of course, our national security. Shortly after taking office, he established a national energy policy development group under Vice President DICK CHENEY to take on the task of examining America's needs for developing a balanced and comprehensive energy policy to assure reliable, affordable, efficient, and environmentally sound energy for

the future. This does not pertain to our fuels of transportation. It does not deal with the transportation fuels such as gasoline or, in some cases, natural gas.

It deals with what we are going to do with electrical power in rural areas and how we restructure the power industry to address those needs of industry and, of course, our quality of life.

On May 17 of this year, Vice President CHENEY's task force announced their comprehensive plan for energy, dealing not only with the cost of energy but also a sustainable supply. On August 2, a bipartisan coalition of Democrats and Republicans in the House of Representatives passed the Securing America's Future Energy Act, the SAFE Act, of 2001, which is basically H.R. 4, a comprehensive energy bill that incorporates many of the President's proposals.

In the Senate, led by Senator MURKOWSKI of Alaska, this side of the aisle has put forth numerous plans but they have all refused even to let us debate our plans. They are comprehensive. They are bipartisan. In fact, the major portions of organized labor, including Teamsters, back what Senator MURKOWSKI has proposed.

We are asking: Where do we go from here? Are we being remiss if we do not seize the moment of bipartisanship and pass a comprehensive energy bill?

Despite such timely steps to help lessen U.S. dependence on foreign oil and promote energy development and production, progress has stalled. We began hearings on this legislation last March but have failed to act. In fact, Majority Leader DASCHLE specifically instructed the Energy Committee to stop action for the rest of the year.

In a time of crisis, and it could be a time of crisis and we are in this crisis of war, we should be trying to find some sort of answers to these situations. So I am asking today that we reconsider our agenda and look at security, both economic and energy security, for this country.

#### THE CIVIL AIR PATROL

Mr. BURNS. Madam President, today I recognize the Civil Air Patrol as they celebrate their 60th anniversary this year.

I rise to commend the many men and women serving in our armed forces. These brave souls are stationed around the world and on the front lines, defending freedom, liberty and our way of life. Today, I specifically want to acknowledge the individuals of the Civil Air Patrol, CAP, and celebrate their service to our nation because of the upcoming 60th anniversary of their fellowship and support as defenders of security for our country.

The Civil Air Patrol was founded December 1, 1941, one week before the Japanese attack on Pearl Harbor, by over 150,000 citizens concerned about the defense of America. Flying under the jurisdiction of the Army Air Forces, CAP pilots flew over one-half million hours, were credited with sinking 2 enemy submarines, and rescued

hundreds of crash survivors during WWII. On July 1, 1946, President Truman established the Civil Air Patrol as a federally chartered benevolent civilian corporation. Congress passed Public Law 557 on May 26, 1948, which made the Civil Air Patrol the auxiliary of the new United States Air Force. The Civil Air Patrol was charged with three primary missions: Cadet Programs, Aerospace Education and Emergency Services.

Today there are almost 1800 units of the Civil Air Patrol nationwide, with approximately 60,000 members. All of these members are volunteers. Each year they provide countless acts of community service in the form of educational workshops, cadet training, and emergency support that in my opinion are the highest level of good citizenship.

When I learned of the 60th anniversary of the inception of the Civil Air Patrol, I thought it necessary to speak on their behalf. This group, formed during another time when America felt the need for homeland defense measures, has grown, flourished, and now is a vital service group during the resurgence of a need for the citizenry to become involved in the fight to protect what is the lifeblood of America. All of the men and women serving in the Armed Forces deserve our praise. Whether active duty, guard, or reserve, this is one Senator who sincerely appreciates the sacrifices these men and women make daily to defend this great nation. They are truly patriots.

I can't say enough about how community involvement, whether it be as simple as providing educational tools or as critical as giving manpower in an environmental crisis, works to harness the fiber of a society. In wartime, this fiber is tested, and the work of these individuals goes a long way to ensure that it remains strong.

Montana has over 400 members of the Civil Air Patrol, and I thank them for their efforts in helping Montana communities. Examples of their work can be seen in many areas. The Montana branch of the Civil Air Patrol is active in searching for lost persons. During times of flood, or other disasters, the Montana Wing can transmit aerial real-time photographs to disaster services personnel to help them evaluate the situation. The Montana Wing was involved a great deal during the fires of 2000, flying over areas to be evacuated, taking aerial photographs, to help Disaster Emergency Services personnel create evacuation routes. In addition, The Montana Wing holds regular Search and Rescue Exercises throughout the state to enable members to prepare for an actual search and familiarize themselves with the variety of topography the state has.

The Montana Wing has an active cadet program teaching youth leadership skills, moral ethics, military discipline, aerospace education and disaster relief skills. This year, Montana sent one of 8 teams, representing the

Civil Air Patrol's 8 national regions, to the National Color Guard Competition at the Air Force Academy.

As you can see, this group is deserving of acknowledgment for its efforts to produce good citizens and to aid in the community when there is need. I applaud their 60 years of hard work, and I hope that we'll see them continue in their service for another 60 years.

The PRESIDING OFFICER (Mr. MILLER). The Senator from Florida.

Mr. GRAHAM. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are on the motion to proceed on H.R. 10.

Mr. GRAHAM. I ask unanimous consent that I be granted 10 minutes as in morning business.

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

PORT, MARITIME, AND RAIL SECURITY ACT

Mr. GRAHAM. Mr. President, I commend my friend and colleague Senator HOLLINGS for the effort he made a few moments ago to secure the unanimous consent agreement to take up the legislation which passed out of his Commerce Committee, which he, as well as the ranking member, Senator MCCAIN, and a number of other Members of the Senate, have cosponsored to strengthen the security in and around affected communities of our seaports.

The question to me, with the denial of that motion for unanimous consent to take up this very critical legislation for Senate consideration, is: Are we committed to the proposition that the only time we will provide for security for the people of America is after we have been attacked? Will we wait until another equivalent of the use of hijacked airplanes to strike major icons of American commerce and security such as the World Trade Center and the Pentagon? Will we wait until the equivalent of using the mail as a means of distributing anthrax? Will we wait until we are attacked on our railways, in our seaports, through the containers that cover virtually every community in America, before we respond to enhanced security of those areas? It would be a sad commentary if we were so brain dead we had to wait until we had the alarm of an actual use of one of those techniques before we began to be concerned about enhancing our security.

I commend Senator HOLLINGS for bringing this matter so forcefully before us, and I ask whoever it might have been who objected to bringing this matter up to reconsider. This is not controversial legislation as, for instance, the legislation that was discussed by our colleague from Montana. This is legislation which has the broadest bipartisan support—support in the executive branch as well as in the Congress—and it increases the understanding of the American people.

In recent discussions concerning our security vulnerabilities, almost every discussion now includes seaports as one of those areas to which we need to be giving priority attention. I hope there

will be some sober reconsideration of whether those who have objected wish to assume the responsibility that when we have a terrorist use of our seaports, or one of the many containers that come into our seaports every day, as the means of assaulting the people of America, they are prepared to accept the responsibility that they decided there was something politically or otherwise of higher priority than providing this preventive form of security for the American people.

Let me supplement the very able remarks of my colleague from South Carolina with two observations about why this issue is so important and timely. First, unlike airports, which are a product of the 20th century, where there was a strong Federal Government involvement from the very beginning, seaports are a colonial institution. They grew up as a highly localized institution. The city of New York developed its port; the city of Boston, its port; the city of Charleston, its port, largely independent of each other. That tradition of a high degree of localism persists today. There are many benefits in ports being able to accommodate the particular economic and social circumstances of the community in which they happen to reside, but they have also created a major vulnerability.

There are 361 seaports in the United States. The tendency for those who are involved in the illicit use of seaports is to find the seaport that has the weakest security and then use that as the basis of their operation.

In my State of Florida we have 14 deepwater seaports. We have had a long and unfortunate history of persons who want to use seaports as the means of carrying out their criminal deeds by determining which of those 14 has the most lax security and then using that seaport for their evil deeds.

I suggest the same thing is likely to happen with terrorists. While we respect the tradition of localism in our seaports, we also need to have a strengthened Federal role, as the Senator from South Carolina has described, including consistency in security standards port to port so we will not be creating these pockets of soft vulnerability for criminal and terrorist activity.

Second, some of our colleagues from the interior of the country might think this is an issue that does not affect them: If I don't have a seaport in my State—unlike the Presiding Officer who comes from a coastal State with a major seaport in Savannah—if I am not from such a State as Georgia or South Carolina or Florida, this does not affect me and I will not get particularly exercised about strengthening seaports. Mr. President, it is not the seaport that is the principal threat. It is those 16,000 containers every day, every 24 hours, which are delivered to an American seaport and then placed on a truck or railroad car and moved to virtually every community in America as

a critical part of our national commerce. The 16,000 containers are the containers that come from noncontiguous nations. They do not come from Canada, they do not come from Mexico, but they come from everywhere else in the world and arrive at one of our 361 seaports in America.

Less than 3 percent of those 16,000 are inspected. Therefore, 97 percent plus are released into America without any determination of what is inside that container. With the creativity terrorists have shown, the use of one of those containers from a port far away, with very little prospect that it will be inspected and interdicted before it arrives at its ultimate destination, is an attractive means of mass destruction for terrorists, as it has been in the past a very attractive means of more traditional criminal activity.

One of the most important provisions of this legislation is going to be to rapidly accelerate the technology of x-raying and other scanning of containers so we will get that percentage above 3 percent and have a greater assurance that containers are not used as weapons of mass destruction. That, in conjunction with increased intelligence which will identify from what ports and with what bills of lading what containers are likely to be arriving in the United States that would be used for terrorists or other illegal activities in conjunction with increased technology, will give us a greater chance to secure the American people from the illicit use of the containers which emanate from our seaports.

I urge Members who have objected to taking up this bill, which I suggest will pass this Senate by close to a unanimous vote, where there is strong support, to remove their objection. This legislation is largely based, as Senator HOLLINGS has already noted, on work of a commission established over 2 years ago. It was headed by the then-head of U.S. Customs, Ray Kelly, who now happens to be the new chief of police of New York City, the admiral in charge of the U.S. Coast Guard, Admiral Lloyd, and other Federal executive officials with responsibilities for seaports. It was a solid, well-developed report which has been implemented to the extent possible through administrative actions. Now the burden is on us to provide the resources and the law changes necessary to fully implement this report. It is an urgent matter, a matter which we should take pride in the opportunity to act preventively, preemptively, before the American people are attacked at a seaport or through a container which emanated from a seaport.

I urge reconsideration of denial of the motion for unanimous consent, bring this matter up, have a debate, which I suggest will likely be short and very one-sided in terms of the support this legislation will receive. We should pass this legislation, send it to our colleagues in the House, and hope they

will act expeditiously so we can provide this protection to the people of America.

I thank my colleague, Senator HOLLINGS.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

#### NATIONAL SECURITY

Mr. DORGAN. Mr. President, I will comment on a couple of issues, one of which was raised yesterday by the majority leader and commented upon this morning by our colleague from Montana—the issue of energy policy.

Yesterday, the majority leader came to the floor and said we would be taking up a comprehensive energy bill in the Senate, the first work period after we reconvene in January. I appreciated that. I think it is the right thing to do. Energy policy is much more than just finding energy or conserving energy. It is also a matter of national security and energy security. It is the right thing to do.

We are trying to form an energy policy for this country that is balanced. Some believe this country's future energy needs are simply going to be satisfied by digging and drilling. That will not be the case. We should produce more—yes, oil, gas, and coal—and do so in an environmentally sensitive way. There is no question about that. I support that.

However, if that is our only policy—digging and drilling—our energy policy is consigned to be “yesterday forever.” That is not what I want for an energy policy.

I discussed this with the energy policy experts at a hearing. We talked about Social Security 50 years from now. I asked: Do you have a notion of what we want for an energy policy 25 and 50 years from now, and if so, can you state what it is? The answer they gave me was: We will have to get back to you.

I think as a country, we ought to have a policy that, 50 years from now, aspires to do certain things. Let me describe why.

My first car was a 1924 Model T Ford. I bought it as an antique and restored it. As a young 14-year-old boy, I spent a lot of time with that old Model T Ford. A man named Tony owned it. I come from a town of 300 people, and Tony had it in the 1920s. A Model T Ford, for those who don't know, is like a little red wagon. When you turn the wheels too sharply on one of the red wagons, the front tips over because the wheel turns too far. The Model T Ford used to do that. It would jackknife if you turned too quickly.

This Model T was driven home from the bar one evening, I am told, and the driver apparently had a lot to drink. He thought he saw a group of chickens in the road. So he took the wheel of the Model T, turned it all the way over,

and jackknifed the front wheels. He was pinned underneath the car, and hot water from the radiator dripped on his ear. He lost part of the ear. After the Model T was fixed, he drove it home, put it in a granary, and there it sat for four decades. He never drove it again and never intended to drive again, all because of the phantom chickens.

My dad said I ought to write this fellow, who lived in Wisconsin. I was 14; I wrote to him and asked if he wanted to sell the Model T. Rats had taken the wires and the seat cushion, but there was the frame. He sent a letter back and he said: Not only will I sell it, but here is the key and the owner's manual. I want \$25.

So I bought a Model T Ford for \$25, and I restored it. It was a labor of love.

But the interesting thing about that 1920 Model T Ford is that you put gas in it the same way that you put gas in a car today. Mr. President, 75, 80 years later, automobiles are fueled exactly the same way: Go up to a gas pump, pull out a hose, stick it in, and fill it with gas. Nothing has changed. Everything else about our lives has changed, but nothing has changed about how we fuel our automobiles.

If you look at energy usage in this country, the most significant increase is in transportation. When we look forward 50 years, let's aspire to do things differently. What kind of energy use do we want? What do we aspire to do in conservation? What do we aspire to do in production? Do we believe we can have fuel cells? I drove a fuel cell car on the grounds of the Capitol awhile back. Can an automobile using a fuel cell be part of our future? If so, how much? How about ethanol? How about taking a drop of alcohol from a kernel of corn, with the protein feed stock left over, and using that drop of alcohol to extend our country's energy supply?

We are trying to write an energy bill that makes sense. The majority leader said, I commit, we are going to bring it to the floor during the first two months of the year—the first work period of the year, following our return in January. That energy bill is going to be about production—yes, environmentally sensible production with certain safeguards—conservation, which is important; efficiencies, which are also important; and in addition to that, we are going to talk about limitless, renewable energy sources, which can also contribute a great deal to our country's energy future, both with respect to petroleum and also with respect to electricity and the production of electricity.

So what the majority leader has said makes good sense. He understands that energy is a matter of national security. He is committed to bringing an energy bill to the floor. It is going to be an energy bill that is much more balanced than that which came out of the House, and it is not going to be “yesterday forever,” it is going to be a forward-looking, balanced plan. That is the way it ought to be. That is what this Con-

gress owes to the people in this country.

Let me turn to the issue of aviation just for a moment.

Yesterday, the Secretary of Transportation said he cannot meet the 60-day requirement of baggage screening that was in the legislation we just passed to try to promote safety with respect to air travel. I regret that. I am really not very interested in hearing a Secretary or anyone else telling us what they can't do. I am much more interested in finding out what they are doing to try to meet these goals.

We put in this legislation, which was coauthored by my colleague, Senator HOLLINGS, and Senator MCCAIN, and the chairman and ranking member of the Commerce Committee—we put in four alternatives how they might meet their obligations in the first 60 days. There are four different approaches that can be used.

I was mightily disappointed yesterday to hear the Secretary say we cannot meet those time deadlines. I am just not interested in hearing what cannot be done. We are at war at this point. We are told almost weekly that there are credible threats of additional terrorist acts in this country. We have soldiers in the field abroad, and we have, supposedly, terrorist threats here at home. The issue of this aviation security is a matter of homeland security and homeland defense. We cannot be talking about what can't be done. We have to talk about what we are aspiring to achieve and how we are going to try to meet deadlines.

That is very important. I hope the Secretary and others will understand our impatience with that kind of talk. I understand none of this is easy. It is not easy for anybody. Those young marines landing in Afghanistan, it is not easy for them or their families. None of this is easy for anybody. But we passed an aviation security bill because we must address this issue of safety in the air. God forbid that there be an explosion that will bring down an airliner in the coming weeks; God forbid that would happen. We must do everything we can, all of us, together, to assure safety in this country in a range of areas and especially safety with respect to airport security and aviation safety.

Finally, I wish to comment about a bill that is going to be brought to the floor, we hope, tomorrow, and that is the farm bill. I have talked to some of my colleagues who have hinted in recent weeks that they may hold up that farm bill, that they may block the motion to proceed. I encourage them not to do that. We have a farm law called the Freedom to Farm law that doesn't work at all. It is a terrible piece of legislation. Its premise was, let's not have a farm program and let's wean ourselves off it over 7 years, declining price supports over 7 years. During that period of time, what has happened is commodity prices have collapsed, family farmers are hanging on by their

financial fingertips, and we must, it seems to me, write a better farm bill.

The House of Representatives has done that. The Senate Agriculture Committee has done that. Now we have an opportunity to get it to the floor of the Senate late this week, perhaps tomorrow, and then pass the farm bill, get it into conference. I do not think it will be too hard to conference because it is not too different from the House of Representatives' bill. Different but not radically different. They are both a U-turn from the present Freedom to Farm law; they both recognize the need for countercyclical help for family farmers. It is very important to put a bill on the President's desk for signature to improve the farm law in this country and give family farmers a chance to make a living. It is very important that we have cooperation.

I am not here to point fingers or say anything bad about anything or anybody. I am just asking everyone in the Senate to work with us. Let's not filibuster this. Let's not take ourselves down a blind alley with amendments that have nothing to do with it. Join us to stand up for family farmers. Join us to stand up for those farm families who have struggled so hard in this country to make it.

When talking about security, food security is also part of our country's needs—the need for a secure food supply. Europe has understood that, and as a result of that they decided they would have a network of family producers across the land in Europe. They would stimulate the ability to retain family farms in Europe. That is good public policy. That promotes food security. We ought to embrace the same, in my judgment.

My fervent hope is that by the end of this week we will have enlisted the cooperation of all of our colleagues so we can debate a farm bill, put it into conference, and next week we can have a conference with the House and hopefully put a bill on the President's desk for signing as soon as possible.

I wanted to comment about those three items. All are timely and very important—energy, agriculture, and a farm bill. My hope is we will make progress on all of them in the times we have discussed, and I appreciate the cooperation of my colleagues as we begin to turn to this farm legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. THOMAS. Mr. President, I guess I will be in morning business because I wish to talk about a number of different items, if I may, for 10 minutes.

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

#### LEGISLATIVE PRIORITIES

Mr. THOMAS. Mr. President, what my friend from North Dakota just talked about describes where we are. We are down to the end of this year's activities. We are down to the end of this session. Yet we do not seem to have established for ourselves the priorities collectively that we should handle before we leave. I understand everyone has a little different point of view. Everyone has interests of their own. Everyone has things they have pursued and find most interesting. But the fact is, we have some things that have to be done. We have some things that I think most people would agree are priorities. But we have seemingly not been able to establish how we are going to spend our time.

For example, now on the floor is this railroad retirement bill. It is a bill most people would be happy to talk about. It should be talked about. But it doesn't need to be talked about now.

There are many items. Senators were already talking about, of course, the security of ships and docks, and so on. It is very important stuff. Is that where we are at the moment?

There is no doubt these issues are important, but there are lots of things we need to talk about. We have not finished our appropriations, which should have been done in August. They are still not done. We are having great debates over Defense appropriations, which of course is highly important. We ought to be doing that. We have some conference committee reports now that are available. We are not talking about those. So I have to suggest some of the things that have been brought up here are totally political and have to do more with posturing than they do with doing what we need to do.

We need to do appropriations.

I don't think anybody resists the idea that we need to do a stimulus bill. We don't have one we can agree on because we haven't been able to get together to do that. We ought to be able to do that.

I happen to think we need an energy bill. Again, it is not only a part of the economy but it is also certainly a part of our war on terrorism. As we get involved in the Middle East, we certainly have to take a look at what we do about energy.

It seems to me that one of the things we ought to do among ourselves is determine what our priorities are, and go about getting those things finished.

The longer we are here, of course, all of these ideas come up for spending. We ought to take a good look at where we are.

I happen to be on the Agriculture Committee, as does the Presiding Officer. I would look forward to an Agriculture bill. We don't even know what it costs. It has not been scored. It is a little unusual to be bringing something up that probably costs \$90 billion over 10 years and not having it scored to know what it costs when you bring it to the floor.

The current farm bill continues until August of 2002. If we did it in January, it probably wouldn't make a great deal of difference to the agricultural community then.

I think those are some of the issues which need to be talked about. We spent \$20 billion immediately after September 11. We spent an additional \$10 billion shortly thereafter. We spent an additional \$15 billion, \$10 billion of which was guaranteed loans for airport stability. We had a budget that we agreed upon of \$6.6 trillion for this year. That now has been increased to \$6.86, about a \$25 billion expansion of the budget which was requested. We have done that.

We have additional spending in line for defense of \$18 billion. Education will be up soon, I am sure, with another \$4 billion to \$5 billion increase. We have to take a look at that.

One of the things that is holding up the current bill is the idea of putting on \$15 billion more for internal security. The President said we have the money now, and he will let us know when we need more out of this original allocation. I hope we can come to grips with this idea of where we go and make some adjustments.

The railroad workers bill is an interesting one. Certainly everybody, including myself, supports railroad workers. This is an interesting one. I also happen to be on the Finance Committee. The Finance Committee has had no hearings on this bill. It is a bill that is interesting. It combines Social Security with private retirement funds. It has to do with moving that money out of the Government. The Government is responsible for this now under the Railroad Retirement Act. There is some great concern that if it moves, as has been suggested—and I don't think anyone knows exactly what the answer is going to be if the benefits are increased and the contributions are reduced over a period of time—railroad workers are in a situation where you have three people drawing retirement for everyone who is working. I think there has to be some assurance that if we do this and let this retirement program change, the taxpayers aren't going to pick up the tab.

I would very much like to see this be a private opportunity for the railroads and the workers to do whatever they would like to agree to but not ending up with the taxpayers picking up the tab. This bill adds benefits and reduces contributions.

Those are the kinds of questions we have to resolve, at least in my mind. Certainly, all of us are for doing all we can for railroad workers' retirement. But I think there are some real questions that have to be resolved.

In terms of the economic stimulus package, we have worked with that for a good long time now. Again, it has come out of the Finance Committee. There are different views as to what a stimulus is. We have talked to many

famous economists in the United States, and they are not sure exactly what is the best route.

Obviously, we have to do something to help people who are unemployed. I think there is a willingness to do that. On the other hand, what we are seeking to do is provide people with jobs. We do that by assisting business. We do that by accelerated depreciation. I believe we can come up with an answer to that and get that job done in a fairly short time. However, each side puts on conditions. So we have not done that.

I urge that we take the responsibility of determining what it is we need to do before we leave in this session and then decide what our second priorities are and put a definite time for next year and move forward with those. But we do not seem to yet be able to set that level of priority.

I urge we do that and be sure we give ourselves time to take a look at these bills—whether they be farm bills, whether they be retirement bills—and make sure we understand that they meet the vision of where we want to go.

We ought to think through agriculture. Where do we want to be on agriculture in 10 years? What kinds of things can we do in terms of conservation, research, and marketability, and in terms of having some kind of support mechanism for agriculture to keep it healthy and yet let it respond to the market.

Those are the things I think we want to accomplish over time. I think we have a great challenge and a short time to do it. I look forward to being a part of that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I say to my friend, the distinguished Senator from Wyoming, that, first of all, we are not wasting time because of anything we are doing. My friend referred to conference reports. We could do conference reports in a second if they were completed. The conferences have not been completed. There are four appropriations bills in conference—DC, foreign operations, Transportation, and Labor-HHS—which are simply not completed. We would take them up an hour after we got them if we could. We are not wasting time by not doing conference reports because there are no conference reports to do.

Also, we are not causing the delay. We have 74 cosponsors of the legislation that is now before the Senate. It is not something we dreamed up to take up a lot of time. You would think that 74 Senators would be an ample number to have a bill brought before the Senate and start talking about it a little bit. We think this bill should be passed very quickly. It is a very simple piece of legislation. All it says is that the widows of railroad retirees can invest money in the stock market. It seems to me that is what Members have been saying should be done with Social Se-

curity benefits. Why should widows be any different? I hope we will work together to try to resolve this issue.

I also say to my friend from Wyoming that Senator DASCHLE announced this morning that Senator BYRD decided to withdraw his homeland security amendment and work with it on the Defense appropriations bill. Senator BYRD and I held the first press conference on his piece of legislation. I am an avid supporter of what Senator BYRD is going to accomplish—not trying to accomplish. He is going to accomplish it one way or the other. I am an avid supporter of that. But for all the Members who are saying we would be happy to sit down and negotiate on homeland security, we are rid of that. Senator BYRD is going to take care of that in the Defense appropriations bill.

It is going to take care of issues that are so important to this country—issues that I think are long overdue. It deals with protecting against bioterrorism and law enforcement and border security. For example, \$2 billion will go to help State and local law enforcement departments across the Nation to prevent terrorist attacks. There is money for FEMA to give grants to States and local communities to strengthen their firefighting capabilities and capacities. There is money for funding the FBI, Customs Service, Coast Guard, FAA, and other Federal law enforcement agencies to support antiterrorism activities. There is money to strengthen and secure our Nation's borders, and to beef up the Immigration and Naturalization Service, and the Customs Service.

We know terrorists can come over the Canadian border. We need to give our Border Patrol more help.

In our bill, Senator BYRD and I are talking about the "outlandish" proposal to have a database to monitor foreign student visas. That does not seem too out of line to me. We are going to do that. We should do it in the economic stimulus package, but that is OK. We believe the economic stimulus package is so important that Senator BYRD has agreed to take it off of it. I repeat, his legislation—which will become reality—will be put in the Defense bill.

We are going to help airports increase law enforcement protection. We are going to fund the FAA research on improved security equipment. We are going to fund closed-circuit television systems and surveillance, which is so important, especially in our transit systems. We are going to improve surveillance. And we are going to take care of safety vulnerabilities at Amtrak stations.

We are going to have security for our Nation's ports, railroads, and ferries. Senator HOLLINGS and Senator GRAHAM were in the Chamber today talking about how important this is. It is important. We are going to take care of part of that in the Defense bill because it is part of the defense of this country. We are also going to make sure the

mail, Federal computer systems, and other security systems are protected.

I say this because the time has passed. If we are going to do something that is going to stimulate the economy, we need to do it now. One way that we can certainly stimulate the economy is to make sure the people who were displaced because of the September 11 tragedy—there are people there who have not qualified for unemployment benefits. When I say "there," I don't just mean in New York. For example, we have a great welfare-to-work program in Nevada. Most programs work great when times are good, but when times are not so good, they do not work very well. We have people who have gone from welfare to work who do not qualify for unemployment benefits. We want them to become part of the workforce. We want them to qualify for unemployment insurance.

That is what our legislation does in our economic stimulus. We want to make sure these people are part of the workforce of America. There is no better way of doing that than making them feel part of it.

We also believe we should do the same thing President Bush's father did on four separate occasions, which is to extend unemployment benefits for 13 additional weeks. President Bush, Sr., did that. We believe this would stimulate the economy.

Workers need assistance now. The economy needs stimulus now. The best way to accomplish both of these goals is to give relief to workers who need it the most. People who are out of work need it the most.

Economists across the country agree that providing relief to low- and moderate-income families is one of the most effective ways to stimulate the economy. We believe in stimulating the economy right away by putting money in the hands of the people who most likely will spend it: dislocated workers and their families.

Studies have shown that for every dollar invested in unemployment insurance, we generate \$2.15 in gross domestic product. This comes from the Department of Labor study that was conducted less than 2 years ago.

A 1990 study by the Department of Labor estimated that unemployment insurance mitigated the real loss in GDP by 15 percent in the last 5 recessions, and the average peak number of jobs saved was 131,000.

Joseph Stiglitz, Nobel Prize winner in economics, has stated:

We should extend the duration and magnitude of the benefits we provide to our unemployed. This is not only the fairest proposal but also the most effective. People who become unemployed cut back on their expenditures. Giving them more money will directly increase expenditures.

This isn't a statement from some radical. It is from Joseph Stiglitz, Nobel Prize winner in economics, who said the best way to help the slow economy is to give people who are out of work money.



The Congressional Research Service concurs with Stiglitz. They say:

Extending unemployment compensation is in fact likely to be more successful for stimulating aggregate demand than any other tax or transfer charges.

America's working families must not be left behind when Congress acts on an economic recovery package. Providing unemployment benefits is the best way to provide relief to workers and to stimulate the economy.

In August of this year, more than 800,000 workers had exhausted their unemployment benefits yet remained unemployed. And it has only gotten worse. The current unemployment insurance program must be supplemented to help dislocated workers and their families through these difficult times.

Currently, States provide up to 26 weeks of unemployment insurance benefits. The weakening economy has made it harder for workers to find new jobs.

Larry Lawrence, the President's chief economic adviser, said unemployment benefits only keep people from looking for a job. That is pretty mean. That is unfair. And it is wrong.

For the week following September 11, the Department of Labor reported that unemployment insurance claims reached a 9-year high.

In October, the month after the September 11 incident, the unemployment rate jumped to 5.4 percent, the largest 1-month increase in more than 20 years.

Next year, approximately 5 million people will use all of their 26 weeks of benefits and will still be without a job. Business tax cuts and income rate reductions will provide little relief for these workers.

Even Congressman DICK ARMEY, the majority leader in the House of Representatives, predicts the House-passed stimulus bill would increase employment by only a few thousand jobs.

I remind everyone of what Mr. ARMEY said. I pulled this piece of paper out of my wallet. Here is what he said:

Medicare has no place in a free world. Social Security is a rotten trick. I think we're going to have to bite the bullet on Social Security and phase it out over time.

This is what we are faced with in the House, and it is just not fair.

We believe we propose genuine recovery assistance. The Senate Democratic proposal would provide 13 weeks of extended benefits to anyone with benefits expiring after September 11 and extend coverage to part-time and low-wage workers—those are people I talked about earlier—and supplement monthly unemployment insurance benefits by 15 percent or \$25—that is how much money we are talking about—which ever is greater.

So our worker relief plan would provide assistance to millions of American workers and their families. We know that rhetoric alone will not help these people. American workers deserve real relief, and they deserve it soon.

I am happy to see the majority leader in the Chamber. I say to the majority

leader, as he comes to the floor, I am happy to have you in the Chamber because we were just told by the other side that we are wasting time, that we should be doing conference reports.

I have just announced we have no conference reports to do. The appropriations conference committees are still working on those. I indicated to everyone here assembled, if we received a conference report, the majority leader would move to that conference report within hours.

So I am glad to see the majority leader in the Chamber. The fact is, we are moving as quickly as we can. I was happy to hear the Senator announce today to the press that Senator BYRD decided to allow us to move forward with the stimulus package, and he is going to work on the Defense bill. That is my understanding.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I will use my leader time to make a couple of comments.

First, I again thank the assistant Democratic leader, and my colleague from Illinois, and other Senators who participated in the colloquy this morning. I am disappointed that somebody would suggest we are wasting time when it is, of course, the fact that our Republican colleagues have chosen to filibuster the railroad retirement bill. We could have had a vote on it with amendments related to it yesterday and today. Because we were forced to file cloture on a motion to proceed, we are not able to bring up the railroad retirement bill. Therefore, we have to wait until tomorrow for us to have the opportunity to vote just to be able to take up the Railroad Retirement Act.

It is disappointing. I hoped that somehow we could have reached some accommodation schedule-wise. So far, that has not been possible on railroad retirement.

Senator LOTT and I have been discussing matters relating to the economic security package over the last couple of days. We had a very good meeting again this morning with the President and the Speaker and the Democratic leader in the House. I offered a proposal at that time on which we have been working since that breakfast. Basically, the proposal could only be made as a result of tremendous work done by our chairman of the Appropriations Committee, Senator BYRD.

Senator BYRD has made the decision to offer his piece, the homeland security piece of our economic stimulus package, to the Defense appropriations bill in the Committee on Appropriations, and that will occur, of course, just as soon as the House sends us the Defense appropriations bill. It has not been sent over yet. It is my understanding that they may actually send it over today or tomorrow. That will then give us an opportunity to consider the Defense appropriations bill. At that time, it is Senator BYRD's intention to

offer homeland security to the Defense appropriations bill. It is also my understanding that he will pare back the overall cost of the proposal in an effort further to reach consensus and compromise.

I don't know how Senator BYRD can go much further than he has. We have now divorced it from the revenue package offered on the Senate floor. He has pared it back substantially from what it was originally. He has now suggested using it as an amendment to another vehicle so that we can move forward on the economic security piece proposed to us by the Senate Finance Committee.

Those are three very critical steps. I hope our Republican colleagues might reciprocate in working with us now on the homeland security piece as well.

What that does do is allow us now to work in concert with our Republican colleagues, both in the Senate as well as in the House, to arrive at perhaps an agreement, a compromise on the non-homeland-security-related part of our economic stimulus package.

I have called a meeting for this evening at 6:30. I have just now spoken to both the Republican leader in the Senate and the Speaker. My staff and others have talked to Senator BAUCUS, chairman of the Finance Committee, and to Congressman GEPHARDT. We will hope tonight to sit down and begin the deliberations that might allow us some way to break the impasse that has existed for a couple of weeks.

It is my sincere hope we can do that. I urge my colleagues to work in good faith to arrive at a consensus sometime this week so we can complete our work on the economic stimulus bill next week.

I yield to the Senator from Illinois.

Mr. DURBIN. If the majority leader has completed his remarks, I would like to comment to say I think what he has said this morning is further evidence of the efforts that have been made on this side of the aisle to try to enact an economic stimulus package that is balanced and fair and really will help America move forward.

Whether we live in South Dakota or Illinois or in the State of Georgia, we know we have faced a downturn in the economy which has cost us thousands of jobs across America. I have met with some of these workers. Since August 21, more than 800,000 of them have exhausted their unemployment insurance benefits. They still remain unemployed. In the week following September 11, the Department of Labor reported that unemployment insurance claims reached a 9-year high. So the economy was soft going into the tragedy of September 11 and certainly aggravated by that terrible event.

We have seen a dramatic loss of jobs across America in so many different industries. As to the airline industry, where we tried to make a heroic effort to provide a lifeline to that industry to keep the planes flying, we may have given them some hope, but certainly



they have had to lay off employees and cut back schedules. That is one of the most serious problems we face in terms of our domestic economy.

For the unemployed workers across America, the Democratic stimulus package proposes that we give them additional coverage for at least 13 weeks so they will be able to have some way of feeding their family, keeping them together, paying the rent, and paying the utility bills during the winter months. I don't think that is unreasonable. We know these people are going to spend the money given to them because they are trying to struggle to survive under the most difficult, if not impossible, circumstances.

We have also tried in our bill to expand health insurance coverage for the unemployed. Can you think of any worse situation, as the head of a household or head of a family, than to not have health insurance for yourself, your wife, or your children? Imagine if you are unemployed on top of it. That is what is going on for thousands of Americans.

On the Democratic side, we have tried to say that part of any economic stimulus package should remember these workers, these working families, and not forget them.

Sadly, the contrast is so obvious with the Republican approach: In the House the Republicans, proposed massive tax cuts not for working families or average Americans but for the biggest corporations in America. Some \$25 billion goes to just a handful of corporations. They are corporations that paid an alternative minimum tax over the last 15 years. The Republicans have said, let's refund the money they paid. The House Republicans passed that package.

It would give to one corporation \$1.4 billion. We don't know if that corporation would take the money and give it to the corporate officers in terms of salary or income or whether they would pass it along in terms of dividends. We frankly don't know that it would encourage any growth in the economy.

On the Senate Republican side, the stimulus bill accelerates the tax cut rates for the highest income earners in America. Again, the Republicans have forgotten the average working family, the person struggling to survive.

What Senator DASCHLE, the majority leader, has said to us this morning is that our door is still open, the table is still there for us to come together with Republicans. If we are going to do something for the economy, let's do it now. Let's do it in a timely fashion. Let's do something that truly will help and won't hurt us in the long run. The Republican proposals which we have seen don't meet that test. The Democratic proposals do.

I salute Senator BYRD from West Virginia. He is now going to add to the Defense appropriations bill an amendment to provide homeland defense funds for counties and cities and States across America that are trying to deal

with the issue of security. We are happy to read the morning reports that we are winning the war in Afghanistan, but Americans want to know that they are safe. Their safety depends on the very best law enforcement in Washington and in the communities, the best public health facilities in their local communities. That means we have to help them. We have to provide the resources to give peace of mind and safety to families and communities across America.

Senator BYRD's proposal moves in that direction, for law enforcement, first responders, for public health, for infrastructure security, for security in transportation, such as Amtrak. All are essential to make America safe and give us peace of mind.

I see the minority leader on the floor. I don't want to take any additional time. I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. LOTT. If Senator DASCHLE will allow me to comment on the remarks he made before I came to the Chamber, I think it is a wise agreement or decision to move the homeland issue over to the appropriations area and allow us to go forward to see if we can find a way to come to agreement on the stimulus package. I didn't hear exactly what was said, but I think this is a good thing to do. We need to do it sooner, not later. If we didn't get started communicating bicamerally and bipartisanly until next week, it would make it even more difficult to get our work done in a reasonable period of time.

I believe the parameters of the agreement are out there and pretty obvious. We don't want it to be just a spending program that doesn't contribute in a stimulative way to the economy. You can argue that some spending would have more effect than others. Some of the program is going to have to be aimed at the unemployed and the health needs of the unemployed. We have to also make sure we have provisions in there, whether they are tax or even spending, that will have a quick effect on the economy and a positive effect in encouraging growth.

So I think within those parameters, which we all seem to be saying in the same way—although we are accused of not caring about the working families; that is clearly not our intent—we want to make sure people who lost their jobs have the help they need. More importantly, we want to help them get a job. So I think to get started is a positive thing. I am pleased we have found a way to do that.

I would be glad to yield for a comment or question to Senator BAUCUS, but I don't want to delay the majority leader.

Mr. BAUCUS. Mr. President, I think this is a very good development. I compliment the majority leader, as well as Senator LOTT from Mississippi, for working together. I particularly compliment Senator BYRD for being very

helpful in helping to break this impasse.

I feel strongly that the outlines of putting together an agreement on an economic stimulus package are there. We need it. The White House knows we need it. Democrats know it and Republicans know it. The basic outlines are pretty clear, and I pledge my effort to work toward an agreed-upon solution that will pass both the House and Senate quite easily. I thank the leaders for the efforts.

Mr. DASCHLE. Mr. President, I had intended to make a unanimous consent request, but at the request of the Republican leader, I will withhold that at this time.

We have 7 business days left before the hopeful deadline we have attempted to impose upon ourselves. I say "hopeful" because there are so many outstanding questions that it may simply be impossible to complete our work by a week this coming Friday. I noted yesterday my intent was that we would be in conferences after that and come back for whatever votes on conference reports would be required, subject to notification of all Senators. But that would require two things. First, it is going to require we maximize the use of every day between now and next Friday, a week from this coming Friday.

Secondly, it is important to have as much cooperation as possible. In order for that to occur, we have to make use of every day. We can't simply wait around for an economic stimulus package, or a conference report, or whatever else we may find the need to address prior to the time we finish our work in this session of Congress.

So it will be my intention to ask unanimous consent that the economic stimulus package be the pending issue, subject to our ability to bring up other bills as we wait for our negotiated agreement on the economic stimulus package.

Right now, of course, we have the railroad retirement bill pending. I would like to take up the farm bill. There will be the terrorism insurance bill that we will have to take up. We will have nominations to take up. That doesn't mean we displace the economic stimulus package or lessen in any way its priority. What it simply means is that, to the maximum degree possible, we are going to use every hour of the days remaining so we can accommodate this maybe-too-idealistic goal we have for completing our work.

I will make that request, but I certainly will accommodate all Senators before I make it. I will return to the floor this afternoon at a time that Senator LOTT and I can agree upon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

#### WOMEN IN AFGHANISTAN

Mrs. HUTCHISON. Mr. President, I rise to talk about the issue of the plight of women in Afghanistan. I am very pleased that the Senate-passed

bill has now passed the House of Representatives and it is on its way to the President.

The bill makes sure any aid the United States gives to Afghanistan after the fall of the Taliban—and we hope that is very shortly—will also be available to women and children—especially to women and children—because they have suffered so greatly under the Taliban.

We passed the bill the week before Thanksgiving. The House passed it yesterday. What we are saying to the world is that we are going to come together to make sure girls are not excluded from education in a country where we have anything to say. Of course, we do have something to say because we are trying to help liberate the people of Afghanistan from the Taliban regime, as part of our effort to go after Osama bin Laden and the al-Qaida network.

We didn't really know how the women were being treated until it was brought out in the news accounts. For 5 years, girls have been denied education in that country. Afghanistan is a country that, before the Taliban took over, had women doctors and teachers, and women were very much a part of the society. They were Members of Parliament. When the Taliban took over, they went back to an extreme position, far beyond what is just holding women back—beating them on the streets if their burqas were in any way allowed to flap open in the wind.

Mr. REID. Will the Senator yield for a question?

Mrs. HUTCHISON. Yes.

Mr. REID. I appreciate the Senator coming here and lending her leadership on this issue. The Senator and I are circulating a letter that will call for the new government, whatever it is, to make sure it includes women.

In the form of a question, I say to my friend, it is very clear that for the last 6 years girls have not been able to go to school. But in Afghanistan, there are a lot of educated women—doctors, engineers, civil servants. I hope all the men meeting in Germany now will take into consideration some of these women who have been forced, because of the burqas and all this other radical movement toward causing women to become nonentities—that they will bring those women out of obscurity and back into the forefront where they should be and be part of this new government.

Would the Senator agree that is the way it should be?

Mrs. HUTCHISON. I appreciate so much what the Senator from Nevada has said because, of course, it is true. I think bringing this point home is important while they are meeting in Germany to try to form a government that is inclusive of the different tribes.

Certainly, we respect that there is a different culture there. But there is no culture in the world that can be acceptable if women are beaten on the streets because they wear high-heeled

shoes, or if they are beaten because they go outside without a male escort, and even to take their son to the doctor, when there is no male escort to help them. That is the kind of treatment these women have received.

I thank the Senator from Nevada for working with us, along with all the women of the Senate, and Senator BROWNBACK as well, to speak out as a country and say that not educating girls, not allowing women to have health care—which is exactly what has happened under the Taliban; they would not allow women doctors to treat women who were sick. That is why the rate of death in Afghanistan is one of the highest in the world. The rate of death of children is outrageous. One in four children in Afghanistan will die from bad food and water and other causes. One in four, that is a stunning statistic; 25 percent of every child in a country dying?

We have to speak out. We can do something, and that is what gives me great hope. We are going to be able to put our money, the generosity of the American people, to work to rectify a terrible tragedy and bring the girls into an educational system. We can make up for those 5 years, and we can show the girls they have a future, too; that they can be a part of the rebuilding the country they love.

I was struck by the stories of the two American missionaries who were prisoners and who were bravely rescued by the U.S. military and by the Northern Alliance military. They are quite devoted to Afghanistan. They see the greatness in the Afghan people, but they saw the treatment of the women. Even though they were treated well—thank goodness they were—they saw the beatings of Afghan women by the Taliban prison guards.

This is something that is beyond politics; it is beyond any disagreement one might have: That people be treated with decency and that women, who are most vulnerable, not be beaten; that they would not be kept from receiving health care for afflictions that will shorten their lifespans, if not kill them directly; that they would not be assassinated in the public arena while people are cheering, which we saw on television. This is a matter of human decency, and it is a matter about which all of us are coming together to speak against.

I was very touched by our First Lady, Laura Bush, speaking out for the women of Afghanistan and making it an issue of great priority for her, and saying the United States is going to be there to rectify this terrible situation.

We did not go in to take over Afghanistan. We went in to get the al-Qaida network that has killed thousands of Americans to make sure that network cannot operate ever again to harm freedom-loving people in the world.

As part of the education we have all received, we have learned of the atrocities that have been endured by the women of Afghanistan, and our First

Lady led the way, along with Cherie Blair, the wife of the Prime Minister of Great Britain, who have said: We are in this together, and we are going to speak out to make sure that women are part of the government, that women are part of the solution and a part of the rebuilding of a country that can, once again, live in peace and prosperity.

I appreciate the leadership of our First Lady, Laura Bush. I appreciate the leadership of the women in the House and Senate coming together to pass a bill that I feel sure the President will sign quickly. I am proud that Republicans and Democrats are coming together, that Americans, British, and people from all of the countries that are helping us in this quest to wipe out terrorism are coming together to say we will not forget the women of Afghanistan, and we want them to be a part of a country that prospers, where children are happy, educated, and safe.

I thank that Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, my understanding is that we are on a motion to proceed to the Railroad Retirement and Survivors' Improvement Act and tomorrow we will have a cloture vote. It is a vote on whether or not we will proceed to the bill.

At the moment, this legislation is being blocked. This legislation passed overwhelmingly in the House. The vote was 384 to 33. There are 75 cosponsors in the Senate. It was not hard for many of us to become original cosponsors. It just seems to be the right thing to do: Expansion of benefits to widows and widowers—I am not going to go through the specifics because others have spoken about the bill—liberalized early retirement, and liberalized vesting.

The best politics I know—I think I can get a smile from the Senator from Georgia who is presiding—is at the Minnesota State Fair. It is incredible; in 2 weeks, half the State's population comes. It is very serious politics. Nobody has a lobbyist with them. Everybody counsels one, and no more than one. People come up to wherever you are and talk about issues that are important to them, calls they have made to your office, letters they have written, whether you responded, whether you helped. It is very personal and very important. It is the very best politics I know. It is "grassroots" politics at its best.

At the last Minnesota State Fair, did I ever hear from some of these retired railroad workers and their families. This is important to them. They made a very poignant appeal. This is important to their financial lives from their point of view, and from my point of view it is a matter of fairness.

I do not believe they understand—the way, I am not putting them down for this. I do not think most people understand Senate rules and how things can be blocked or filibustered. Other

Senators would wonder about me if I were to say: How dare you block this. I have done a fair amount of blocking during my time in the Senate.

Frankly, unlimited debate and unlimited amendments is what makes this body unique. It means any one Senator, if they know the rules and know the leverage, if they want to change the topic of conversation, if they want to focus on a different issue, if they feel strongly about something, can speak out for what they believe and what they think is best for the people they represent. They can fight hard.

Every Senator has a right to use their rights. That is what is happening with this bill. I appeal to colleagues to let this legislation go through. This is important to many hard-working families as they move into their sixties, seventies, and hopefully eighties and nineties. It is important to them.

I appeal to my colleagues to let us proceed. I say to my colleagues—if they want to amend this bill, go ahead, but I appeal to colleagues not to add on different legislation which will then create a quagmire and snarl everything up. We should push this legislation forward and pass it. It is the right thing to do for these families.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLELAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### HARSH PENALTIES FOR BREACH OF SECURITY AT AIRPORTS

Mr. CLELAND. Mr. President, I rise today to announce my intention to introduce a bill to provide Federal criminal penalties for security breaches at American airports. I make this announcement on the heels of my own experience with a security breach at Hartsfield International Airport. I have no way of knowing the reasons behind the security breach at Hartsfield, but the results of it were startling. The event triggered the total evacuation of the Atlanta airport and a temporary halt of incoming and outgoing air traffic. I might say I have been marooned on the tarmac at Hartsfield many times, but never with 60 other aircraft. I spent 4 hours on the tarmac, and many more hours waiting for my connecting flight, which I basically rendezvoused with and arrived at my destination the next day. Thousands of other travelers were also stranded while the ripple effects were felt across the country.

Thankfully, nobody was hurt in this instance, and people's worst fears of another terrorist attack were not realized. But a loophole in existing law has been revealed in the days since the incident, and has shown that breaches at airport security checkpoints are cur-

rently punishable by local criminal penalties and Federal civil penalties, but not Federal criminal penalties. Incidentally, the current Federal civil penalty for such a breach currently carries a fine of \$1,100.

In an incident that probably cost the State of Georgia, the airlines, and this country about \$10 million in economic impact, that is a small pittance to pay—\$1,100.

As we have learned in the most painful way possible, airport security is a matter of national security, and for there to be no Federal criminal penalty for such a breach is appalling. It was relieving to find that there appeared to be no nefarious intent in the Atlanta instance, but it was very disconcerting to learn the shortcomings of our Federal laws in a situation like this.

While a Federal criminal penalty does cover security violations aboard airplanes themselves, I believe similar penalties should be available for violations before a person actually boards a plane. I would like to stress that I do intend to include provisions to make distinctions between deliberate and unintentional breaches. The legislation is currently being drafted and vetted, and will be introduced in the near future.

The two main intentions of this bill are to provide uniformity and accountability for breaches of security across the Nation. Congress and the President have agreed that it is the responsibility of the Federal Government to protect our airports, and the laws should reflect that. It should also provide the same penalty for breaches in New York City, Columbus, OH, and Columbus, GA. The offense is the same, and the laws should be too.

Mr. President, I yield the floor.

#### RECESS

Mr. CLELAND. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 today.

There being no objection, the Senate, at 12:19 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. STABENOW).

The PRESIDING OFFICER. In my capacity as the Senator from Michigan, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 2001—MOTION TO PROCEED—Continued

Mr. BAUCUS. Madam President, I support the motion to take up H.R. 10 so we can consider the retirement bill as an amendment. Let me explain why this bill is necessary and then I will re-

spond to some of the criticisms that were made yesterday.

By way of background, the Federal railroad retirement system has served railroaders and their families for 65 years. Its roots reach back to the 1930s, in a struggle to find answers to the hardships that resulted from the Great Depression. Today, the system provides benefit payments to more than 673,000 retirees and other beneficiaries.

The railroad retirement system actually has two components. Tier 1 is largely equivalent to Social Security. Tier 2 provides additional benefits and is equivalent to a private pension plan. Both are funded by taxes that are paid entirely by railroad companies and railroad workers.

Let me stop here and stress a critical point. Every single change that we make in this bill applies only to tier 2. Again, tier 2 is equivalent to a private pension program. In other words, we are only addressing how railroad retirement operates as a private pension plan. We are not making any changes to the part of the program that is largely equivalent to Social Security.

So where do things stand? At one point, the Railroad Retirement system was in deep trouble. Just like the Social Security system. In fact, in 1983, we had to permanently cut benefits and increase taxes, in order to get the system back on its financial feet.

But there's good news. Today, the Railroad Retirement system is fiscally strong. There's a surplus, of \$19 billion.

On top of that, the most recent report by the Chief Actuary concludes that no cash-flow problems are expected to arise over next 75 years. In other words, the system is solvent. I'll say it again. The system is solvent. Over the short term, and over the long term.

That's good news.

Among other things, it gives us the opportunity to consider some basic improvements in the operation of the railroad retirement program. That's what this bill is all about.

After years of careful deliberations between railroad companies and railroad unions, the bill is designed to make two basic reforms.

First, the bill improves the investment returns of the Railroad Retirement Account. Currently, the taxes collected in the Railroad Retirement Account can only be invested in U.S. government securities. Actuarial projections assume an annual return of 6 percent on these investments.

This bill would allow a portion of the assets to be invested in a diversified investment portfolio that includes private-sector securities. In other words, the portion of assets attributable to private industry contributions could be invested in the same way that the assets of private sector retirement plans can be invested.

Over the long run, this would increase the rate of return on the investment of railroad retirement assets. I grant that this proposal may have