

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 1622: A bill to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001. (Rept. No. 107-120).

S. 1637: A bill to waive certain limitations in the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001. (Rept. No. 107-121).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DOMENICI:

S. 1791. A bill to amend the Internal Revenue Code of 1986 to provide for economic security and recovery, and for other purposes; to the Committee on Finance.

By Mr. BAYH (for himself, Mr. McCAIN, Mr. CLELAND, and Mr. LIEBERMAN):

S. 1792. A bill to further facilitate service for the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. REED, Mr. GREGG, Mr. DEWINE, Mr. CONRAD, Mr. WARNER, Mr. SESSIONS, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. HUTCHINSON, Mr. ENZI, Mr. WELLSTONE, and Mr. DAYTON):

S. 1793. A bill to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CLELAND:

S. 1794. A bill to amend title 49, United States Code, to prohibit the unauthorized circumvention of airport security systems and procedures; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mr. HAGEL, and Mrs. BOXER):

S. Con. Res. 90. A concurrent resolution expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea; to the Committee on Foreign Relations.

By Mr. HELMS (for himself, Mr. LUGAR, Mr. KERRY, and Mr. HAGEL):

S. Con. Res. 91. A concurrent resolution expressing deep gratitude to the government and the people of the Philippines for their sympathy and support since September 11, 2001, and for other purposes; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1209

At the request of Mr. BINGAMAN, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Washington (Mrs. MURRAY) were added

as cosponsors of S. 1209, a bill to amend the Trade Act of 1974 to consolidate and improve the trade adjustment assistance programs, to provide community-based economic development assistance for trade-affected communities, and for other purposes.

S. 1262

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1262, a bill to make improvements in mathematics and science education, and for other purposes.

S. 1456

At the request of Mr. BENNETT, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1456, a bill to facilitate the security of the critical infrastructure of the United States, to encourage the secure disclosure and protected exchange of critical infrastructure information, to enhance the analysis, prevention, and detection of attacks on critical infrastructure, to enhance the recovery from such attacks, and for other purposes.

S. 1499

At the request of Mr. KERRY, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1499, a bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

S. 1619

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1619, a bill to amend title XVIII of the Social Security Act to provide for coverage of substitute adult day care services under the medicare program.

S. 1663

At the request of Mrs. CLINTON, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1663, a bill to amend title 4, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed.

S. 1707

At the request of Mr. JEFFORDS, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1717

At the request of Mr. FRIST, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cospon-

sor of S. 1717, a bill to provide for a payroll tax holiday.

S. 1745

At the request of Mrs. LINCOLN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1745, a bill to delay until at least January 1, 2003, any changes in medicaid regulations that modify the medicaid upper payment limit for non-State Government-owned or operated hospitals.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 1791. A bill to amend the Internal Revenue Code of 1986 to provide for economic security and recovery, and for other purposes; to the Committee on Finance.

Mr. DOMENICI. Madam President, the economy remains weak and the unemployment rate released last Friday for the month of November topped 5.7 percent. This is the highest level in over 6 years, and many economists expect it to exceed 6 percent in the coming months.

Recently the economy officially was put in the category of "recession" beginning last March by the National Bureau of Economic Research.

The economy measured by its gross national product, declined at a 1.1 percent rate in the third quarter of this year.

Corporate profits are down nearly 22 percent compared to last year, and consumer confidence is down 51 points in three months, the steepest drop since 1980.

While there are a couple of "not so bad" economic factors out there, low consumer prices, low interest rates, low oil prices for consumers, and record high auto sales, these all could be temporary phenomena related to a broader weak economy and low consumer demand.

For all these reasons, I believe Congress needs to act on a stimulus bill before it adjourns this first session of the 107th congress.

The American public deserves action on a stimulus bill and we need to act quickly. Too much time has passed and we cannot let politics as usual keep us from putting together a bill that can achieve wide bipartisan support quickly.

I have come to the conclusion that we should adopt a bill that is not controversial, politically speaking, and that can actually do some good for the American economy in a short time period.

I therefore am introducing today a bill that does three very simple things that I think we can all agree on:

First, a one-month payroll tax holiday, that will provide relief from the regressive payroll tax. It would eliminate the need for both employers and employees to pay the current 12.4 percent tax.

I have found wide bipartisan support for this proposal. Unfortunately it is

probably too late now to implement it successfully in the month of December but I still believe it can be enacted in time to provide real relief in the first month of 2002.

This proposal will provide nearly \$40 billion in immediate, temporary tax relief to working Americans and businesses, and to State and local governments that must pay the tax also.

Second, expand the safety net for working Americans by extending unemployment insurance for 13 weeks, and providing nearly 300,000 part time workers eligibility for unemployment insurance benefits and adjusting the "base period" for determining eligibility. These latter two changes were recommended by a blue ribbon commission charged with making recommendations for reforming the UI program.

In total the changes I am recommending would increase the cost of the program by about \$9 billion this year, and only \$12 billion over the next decade.

Finally, the bill I am proposing today would provide for an enhancement of expensing for capital purchases, a 20 percent bonus for depreciation with a 3 year sunset. The tax benefit to businesses for new capital purchases would be nearly \$26 billion this year, and \$12 billion over the next decade.

In total, these three provisions, packaged together to provide quick and affordable economic stimulus, would not exceed \$73 billion this year and less than \$62 billion over the next decade.

Like so many on my side I wish we could do more in the way of speeding up the marginal tax rate cuts we enacted last spring, but it is clear that that can not pass the political test of other side.

Some on the other side want to have a major expansion of health care benefits in any stimulus package, but it should be clear now that that will not pass the political test on this side of the aisle.

For these reasons, I believe with time running short, this is the best possible package that we can put together that will win wide bipartisan support in the shortest amount of time and I encourage those directly involved in the, what appears to be faltering negotiations on a stimulus bill, to look at this package as a solution to acting quickly.

I submit the bill to the desk for referral and I ask unanimous consent that the bill and a table outlining the proposal be printed in the RECORD.

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

S. 1791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) **SHORT TITLE.**—This Act may be cited as the "Economic Security and Recovery Act of 2001".

(b) **REFERENCES TO INTERNAL REVENUE CODE OF 1986.**—Except as otherwise expressly

provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—BUSINESS PROVISIONS

Sec. 101. Special depreciation allowance for certain property acquired after September 10, 2001, and before September 11, 2004.

TITLE II—PAYROLL TAX HOLIDAY

Sec. 201. Payroll tax holiday.

TITLE III—TEMPORARY EMERGENCY UNEMPLOYMENT COMPENSATION

Sec. 301. Federal-State agreements.

Sec. 302. Temporary emergency unemployment compensation account.

Sec. 303. Payments to States having agreements for the payment of temporary emergency unemployment compensation.

Sec. 304. Financing provisions.

Sec. 305. Fraud and overpayments.

Sec. 306. Definitions.

Sec. 307. Applicability.

TITLE I—BUSINESS PROVISIONS

SEC. 101. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.

(a) **IN GENERAL.**—Section 168 (relating to accelerated cost recovery system) is amended by adding at the end the following new subsection:

"(k) **SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.**—

"(1) **ADDITIONAL ALLOWANCE.**—In the case of any qualified property—

"(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 20 percent of the adjusted basis of the qualified property, and

"(B) the adjusted basis of the qualified property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

"(2) **QUALIFIED PROPERTY.**—For purposes of this subsection—

"(A) **IN GENERAL.**—The term 'qualified property' means property—

"(i) (I) to which this section applies which has a recovery period of 20 years or less or which is water utility property, or

"(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

"(ii) the original use of which commences with the taxpayer after September 10, 2001,

"(iii) which is—

"(I) acquired by the taxpayer after September 10, 2001, and before September 11, 2004, but only if no written binding contract for the acquisition was in effect before September 11, 2001, or

"(II) acquired by the taxpayer pursuant to a written binding contract which was entered into after September 10, 2001, and before September 11, 2004, and

"(iv) which is placed in service by the taxpayer before January 1, 2005.

"(B) **EXCEPTIONS.**—

"(i) **ALTERNATIVE DEPRECIATION PROPERTY.**—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

"(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

"(II) after application of section 280F(b) (relating to listed property with limited business use).

"(ii) **ELECTION OUT.**—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

"(iii) **REPAIRED OR RECONSTRUCTED PROPERTY.**—Except as otherwise provided in regulations, the term 'qualified property' shall not include any repaired or reconstructed property.

"(iv) **QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.**—The term 'qualified property' shall not include any qualified leasehold improvement property (as defined in section 168(e)(6)).

"(C) SPECIAL RULES RELATING TO ORIGINAL USE.—

"(i) **SELF-CONSTRUCTED PROPERTY.**—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (iii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property after September 10, 2001, and before September 11, 2004.

"(ii) **SALE-LEASEBACKS.**—For purposes of subparagraph (A)(ii), if property—

"(I) is originally placed in service after September 10, 2001, by a person, and

"(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

"(D) **COORDINATION WITH SECTION 280F.**—For purposes of section 280F—

"(i) **AUTOMOBILES.**—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by \$4,600.

"(ii) **LISTED PROPERTY.**—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2)."

(b) **ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.**—

(1) **IN GENERAL.**—Section 56(a)(1)(A) (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following new clause:

"(iii) **ADDITIONAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2004.**—The deduction under section 168(k) shall be allowed."

(2) **CONFORMING AMENDMENT.**—Clause (i) of section 56(a)(1)(A) is amended by striking "clause (ii)" both places it appears and inserting "clauses (ii) and (iii)".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to property placed in service after September 10, 2001, in taxable years ending after such date.

TITLE II—PAYROLL TAX HOLIDAY

SEC. 201. PAYROLL TAX HOLIDAY.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the rate of tax with respect to remuneration received during the payroll tax holiday period shall be zero under sections 1401(a), 3101(a), and 3111(a) of the Internal Revenue Code of 1986 and for purposes of determining the applicable percentage under section 3201(a), 3211(a)(1), and 3221(a) of such Code.

(b) **PAYROLL TAX HOLIDAY PERIOD.**—The term "payroll tax holiday period" means the period beginning after November 30, 2001, and ending before January 1, 2002.

(c) **EMPLOYER NOTIFICATION.**—The Secretary of the Treasury shall notify employers of the payroll tax holiday period in any manner the Secretary deems appropriate.

(d) **TRANSFER OF FUNDS.**—The Secretary of the Treasury shall transfer from the general revenues of the Federal Government an amount sufficient so as to ensure that the income and balances of the trust funds under section 201 of the Social Security Act and the Social Security Equivalent Benefit Account under section 15A of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1) are not reduced as a result of the application of subsection (a).

(e) **DETERMINATION OF BENEFITS.**—In making any determination of benefits under title II of the Social Security Act, the Commissioner of Social Security shall disregard the effect of the payroll tax holiday period on any individual's earnings record.

TITLE III—TEMPORARY EMERGENCY UNEMPLOYMENT BENEFITS

SEC. 301. FEDERAL-STATE AGREEMENTS.

(a) **IN GENERAL.**—Any State which desires to do so may enter into and participate in an agreement under this title with the Secretary of Labor (in this title referred to as the "Secretary"). Any State which is a party to an agreement under this title may, upon providing 30 days written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—

(1) **IN GENERAL.**—Any agreement under subsection (a) shall provide that the State agency of the State will make—

(A) payments of regular compensation to individuals in amounts and to the extent that such payments would be determined if the State law were applied with the modifications described in paragraph (2); and

(B) payments of temporary emergency unemployment compensation to individuals who—

(i) have exhausted all rights to regular compensation under the State law;

(ii) do not, with respect to a week, have any rights to compensation (excluding extended compensation) under the State law of any other State (whether one that has entered into an agreement under this title or otherwise) nor compensation under any other Federal law (other than under the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note)), and are not paid or entitled to be paid any additional compensation under any Federal or State law; and

(iii) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(2) **MODIFICATIONS DESCRIBED.**—The modifications described in this paragraph are as follows:

(A) **ALTERNATIVE BASE PERIOD.**—An individual shall be eligible for regular compensation if the individual would be so eligible, determined by applying—

(i) the base period that would otherwise apply under the State law if this title had not been enacted; or

(ii) a base period ending at the close of the calendar quarter most recently completed before the date of the individual's application for benefits, provided that wage data for that quarter has been reported to the State; whichever results in the greater amount.

(B) **PART-TIME EMPLOYMENT.**—An individual shall not be denied regular compensation under the State law's provisions relating to availability for work, active search for work, or refusal to accept work, solely by virtue of the fact that such individual is seeking, or is available for, only part-time (and not full-time) work, if—

(i) the individual's employment on which eligibility for the regular compensation is based was part-time employment; or

(ii) the individual can show good cause for seeking, or being available for, only part-time (and not full-time) work.

(c) COORDINATION RULES.—

(1) **REGULAR COMPENSATION PAYABLE UNDER A FEDERAL LAW.**—The modifications described in subsection (b)(2) shall also apply in determining the amount of benefits payable under any Federal law to the extent that those benefits are determined by reference to regular compensation payable under the State law of the State involved.

(2) **TEUC TO SERVE AS SECOND-TIER BENEFITS.**—Notwithstanding any other provision of law, extended benefits shall not be payable to any individual for any week for which temporary emergency unemployment compensation is payable to such individual.

(d) **EXHAUSTION OF BENEFITS.**—For purposes of subsection (b)(1)(B)(i), an individual shall be considered to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period; or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(e) **WEEKLY BENEFIT AMOUNT.**—For purposes of any agreement under this title—

(1) the amount of temporary emergency unemployment compensation which shall be payable to an individual for any week of total unemployment shall be equal to the amount of regular compensation (including dependents' allowances) payable to such individual under the State law for a week for total unemployment during such individual's benefit year;

(2) the terms and conditions of the State law which apply to claims for extended compensation and to the payment thereof shall apply to claims for temporary emergency unemployment compensation and the payment thereof, except where inconsistent with the provisions of this title or with the regulations or operating instructions of the Secretary promulgated to carry out this title; and

(3) the maximum amount of temporary emergency unemployment compensation payable to any individual for whom a temporary emergency unemployment compensation account is established under section 302 shall not exceed the amount established in such account for such individual.

(e) **ELECTION BY STATES.**—Notwithstanding any other provision of Federal law (and if State law permits), the Governor of a State is authorized and may elect to trigger off an extended compensation period in order to provide payment of temporary emergency unemployment compensation to individuals who have exhausted their rights to regular compensation under State law.

SEC. 302. TEMPORARY EMERGENCY UNEMPLOYMENT COMPENSATION ACCOUNT.

(a) **IN GENERAL.**—Any agreement under this title shall provide that the State will establish, for each eligible individual who files an application for temporary emergency unemployment compensation, a temporary emergency unemployment compensation account with respect to such individual's benefit year.

(b) AMOUNT IN ACCOUNT.—

(1) **IN GENERAL.**—The amount established in an account under subsection (a) shall be equal to 13 times the individual's average weekly benefit amount for the benefit year.

(2) **REDUCTION FOR EXTENDED BENEFITS.**—The amount in an account under paragraph (1) shall be reduced (but not below zero) by

the aggregate amount of extended compensation (if any) received by such individual relating to the same benefit year under the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(3) **WEEKLY BENEFIT AMOUNT.**—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

SEC. 303. PAYMENTS TO STATES HAVING AGREEMENTS FOR THE PAYMENT OF TEMPORARY EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) **GENERAL RULE.**—There shall be paid to each State which has entered into an agreement under this title an amount equal to—

(1) 100 percent of any regular compensation made payable to individuals by such State by virtue of the modifications which are described in section 301(b)(2) and deemed to be in effect with respect to such State pursuant to section 301(b)(1)(A);

(2) 100 percent of any regular compensation—

(A) which is paid to individuals by such State by reason of the fact that its State law contains provisions comparable to the modifications described in subparagraphs (A) and (B) of section 301(b)(2); but only

(B) to the extent that those amounts would, if such amounts were instead payable by virtue of the State law's being deemed to be so modified pursuant to section 301(b)(1)(A), have been reimbursable under paragraph (1); and

(3) 100 percent of the temporary emergency unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) **TREATMENT OF REIMBURSABLE COMPENSATION.**—No payment shall be made to any State under this section in respect of any compensation to the extent the State is entitled to reimbursement in respect of such compensation under the provisions of any Federal law other than this title or chapter 85 of title 5, United States Code. A State shall not be entitled to any reimbursement under such chapter 85 in respect of any compensation to the extent the State is entitled to reimbursement under this title in respect of such compensation.

(c) **DETERMINATION OF AMOUNT.**—Sums under subsection (a) payable to any State by reason of such State having an agreement under this title shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

SEC. 304. FINANCING PROVISIONS.

(a) **IN GENERAL.**—There are appropriated such funds as are necessary to make payments to States having agreements entered into under this title.

(b) **CERTIFICATION.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this title. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account (as so established) to the

account of such State in the Unemployment Trust Fund (as so established).

(c) ASSISTANCE TO STATES.—There are appropriated, without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act (42 U.S.C. 501 et seq.) in meeting the costs of administration of agreements under this title.

(d) APPROPRIATIONS FOR CERTAIN PAYMENTS.—There are appropriated from the general fund of the Treasury, without fiscal year limitation, such sums as the Secretary estimates to be necessary to make the payments under this section in respect of—

(1) compensation payable under chapter 85 of title 5, United States Code; and

(2) compensation payable on the basis of services to which section 3309(a)(1) of the Internal Revenue Code of 1986 applies.

Amounts appropriated pursuant to the preceding sentence shall not be required to be repaid.

SEC. 305. FRAUD AND OVERPAYMENTS.

(a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of temporary emergency unemployment compensation under this title to which he was not entitled, such individual—

(1) shall be ineligible for further temporary emergency unemployment compensation under this title in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received amounts of temporary emergency unemployment compensation under this title to which they were not entitled, the State shall require such individuals to repay the amounts of such emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such emergency unemployment compensation was without fault on the part of any such individual; and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any temporary emergency unemployment compensation payable to such individual under this title or from any unemployment compensation payable to such individual under any Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the temporary emergency unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to

review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

SEC. 306. DEFINITIONS.

In this title:

(1) IN GENERAL.—The terms “compensation”, “regular compensation”, “extended compensation”, “additional compensation”, “benefit year”, “base period”, “State”, “State agency”, “State law”, and “week” have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), subject to paragraph (2).

(2) STATE LAW AND REGULAR COMPENSATION.—In the case of a State entering into an agreement under this title—

(A) “State law” shall be considered to refer to the State law of such State, applied in conformance with the modifications described in section 301(b)(2); and

(B) “regular compensation” shall be considered to refer to such compensation, determined under its State law (applied in the manner described in subparagraph (A)); except as otherwise provided or where the context clearly indicates otherwise.

SEC. 307. APPLICABILITY.

(a) IN GENERAL.—An agreement entered into under this title shall apply to weeks of unemployment—

(1) beginning no earlier than the first day of the first week after the date on which such agreement is entered into; and

(2) ending before the date that is 12 months after the date of enactment of this Act.

(b) SPECIFIC RULES.—

(1) IN GENERAL.—Under such an agreement, the following rules shall apply:

(A) ALTERNATIVE BASE PERIODS.—The modification described in section 301(b)(2)(A) (relating to alternative base periods) shall not apply except in the case of initial claims filed on or after the first day of the week that includes September 11, 2001.

(B) PART-TIME EMPLOYMENT.—The modifications described in section 301(b)(2)(B) (relating to part-time employment) shall apply to weeks of unemployment described in subsection (a), regardless of the date on which an individual's initial claim for benefits is filed.

(C) ELIGIBILITY FOR TEUC.—The payments described in section 301(b)(1)(B) (relating to temporary emergency unemployment compensation) shall not apply except in the case of individuals exhausting their rights to regular compensation (as described in clause (i) of such section) on or after the first day of the week that includes September 11, 2001.

(2) REAPPLICATION PROCESS.—

(A) ALTERNATIVE BASE PERIODS.—In the case of an individual who filed an initial claim for regular compensation on or after the first day of the week that includes September 11, 2001, and before the date that the State entered into an agreement under subsection (a)(1) that was denied as a result of the application of the base period that applied under the State law prior to the date on which the State entered into the such agreement, such individual—

(i) may refile a claim for regular compensation based on the modification described in section 301(b)(2)(A) (relating to alternative base periods) on or after the date on which the State enters into such agreement and before the date on which such agreement terminates; and

(ii) if eligible, shall be entitled to such compensation only for weeks of unemployment described in subsection (a) beginning on or after the date on which the individual files such claim.

(B) PART-TIME EMPLOYMENT.—In the case of an individual who before the date that the

State entered into an agreement under subsection (a)(1) was denied regular compensation under the State law's provisions relating to availability for work, active search for work, or refusal to accept work, solely by virtue of the fact that such individual is seeking, or available for, only part-time (and not full-time) work, such individual—

(i) may refile a claim for regular compensation based on the modification described in section 301(b)(2)(B) (relating to part-time employment) on or after the date on which the State enters into the agreement under subsection (a)(1) and before the date on which such agreement terminates; and

(ii) if eligible, shall be entitled to such compensation only for weeks of unemployment described in subsection (a) beginning on or after the date on which the individual files such claim.

(3) NO RETROACTIVE PAYMENTS FOR WEEKS PRIOR TO AGREEMENT.—No amounts shall be payable to an individual under an agreement entered into under this title for any week of unemployment prior to the week beginning after the date on which such agreement is entered into.

DOMENICI STIMULUS BILL

	Cost in billions	
	2002	2002–11
Relief for Low and Middle-Income Americans		
Payroll Tax Holiday: Offer workers and employers a one-month holiday from federal payroll taxes while holding federal trust funds harmless.	\$38	\$38
Expand the Safety Net for Working Americans		
Extended and Expanded Unemployment Benefits: Provide additional 13 weeks of unemployment benefits to workers who exhaust their standard benefits after 9/11, expand eligibility to part-time workers, apply alternative base period.	9	12
Stimulus for Encouraging Investment—Bonus		
Expensing: Enhance expensing of capital expenditures with 20% bonus depreciation (3-year sunset).	26	12
Total Stimulus and Assistance	73	62

By Mr. BAYH (for himself, Mr. MCCAIN, Mr. CLELAND, and Mr. LIEBERMAN):

S. 1792. A bill to further facilitate service for the United States, and for other purposes; to the Committee on Health, Labor, and Pensions.

Mr. MCCAIN. Madam President, today, Senator BAYH and I are introducing legislation, the Call to Service Act of 2001, that will expand opportunities for Americans to serve our nation. Congressmen FORD of Tennessee and Congressman OSBORNE of Nebraska are offering companion legislation in the House, and I want to thank them for their strong, bipartisan leadership in the face of America's new challenge at home and overseas.

All of us welcome the support of America's Promise, Teach for America, AmeriCorps Alums, City Year, the National Association of Service and Conservation Corps, the Naval Reserve Association, the Reserve Officers Association, the American Legion, and many other groups dedicated to service to our nation.

Our legislation is not a Democratic or Republican initiative. Duty, honor, and country are values that transcend party or ideology. This is a uniquely American moment in which a crisis becomes an opportunity to harness our

unity and channel is into what historian Stephen Ambrose describes as "common-patriotism."

In the aftermath of September 11, the American people have demonstrated, through their courage and generosity, that they are prepared to meet the challenge that confronts our Nation. Yet, our fellow citizens ask how they can do more for their country. That is why we should act to provide more opportunities for public service.

Forty years ago, at the height of the cold war, President John F. Kennedy issued his famous call for service, "Ask not what your country can do for you, but rather what you can do for your country." His clarion challenge inspired millions of Americans to enter into public service. President Kennedy created both the civilian Peace Corps and the Green Berets as avenues to serve.

Now, we are confronted with a new challenge.

In this battle against terror, there are both foreign and domestic fronts. The heroic sacrifices of the New York City firefighters and police have truly moved the public. Thousands of men and women in uniform are now in harms way to defend our liberty and freedom.

The American people are also ready to serve at home. Walk down any street and you will see a blizzard of American flags. Over a billion dollars have been contributed to the victims of the terrorist attacks. We should seize this moment and issue a new call to service. There will be many tasks ahead, both new and old. On the home front, there are new security and civil defense needs. The military will also require new recruits to confront the challenges abroad and within our borders. And, of course, there are many other ongoing service opportunities ranging from combating illiteracy to helping children and our elderly.

A major component of our legislation would be to expand AmeriCorps. Since it was created, more than 200,000 Americans have served one-to-two year stints in AmeriCorps, tutoring children, building low-income housing or helping flood-ravaged communities. AmeriCorps achievements are impressive: thousands of homes constructed; hundreds of thousands of seniors assisted to live independently in their own homes; millions of children taught, tutored, and mentored. The program receives broad bipartisan support, with 49 of the Nation's 50 Governors signing a letter last year urging Congress to support AmeriCorps.

But for all its concrete achievements, AmeriCorps has a fundamental flaw: In its seven years of existence it has barely stirred the Nation's imagination. Two out of every three Americans say that they have never heard of the program. We seek not only to expand the program, but also make certain that it has national objectives. We also charge the program with the task of assembling a plan to assist the new needs in the area of Homeland Defense.

We must also ask our Nation's colleges to step up to the plate and more aggressively promote service. Currently, only a small fraction of college work-study funds are devoted to community service, far less than what Congress originally intended when it passed the Higher Education Act of 1965. Our legislation requires universities to being truly complying with the intent of the act to promote student involvement in community activities.

We should also be concerned by the growing gap between our nation's military and civilian cultures. While the volunteer military has been successful, fewer Americans know first-hand the sacrifices and contributions of their fellow citizens who serve in uniform.

There are also many civil defense needs that must be met to defend our Nation against terrorists attacks and having a shorter-term enlistment option will help provide the manpower to defend the security of our Nation. An October 15 article in the Los Angeles Times described "the sheer size of the task of protecting targets" within our borders. And a recent Newsweek cover story, "Protecting America: What Must Be Done," cited a long list of potential terrorist targets, including nuclear power plants, seaports, dams, chemical plants, airports, water supplies, and government buildings across the United States.

To bolster our preparedness against terrorist attack, our legislation allows that Defense Department to create a new short-term enlistment to encouraging more young Americans to serve in the military. This new 18-18-18-enlistment option would provide an \$18,000 post-service award for 18-months of active duty and 18 months of reserve duty.

Our legislation also significantly improves the benefits of the Montgomery GI bill by doubling the annual education benefit from \$7,800 to \$15,600 and by encouraging service-members to participate in the program through the elimination of the current 10-year requirement from use of the GI Bill educational benefits.

Our legislation also ensures maximum accessibility to colleges and high schools by military service recruiters. We close loopholes in current recruiting access statutes, especially where colleges may be allowing access but not providing, in the spirit of the law, full access to recruiters in terms of both information they require and reasonable physical presence.

Finally, our legislation establishes a 9-member Commission on Military Recruitment and National Service to be appointed by the Secretary of Defense and Secretary of State to examine such things as ways to shrink the civilian-military gap and develop ways to bring in a larger, broader pool of recruits.

As a country, we should strive to make national service a rite of passage for young Americans. Not only will our Nation benefit, but those whose serve

will find their lives transformed. They will be able to glimpse the glory of serving a cause greater than their self-interest. They will come to know both the obligations and rewards of active citizenship. Over the past few years, we have celebrated the achievements of the Greatest Generation. Now a new generation is confronted with a challenge to defend our great nation. Let us seize the moment and provide Americans with the opportunity to serve our great nation.

Mr. BAYH. Madam President, I rise today with my colleague Senator JOHN MCCAIN to introduce the Call to Service Act of 2001. I want to express my appreciation to Senator McCain; without his leadership we would not be here today. I also want to extend my thanks to Congressman HAROLD FORD and Congressman TOM OSBORNE for their strong leadership in the House on this issue.

In addition, former President Clinton deserves our thanks and gratitude. He championed public service and AmeriCorps during his tenure. We build upon his legacy today and acknowledge with pride the important contribution to America's well-being he has made in this area.

We are introducing this legislation at a time of great challenge for our country. But within this challenge lie the seeds of opportunity if we can seize the moment, the seeds of opportunity for civic renewal across the United States of America.

Everywhere I have gone since the tragedy of September 11, people of every age are asking, What can I do? How can I help? So to those who are looking for a way to help to put something back, we are here today to say that the Call to Service Act will give you those opportunities.

We expand the AmeriCorps program fully fivefold, increasing the number of volunteers annually, from 50,000 to 250,000, so that every 4 years, 1 million young people will have the opportunity to serve our country. Fifty percent of the new volunteers will be focused on homeland defense to meet the many issues that have come to light and need attention since the events of September 11. With this dramatic expansion, we include strong accountability measures to ensure measurable, positive outcomes for the communities served by AmeriCorps.

The Call to Service Act significantly expands the serve study initiative. Work-study in our colleges was originally intended to get kids involved in public service and community work, but unfortunately, it has not lived up to that initial promise. The requirement today is that 7 percent of students involved in work-study have to be involved in community service. We expand that more than threefold to 25 percent, to get America's best and brightest giving back to the community. This means that every year, approximately 250,000 students will be contributing to their communities. Expanding the community service portion

of work-study has broad bipartisan support. In May 2000, General Powell sent a letter to the Nation's college presidents to "work toward a goal of dedicating a greater and greater portion of your Federal College Work Study funds each year to community service." I ask unanimous consent that this letter be printed in the RECORD.

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

AMERICA'S PROMISE,
THE ALLIANCE FOR YOUTH,
Alexandria, VA, May 30, 2000.

DEAR FRIEND: President Clinton has written you and I join him in enlisting your support in a very important endeavor—the well being of our Nation's young people.

Three years ago at the Presidents' Summit for America's Future held in Philadelphia, all the living Presidents of the United States and thousands of other national leaders pledged to harness the power of volunteerism in the service of our Nation's most important resource, our youth. The organization I chair, America's Promise, The Alliance for Youth, was born at the 1997 Presidents' Summit, and it continues today mobilizing communities, individuals, organizations, and institutions to make five key promises to every youngster: an ongoing relationship with a caring adult—parent, mentor, tutor or coach; safe places and structured activities during non-school hours; a healthy start; a marketable skill through effective education; and an opportunity to give back through community service.

Colleges and universities can play a crucial role in this movement. Actually, many have already enlisted in our crusade by becoming Colleges and Universities of Promise. With that pledge they make a commitment to keep the Five Promises to young people in their communities.

One very substantial way you can contribute is by using the Federal College Work Study Program to enable hundreds of thousands of college students to serve in the communities where they study. By being tutors or mentors, or by working with local schools and youth-service organizations, college students can make a tangible difference in the lives of young children. I can attest that there are thousands more nonprofit organizations and community groups serving young children and youth that would benefit profoundly from the energy and idealism of your students.

In that spirit, President Clinton is asking you to commit a greater share of your work study assignments to community service. I second the President's request and encourage you to work toward a goal of dedicating a greater and greater portion of your Federal College Work Study funds each year to community service. Institutions of higher learning have always been leaders in the life of our nation. I hope you will seize this opportunity to demonstrate that leadership again.

Please join in this effort. Help us to keep America's Promise. Thank you and best wishes.

Sincerely,
Gen. COLIN L. POWELL, USA (Ret),
Chairman.

By Mr. CLELAND:

S. 1794. A bill to amend title 49, United States Code, to prohibit the unauthorized circumvention of airport security systems and procedures; to the Committee on Commerce, Science, and Transportation.

Mr. CLELAND. Madam President, I rise today to introduce legislation that

will make it a Federal criminal offense to intentionally circumvent an airport security checkpoint. This morning I chaired the first Senate Commerce Committee hearing on aviation security since the landmark aviation security bill was signed into law earlier this fall. That historic piece of legislation was enacted as a response to the events of September 11, when terrorists commandeered U.S. commercial jets filled with passengers and used them as weapons of mass destruction.

Those terrorist attacks have precipitated a sea-change in attitude on how we view our homeland security. There is no such thing as "business as usual," especially at our airports across this country. Immediately after the events of 9-11, the Federal Aviation Administration and U.S. Department of Transportation took steps to tighten aviation security across the country. U.S. airlines and airports put in place additional security safeguards. And Congress passed the most sweeping aviation security bill in history.

Under the new law, every commercial airport will now have a Federal security manager and the manager will conduct an immediate assessment of safety procedures at the busiest airports in the country. We will have strict and uniform national standards for the hiring and training and job performance of the men and women who are on the front lines of ensuring that our airports and airplanes are not only the safest in the world, but are also the most secure. Because of this legislation, every airport screener must now be a U.S. citizen. He or she must pass a criminal background check, and they must perform well in their job. If they don't, and this includes federal screeners, they can and will be fired immediately. Cockpit doors will be fortified, the number of air marshals on airplanes will be significantly increased, and international flights must provide the U.S. Customs Service with passenger lists before they can land in this country.

Hartsfield Atlanta International Airport, the world's busiest airport, Delta, with its world headquarters in Atlanta, and AirTran are key not just to Georgia's economy, but to our national aviation system as well. At the Commerce Committee hearing this morning, Spokespersons from each of these Georgia giants, told us about the security measures that have been put in place since the September 11 hijackings and what further steps they plan to take in light of the requirements of the new aviation security law.

At the hearing, Hartsfield's General Manager, Mr. Benjamin DeCosta, addressed the incident of November 16 when an individual breached security at the Atlanta airport. The security breach triggered the total evacuation of Hartsfield and a temporary halt of incoming and outgoing air traffic. That action caused a ripple effect of delays and flight cancellations. I might add that I have firsthand knowledge of

those delays, since I spent some "quality time" on the tarmac in Atlanta that day. But I want to stress that despite those delays, the system worked. Hartsfield correctly followed the FAA directive, put in place after September 11, that required airport lock-down until airport security could be assured.

However, the November incident revealed a glaring loophole in the system, even after enactment of the new airline security legislation. Currently, an intentional security violation aboard an aircraft is a Federal crime, but a willful breach of an airport security checkpoint is punishable only by local criminal penalties and federal civil penalties. Just as we have at last stepped up to the plate to assure greater uniformity and greater accountability through federalizing the airport security workforce, I believe it is the responsibility of Congress to address this shortcoming in our federal laws. Accordingly, I am introducing legislation, the Airport Checkpoint Enhancement, or ACE, Act, to make willful violations of airport security checkpoints a federal crime. We should send a message loud and clear that airport business is serious business, that if you come to a U.S. airport for mischief or for folly, you will pay the consequences.

My legislation addresses the all-important issue of aviation security which, as we have recently learned in the most painful way possible, is a matter of national security. Specifically, the ACE Act will amend the recently-passed Aviation and Transportation Security Act to provide a federal criminal penalty for individuals who intentionally circumvent or breach an airport security checkpoint. It was amazing to me to learn that in Georgia, an individual who willfully violates the secure area of an airport is only subject to a misdemeanor which means a maximum penalty involving a civil fine up to \$1,100 and a year in jail. My legislation will mean that violators could face up to 10 years in prison. This legislation is supported by Atlanta's Hartsfield International Airport, Delta Airlines, the Air Carrier Association of America, and the Office of the Solicitor General, Clayton County, GA. We have only just begun to improve airport security and therefore, I look forward to continuing this discussion with airport officials and law enforcement officers across the country on how we can best protect passengers, airport workers, and air travel in the future.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1794

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport Checkpoint Enhancement Act".

SEC. 2. PROHIBITION ON UNAUTHORIZED CIRCUMVENTION OF AIRPORT SECURITY SYSTEMS AND PROCEDURES.

(a) PROHIBITION.—Section 46503 of title 49, United States Code, as added by section 114 of the Aviation and Transportation Security Act (Public Law 107-71), is amended—

(1) by inserting “(a) INTERFERENCE WITH SECURITY SCREENING PERSONNEL.—” before “An individual”; and

(2) by adding at the end the following new subsection:

“(b) UNAUTHORIZED CIRCUMVENTION OF SECURITY SYSTEMS AND PROCEDURES.—An individual in an area within a commercial service airport in the United States who intentionally circumvents, in an unauthorized manner, a security system or procedure in the airport shall be fined under title 18, imprisoned for not more than 10 years, or both.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) The section heading of that section is amended to read as follows:

“§ 46503. Interference with security screening personnel; unauthorized circumvention of security systems or procedures”.

(2) The item relating to that section in the table of sections at the beginning of chapter 465 of that title is amended to read as follows:

“46503. Interference with security screening personnel; unauthorized circumvention of security systems or procedures.”.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 90—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE EFFORTS OF PEOPLE OF THE UNITED STATES OF KOREAN ANCESTRY TO REUNITE WITH THEIR FAMILY MEMBERS IN NORTH KOREA

Mrs. FEINSTEIN (for herself, Mr. HAGEL, and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 90

Whereas on June 25, 1950, North Korea invaded South Korea, thereby initiating the Korean War, leading to the loss of countless lives, and further polarizing a world engulfed by the Cold War;

Whereas in the aftermath of the Korean War, the division of the Koreans at the 38th parallel separated millions of Koreans from their families, tearing at the heart of every mother, father, daughter, and son;

Whereas on June 13 and 14, 2000, in the first summit conference ever held between leaders of North and South Korea, South Korean President Kim Dae Jung met with North Korean leader Kim Jong Il in Pyongyang, North Korea's capital;

Whereas in a historic joint declaration, South Korean President Kim Dae Jung and North Korean leader Kim Jong Il made an important promise to promote economic co-operation and hold reunions of South Korean and North Korean citizens;

Whereas such reunions have been held in North and South Korea since the signing of the joint declaration, reuniting family members who had not seen or heard from each other for more than 50 years;

Whereas 500,000 people of the United States of Korean ancestry bear the pain of being

separated from their families in North Korea;

Whereas the United States values peace in the global community and has long recognized the significance of uniting families torn apart by the tragedy of war; and

Whereas a petition drive is taking place throughout the United States, urging the United States Government to assist in the reunification efforts: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) Congress and the President should support efforts to reunite people of the United States of Korean ancestry with their families in North Korea; and

(2) such efforts should be made in a timely manner, as 50 years have passed since the separation of these families.

Mrs. FEINSTEIN. Madam President, I rise today along with my colleagues Senator HAGEL and Senator BOXER to submit a concurrent resolution that expresses the sense of Congress that the Congress and the President should support efforts to reunite Americans of Korean ancestry with their families in North Korea.

Following a historic summit in June, 2000 in Pyongyang, North Korea, South Korean President Kim Dae Jung and North Korean leader Kim Jong Il agreed to hold reunions of South Korean and North Korean families separated at the 38th parallel since the start of the Korean war. Since then, three reunions have taken place and more than 3,400 citizens of North and South Korea have been reunited after more than 50 years.

I applaud these reunions and I believe they are an important step towards improving relations between North and South Korea and promoting peace and stability on the Korean Peninsula. Unfortunately, more than 500,000 Americans of Korean ancestry, many of whom reside in my home state of California, who likewise have been separated from loved ones in North Korea for half a century have not been able to participate.

Time is of the essence. Family members in North Korea and the United States are entering the twilight of their lives. Many have died. Many simply do not know what has happened to their loved ones. We now have an opportunity to lend our support to efforts to reunite families who have spent far too long suffering from separation and uncertainty.

The resolution is simple. It states that it is the sense of Congress that the Congress and the President should support efforts to reunite people of the United States of Korean ancestry with their families in North Korea and that those efforts should be made in a timely manner.

The holiday season is a time for family members to come together, share their love and happiness, and look forward to the New Year. During this time, let us make a commitment to help Americans of Korean descent so that they too will soon be able to share in that holiday spirit with their brothers and sisters, mothers and fathers, and grandmothers and grandfathers in North Korea.

I urge my colleagues to support the Resolution.

SENATE CONCURRENT RESOLUTION 91—EXPRESSING DEEP GRATITUDE TO THE GOVERNMENT AND THE PEOPLE OF THE PHILIPPINES FOR THEIR SYMPATHY AND SUPPORT SINCE SEPTEMBER 11, 2001, AND FOR OTHER PURPOSES

Mr. HELMS (for himself, Mr. LUGAR, Mr. KERRY, and Mr. HAGEL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 91

Whereas the United States and the Republic of the Philippines have shared a special relationship of mutual benefit for more than 100 years;

Whereas, since the September 11, 2001, terrorist attacks on the United States, the Philippines has been among the world's most steadfast friends of the United States during a time of grief and turmoil, offering heartfelt sympathy and support;

Whereas, after the United States launched Operation Enduring Freedom in Afghanistan on October 7, 2001, Philippine President Gloria Macapagal-Arroyo immediately announced her government's unwavering support for the operation, calling it “the start of a just offensive”;

Whereas, during the United States operations in Afghanistan, the government of the Philippines has made all of its military installations available to the Armed Forces of the United States for transit, refueling, resupply, and staging operations;

Whereas this assistance provided by the Philippines has proved highly valuable in the prosecution of Operation Enduring Freedom in Afghanistan;

Whereas the Philippines also faces terrorist threats from the Communist Party of the Philippines/New People's Army/National Democratic Front and the radical Islamic Abu Sayaff group, as well as armed secessionist campaigns by the Moro Islamic Liberation Front, and elements of the Moro National Liberation Front;

Whereas the Abu Sayaff group has historical ties to Osama bin Laden and the al-Qaeda network, and has engaged in hundreds of acts of terrorism in the Philippines, including bombings, arson, and kidnappings;

Whereas, in May 2001, Abu Sayaff kidnapped American citizens Martin Burnham, Gracia Burnham and Guillermo Sobero, along with several Filipinos;

Whereas Abu Sayaff has killed Guillermo Sobero and still detains Martin Burnham and Gracia Burnham; and

Whereas, the United States and the Philippines are committed to each other's security in the Mutual Defense Treaty, signed at Washington August 30, 1951 (3 UST 3947): Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) expresses its deepest gratitude to the government and the people of the Philippines for their sympathy and support since September 11, 2001;

(2) expresses its sympathy to the current and recent Filipino victims of terrorism and their families;

(3) affirms the commitments of the United States to the Philippines as expressed in the Mutual Defense Treaty, signed at Washington August 30, 1951 (3 UST 3947);

(4) supports the government of the Philippines in its efforts to prevent and suppress terrorism; and