

S. RES. 139

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 139, a resolution designating September 24, 2001, as "Family Day—A Day to Eat Dinner with Your Children".

At the request of Mr. BIDEN, the names of the Senator from Georgia (Mr. MILLER), the Senator from North Dakota (Mr. DORGAN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 139, *supra*.

## AMENDMENT NO. 1539

At the request of Mr. WELLSTONE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 1539 intended to be proposed to H.R. 2500, a bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself, Mr. SPECTER, and Mr. WARNER):

S. 1421. A bill to direct the Federal Aviation Administration to re-implement the sky marshal program within 30 days; to the Committee on Commerce, Science, and Transportation.

Mrs. HUTCHISON. Madam President, the bill I am introducing today, and for which I will soon have cosponsors because I want everyone to have the opportunity to join me in this effort, will address one part of our aviation security issue. It is not the only one that I will look for us to address in the long term.

I do want the flying public to know that we have a safe and secure aviation system. However, last Tuesday, the terrorists who perpetrated this heinous crime found a vulnerability in that system. There are several things we will be able to do to correct this situation.

I was Vice Chairman of the National Transportation Safety Board. I have been dealing with aviation security for a long time. Today I am the ranking member of the Aviation Subcommittee of the Commerce Committee. This is my area of interest.

The bill I am introducing today would order the FAA to implement and augment within 30 days a sky marshal program that would allow for peace officers to be put in random airplane flights for domestic commercial air passenger flights and for international flights that would be coming into or out of America on U.S.-based airlines.

What I am trying to do is provide an extra measure of security which today is the responsibility of pilots. Many people may not realize it, but it is the pilot and the copilot who are responsible for dealing with unruly passengers, or with any kind of security threat to the people on an airplane.

We can no longer afford to allow pilots to have the dual responsibility of

keeping the plane safe in the air and at the same time be responsible for handling disruptions in the cabin.

The FAA, which has a very limited program, can train people on how to handle a breach of the peace in an airplane. It is a unique kind of training. It is not like military training certainly. It is not like a U.S. marshal on the ground. It is a different set of circumstances. An air marshal must be able to disarm a threat to the aircraft while operating in the confined space of the cabin.

No longer can any passenger carry on even the smallest knife. The FAA has issued a ruling that not even a penknife will be allowed on an airplane by a passenger or in any kind of carry-on baggage. Our passengers will be disarmed. We want to make sure they are protected in some way.

I am introducing this legislation, which will be a temporary program for 1 year. Then the FAA will report to Congress to determine if they believe it has been successful, if it should be continued, or if it is no longer necessary.

I am allowing the FAA Administrator to assess up to \$1 per passenger ticket for every segment of the flight. I talked to the FAA Administrator this morning. I told her that I wanted her to have the discretion to implement this program to deal with the security threats facing our passenger aviation system. I do not expect her to charge the full \$1 if she does not feel that it is necessary. I do not expect her to do it for every leg of the flight if she does not think it is necessary. I do think we need to act quickly and there needs to be a resource.

I can't imagine any airline passenger who would object to the payment of \$1 for this kind of onboard security. This would be required to be put in place within the next 30 days.

We need swift action to assure the flying public that we will do everything possible to make them secure in the air. The Administrator, Jane Garvey, told me this morning that she has already talked to the airlines about the possibility of sky marshals. My bill requires the airlines to provide a seat for the sky marshal regardless of availability. She said the airlines have already said that this is fine with them.

I am very hopeful that we will be able to enact this common-sense measure on an expedited basis. I want the people of our country to know that we are not going to leave any stone unturned to protect the public.

Having said that, I also want to say that this is not the end. This is a beginning. It is only one part of what I believe Congress and the President need to accomplish, working together to assure the safety of the people of our country. Clearly, this hijacking operation that was so well orchestrated is one facet of domestic terrorism. It highlighted a weakness in our aviation security, and we are going to clamp down in every way to assure the security of our flying public and the secu-

rity of anyone in America who would be attacked by a weapon of mass destruction which, in this case, was an airplane.

They found a vulnerability and they exploited it. We must assure that we have addressed every such vulnerability for our citizens, not only for the aviation security of our country, but we need to look at the public works in our country, the water systems, the tunnel systems we have for highways and trains and for mass transit, for our subway systems. We need to be ever vigilant over the public works of our country.

Secondly, we need to establish a missile defense system for our country. We must not let any terrorist in the world believe that now we have addressed the issues of domestic terrorism within our own public works systems or our infrastructure but we would be vulnerable to an incoming ballistic missile. This should be part of our domestic terrorism effort.

I appreciate the opportunity to take this first step. I hope it is one of many. I know my colleagues will work with me, with the President, all of us working together, Democrats and Republicans, to take the extra steps that our people expect us to take to make sure everyone in the world knows that we are committed to freedom and nobody is going to dash the spirit of America.

Madam President, these tragedies have stunned the nation. Moreover, they revealed that our passenger air system was vulnerable to this cowardly attack. Preliminary reports indicate that the hijackers were armed with nothing more than knives. Horrifically, these simple weapons were apparently used to murder members of the flight crew as they bravely attempted to alert the FAA, and even change the course of at least one of the doomed flights, taking it away from population centers and our priceless national symbols.

From these early reports, it is clear that the men and women who struggled to provide this information performed heroic feats while certainly knowing that they would not survive. We stand in awe of their deeds, but we lament that it was necessary. I also want to commend the Federal Aviation Administration for somehow managing to quickly ground thousands of airborne flights to remove any further threats to our Nation. Now, our attention must turn to finding those responsible for this act of war and making sure that we do everything in our power to prevent such a tragedy from occurring again. Airline passengers should not be called upon to make the ultimate sacrifice in order to avert an even greater tragedy.

Since the hijacking of TWA flight 847 in June 1985, the FAA has been authorized to train and deploy sky marshals. There is already in place a training facility in Atlantic City, New Jersey. However, the FAA has never revealed the number or identity of the marshals, the details of their training, nor

the routes that they fly. We appreciate the need for secrecy in this program, but clearly, the sky marshal deployment needs to be substantially expanded.

Toward that end, I am introducing the Emergency Aviation Security Act of 2001. The bill will require an increased random deployment of sky marshals on both domestic and international flights. These peace officers will be hired and trained under guidelines set by the FAA, but, at a minimum, they will undergo thorough background checks and be trained to deal with situations such as the ones onboard the four hijacked aircraft.

The program may, at the FAA's discretion, be paid for with a ticket fee of not more than one dollar on every domestic segment. The program will be instituted on a temporary basis for one year, after which the FAA will report to Congress on the success of the program and make recommendations as to whether it should continue and if it should be changed.

Last year, more than 600 million people flew through U.S. airports. If we only charge the fee on domestic flights, one dollar would generate between \$400-\$500 million in one year. That is enough to hire, train, supervise and deploy thousands of sky marshals.

The American public needs to have the kind of security that an onboard peace officer would provide. Under current procedures, the pilot and copilot are charged with the responsibility of dealing with unruly passengers, as well as more serious threats. I believe that the pilots should fly the plane. Period. A sky marshal would relieve the pilot and copilot of this additional responsibility.

The FAA should have the flexibility to determine training requirements and qualifications. However, these guidelines must be prepared within 30 days of enactment of the legislation. This tight time frame is necessary to protect the public. This is an emergency bill and I urge my colleagues, as well as the FAA, to get behind this urgent effort.

By Mr. BUNNING:

S. 1423. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for military or civilian employees of the United States who are victims of terrorist attacks against the United States; to the Committee on Finance.

Mr. BUNNING. Mr. President, 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. 1423

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

**SECTION 1. INCOME TAXES OF UNITED STATES MILITARY AND CIVILIAN EMPLOYEES WHO ARE VICTIMS OF TERRORIST ATTACKS.**

(a) IN GENERAL.—Section 692(c) of the Internal Revenue Code of 1986 (relating to in-

come taxes of military or civilian employees of the United States dying as a result of injuries sustained overseas) is amended by striking "outside the United States".

(b) CONFORMING AMENDMENT.—The heading of section 692(c) of such Code is amended by striking "OVERSEAS" and inserting "AS A RESULT OF TERRORISTIC OR MILITARY ACTION".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending on or after September 11, 2001.

**SEC. 2. RELIEF FROM ADDITIONAL ESTATE TAX.**

(a) IN GENERAL.—Section 2201 of the Internal Revenue Code of 1986 is amended—

(1) in the first sentence by inserting "(a) IN GENERAL.—" before "The additional estate tax"; and

(2) by adding at the end the following:

"(b) UNITED STATES MILITARY OR CIVILIAN EMPLOYEES WHO ARE VICTIMS OF CERTAIN TERRORIST ATTACKS.—The additional estate tax shall not apply to the transfer of the taxable estate of any individual dying while in active service as a military or civilian employee of the United States if such decedent dies as a result of wounds or injuries incurred in a terroristic or military action (as defined in section 692(c)(2)). The preceding sentence shall not apply with respect to any individual whom the Secretary determines was a perpetrator of any such terrorist attack.".

(b) CLERICAL AMENDMENTS.—

(1) The heading of section 2201 of such Code is amended to read as follows:

**"SEC. 2201. COMBAT ZONE-RELATED DEATHS OF MEMBERS OF THE ARMED FORCES AND DEATHS OF VICTIMS OF CERTAIN TERRORIST ATTACKS."**

(2) The item relating to section 2201 in the table of sections for subchapter C of chapter 11 of such Code is amended to read as follows:

"Sec. 2201. Combat zone-related deaths of members of the Armed Forces and deaths of victims of certain terrorist attacks."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying on or after September 11, 2001.

By Mr. KENNEDY (for himself, Mr. BROWNBACK, Mr. LEAHY, Mr. HATCH, and Mr. DURBIN):

S. 1424. A bill to amend the Immigration and Nationality Act to provide permanent authority for the admission of "S" visa non-immigrants; considered and passed.

Mr. KENNEDY. Mr. President I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1424

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

**SECTION 1. PERMANENT AUTHORITY FOR ADMISSION OF "S" VISA NONIMMIGRANTS.**

Section 214(k) of the Immigration and Nationality Act (8 U.S.C. 1184(k)) is amended—

(1) by striking (2);

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(3) in paragraph (4)(E) (as redesignated), by striking "paragraph (4)" and inserting "paragraph (3)".

By Mr. WYDEN:

S. 1425. A bill to establish hospice demonstration projects and a hospice

grant program for beneficiaries under the Medicare program under title XVIII of the Social Security Act, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am introducing the Medicare Hospice Improvement Program Act, which is supported by the National Hospice and Palliative Care Organization. The purpose of this bill is to provide for at least three demonstration projects within Medicare to improve the delivery of the hospice benefit to seniors. This legislation would allow us to find new ways to: (1) Allow people to enroll in hospice even though they may want to continue trying curative treatment for a limited time; (2) modify the requirements to decrease the strain on rural hospice providers; and (3) revise reimbursement rates to more adequately cover comfort care. In addition this bill would provide a grant program to help defray the costs of providing education of the public, the medical community and patients about hospice care.

The Medicare hospice benefit has not been revised since it was first created nearly two decades ago. Too often patients and their families are unaware of the Medicare hospice benefit or they seek hospice care too late to get the full benefit of hospice services. This legislation is important because it would help us find ways to assure that the Medicare hospice benefit is better integrated into medical care, as well as improve patient access to the pain and symptom management, counseling, and other comfort care services provided by hospice.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1551. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 1552. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1553. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1554. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1555. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1556. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1557. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2500, supra; which was ordered to lie on the table.

SA 1558. Mr. HOLLINGS (for himself and Mr. GREGG) proposed an amendment to the bill H.R. 2500, supra.