

and the District of Columbia for the period; divided by

(ii) the sum of the civilian labor force in each State and the District of Columbia for the period.

(d) 1-YEAR INCREASE IN CAP ON MEDICAID PAYMENTS TO TERRITORIES.—Notwithstanding any other provision of law, with respect to fiscal year 2002, the amounts otherwise determined for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under section 1108 of the Social Security Act (42 U.S.C. 1308) shall each be increased by an amount equal to 6 percentage points of such amounts.

(e) SCOPE OF APPLICATION.—The increases in the FMAP for a State under this section shall apply only for purposes of title XIX of the Social Security Act and shall not apply with respect to—

(1) disproportionate share hospital payments described in section 1923 of such Act (42 U.S.C. 1396r-4); and

(2) payments under titles IV and XXI of such Act (42 U.S.C. 601 et seq. and 1397aa et seq.).

(f) STATE ELIGIBILITY.—A State is eligible for an increase in its FMAP under subsection (b) or (c) only if the eligibility under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) is no more restrictive than the eligibility under such plan (or waiver) as in effect on October 1, 2001.

(g) DEFINITIONS.—In this section:

(1) FMAP.—The term “FMAP” means the Federal medical assistance percentage, as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)).

(2) STATE.—The term “State” has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(h) IMPLEMENTATION FOR REMAINDER OF FISCAL YEAR 2002.—The Secretary of Health and Human Services shall increase payments to States under title XIX for the second, third, and fourth calendar quarters of fiscal year 2002 to take into account the increases in the FMAP provided for in this section for fiscal year 2002 (including the first quarter of such fiscal year).

JUDICIAL NOMINATIONS

Mr. DASCHLE. Mr. President, I wish to speak briefly on the progress we have made this week on a couple of matters. We will soon propound a list of nominations. There will be 43 nominations total. Two of those have already been considered; that is, the confirmation of two Federal judges. But there are 36 other nominations, including 10 Ambassadorial nominations which will be presented to the Senate in a short period of time.

I thank colleagues on my side of the aisle in particular for their cooperative effort.

A lot of these nominations have worked their way through the committee. Chairmen and members of the committees have cooperated with the administration. We are now in the position to move quite a large number of these executive nominations at the very beginning of this session of Congress. There are others we hope to move, including additional judges. But obviously we continue to hope the administration will work with us in mak-

ing sure that those nominations have been properly vetted and that we have the confidence that all of the actions required prior to confirmation have been completed.

We will continue to work with them as we have over the course of the last year. We have already reported and confirmed over 35 judges. I believe the number is now 38. We will have a lot more to confirm in the coming weeks and months.

I thank in that regard Senator LEAHY for his efforts and for his work. I know there was a colloquy and exchange in the Chamber over the course of the last hour with regard to judgeships and other issues. I thank him for his leadership and for the extraordinary effort he has been making.

As I said at the beginning of this session, and at the beginning of last session, it is my policy, and it is the policy of our caucus, that once these matters have been brought to the floor on the Executive Calendar, they will get a vote. It may not be a direct vote, but it will be a vote. And we will continue to work with our colleagues on both sides of the aisle to ensure that these votes are scheduled in a timely way.

We have also begun consideration of the economic stimulus bill. I wish we could have accomplished more in the short time that we had. We will be back on the bill on Tuesday. We will work all through the day on Tuesday. There will be votes on Tuesday, beginning perhaps as early as Tuesday morning. We will also be in session on Monday, even though there will be no votes on Monday.

Because of the Republican retreat, there will be no votes on Wednesday, Thursday, and Friday of next week. The Democratic single, 1-day conference will take place on Wednesday.

We will come back the following Monday, and Senators should expect votes on Monday of the following week. It is my hope that we can complete our work on the economic stimulus bill early in that week, the week after next.

We have a lot of work to do. The economic stimulus package should be completed within the first couple of days, so we can move to the farm bill, election reform, and, of course, the energy bill.

So in a very short period of time there is a great deal of work to be done. If necessary, I intend to file cloture on the economic stimulus bill in an effort to bring closure to our work on the bill. We have been debating it for weeks, one could say months in the last session of the Congress last year. There is no need to extend the debate in this case as well. We will have additional amendments. We will have additional votes. But at the end, we must conclude our work and move on one way or the other.

As I have said in this Chamber on many occasions, what I view this legislation to be is nothing more, really, than a ticket to conference so we can

continue to work and find some resolution. It would be ideal, of course, if the House would just take it up and pass it. That would be my first choice. But at the very least, it is a ticket to conference. It would be a good thing if we got to conference and began working out our differences in a way that would allow us to complete our work on the economic stimulus bill and, I might add, provide the unemployment benefits for 13 more weeks for millions of workers who are looking to us for some sign of hope that they are going to have the wherewithal to at least maintain their quality of life and their ability to buy groceries and pay their rent and pay their heating bills.

So while this has not been as productive a week as I had hoped, we have ended it in a way that I think gives us some reason for additional confidence next week as we take up the bill, and certainly confidence with regard to the Executive Calendar and the nominations that will be confirmed this afternoon.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HOPE FOR CHILDREN ACT— Continued

AMENDMENT NO. 2702

Mr. ALLEN. Mr. President, I call up amendment No. 2702.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN] proposes an amendment numbered 2702 to the language proposed to be stricken by amendment No. 2698.

Mr. ALLEN. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

Purpose: To exclude from gross income certain terrorist attack zone compensation of civilian uniformed personnel)

At the appropriate place, insert the following

TITLE TERRORIST RESPONSE TAX EXEMPTION ACT

SECTION 1. SHORT TITLE.

This title may be cited as the “Terrorist Response Tax Exemption Act”.

SEC. 2. EXCLUSION OF CERTAIN TERRORIST ATTACK ZONE COMPENSATION OF CIVILIAN UNIFORMED PERSONNEL.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by inserting after section 112 the following new section:

“SEC. 112A. CERTAIN TERRORIST ATTACK ZONE COMPENSATION OF CIVILIAN UNIFORMED PERSONNEL.

“(a) IN GENERAL.—Gross income does not include compensation received by a civilian

uniformed employee for any month during any part of which such employee provides security, safety, fire management, or medical services during the initial response in a terrorist attack zone.

“(b) DEFINITIONS.—For purposes of this section—

“(1) CIVILIAN UNIFORMED EMPLOYEE.—The term ‘civilian uniformed employee’ means any nonmilitary individual employed by a Federal, State, or local government (or any agency or instrumentality thereof) for the purpose of maintaining public order, establishing and maintaining public safety, or responding to medical emergencies.

“(2) INITIAL RESPONSE.—The term ‘initial response’ means, with respect to any terrorist attack zone, the period beginning with the receipt of the first call for services described in subsection (a) in such zone by an entity described in paragraph (1) and ending with the beginning of the recovery phase in such zone as determined by the appropriate official of the Federal Emergency Management Agency.

“(2) TERRORIST ATTACK ZONE.—

“(A) IN GENERAL.—The term ‘terrorist attack zone’ means any geographic area designated in an Executive order by the President, pursuant to a request by the chief executive officer of the State in which such area is located to the appropriate official of the Federal Emergency Management Agency, to be an area in which—

“(i) a violent act or acts occurred which—

“(I) were dangerous to human life and a violation of the criminal laws of the United States or of any State, and

“(II) would appear to be intended to intimidate or coerce a civilian population, influence the policy of a government by intimidation, or affect the conduct of a government by assassination or kidnapping, and

“(ii) as a direct result of such act or acts, loss of life, injury, or significant damage to property or cost of response occurred.

“(B) SIGNIFICANT DAMAGE TO PROPERTY OR COST OF RESPONSE.—For purposes of subparagraph (A)(ii), damage to property or cost of response with respect to any area is significant if such damages or cost exceeds or will exceed \$500,000.

“(C) LIMITATION ON DESIGNATION.—An area may not be designated as a terrorist attack zone under subparagraph (A) if a negative economic impact to such area was the sole result of the act or acts described in subparagraph (A)(i).

“(3) COMPENSATION.—The term ‘compensation’ does not include pensions and retirement pay.”

(b) CONFORMING AMENDMENTS.—

(1) Section 3401(a)(1) of the Internal Revenue Code of 1986 is amended by inserting “or section 112A (relating to certain terrorist attack zone compensation of civilian uniformed personnel)” after “United States”).

(2) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 112 the following new item:

“Sec. 112A. Certain terrorist attack zone compensation of civilian uniformed personnel.”

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

Mr. ALLEN. Mr. President, I rise to ask for my colleagues support of amendment No. 2702, my “Terrorist Zone Tax Exemption Act.” I would like to share with the Presiding Officer, my colleagues, and the American people the purpose of this amendment.

As we well know, the tragic events of September 11 demonstrated the worst attack that we have seen in this country, maybe in our entire history. At the same time—while seeing some of the most vile activity that mankind has ever seen—we saw a demonstration of the best of the American spirit. Unfortunately, our Nation has been forever changed since those attacks of September 11, 2001. However, we should remember that we have been changed in some good ways. We are now united and resolved—very resolved—to combat terrorism worldwide. This war on terrorism is unlike any other war we have ever fought. Indeed, the attack of September 11 has actually changed the definition of combatants, so that now not only are military personnel tasked to locate and eradicate potential terrorist threats, but also civilian police, fire and rescue personnel are charged with maintaining public safety after a terrorist attack. And they are all subject to attack and risk.

In recognition of this new reality, I have offered this amendment that will extend the current tax exemption for military service members serving in a combat zone—use that same logic, that same principle to provide those same sorts of tax exemption benefits—to civilian uniformed employees who respond to terrorist attacks on our own soil.

Specifically, my amendment includes those brave police officers, firefighters, and EMTs who risk their lives to defend us and our property.

It defines a terrorist attack zone as an area where someone has attempted to intimidate or coerce the civilian population or influence the policy of a government by conducting criminal terrorist acts.

It also extends this exemption to those who are now an integral part of our growing homeland security network.

Congress has already recognized the extraordinary sacrifices that our members of the Armed Forces have performed in their service in combat zones. Let us take this opportunity to honor our law enforcement officers, firefighters, and rescue personnel who have also placed themselves in danger in service to their country, to their States, and to their communities in protecting their fellow citizens from the enemy and these terrorist attacks.

Let’s recognize, whether they were in the World Trade Center, at the Pentagon, or on airplanes that were commandeered, people were in dangerous situations, and many lost their lives. Others were rescuing people in toxic air, where there was falling debris, where there was burning embers or plastics or fuel, and other dangerous situations.

Our enemies, in their attacks, make all Americans—not just our military, but our civilians as well—the target of their attacks. They do so without regard for the thousands of lives that would be affected by these attacks.

So now the Federal Government must adapt the Tax Code to account for those who serve the public’s safety here at home as it does for those who serve our military objectives.

These wonderful men and women we have heard about, read about—many who lost their lives; but also those who survived—these men and women are patriots; they are heroes. All of those who responded to this vile act of war on the United States on September 11, 2001, carry forth a unity of purpose for compassion, for liberty, and for justice. We must honor their hard work and resolve, for their example truly exemplifies our diverse, strong, and respectful Nation.

And so I ask my colleagues to join me in supporting my amendment. It is an expression of gratitude to those who wear the badges, wear the firefighter boots, carry the medical bags, and answer the call to protect life and property in the wake of the dastardly, cowardly attacks of terrorists.

This measure has been supported by many organizations. It has the support of the 299,000 members of the Fraternal Order of Police; the International Association of Fire Chiefs; the New York City Detectives Endowment Association, representing 7,500 active New York Police Department detectives; the National Association of Police Officers, representing 220,000 law enforcement officers across our country. The Capital Police Labor Board strongly supports it as well.

Some may ask what is the fiscal impact of this. If, say, you were a police officer or firefighter or an EMT worker responding to a terrorist attack such as that attacks on New York City and the Pentagon—and those are the only places that would fit the description of a terrorist attack zone under this bill—your income for that month of September, would be exempt from Federal taxation, just as a military pilot flying over Afghanistan receives now. That income that he earns or she earns is exempt from Federal taxes for time spent in response, and is validated on a month-to-month basis. It comes out to approximately \$205 a month for our rescue workers. It is not a lot of money, but it is an expression of gratitude.

The total fiscal impact is about \$7 million. Again, not much in the whole scheme of things here in Washington, but still an expression of support.

I would like to read from some of the groups that have endorsed this legislation or this amendment. For example, the Detectives Endowment Association of the Police Department for the City of New York:

As President of the New York City Detectives Endowment Association, representing 7,500 active detective members of the NYPD, and as President of the National Association of Police Organizations, representing 220,000 law enforcement officers from all across the United States, I wish to commend and support [this legislation.]

Mr. Tom Scotto, who is the President of both the Endowment Association and NAPO, goes on to write:

Having personally experienced the tragic events of the terrorist attacks on the World Trade Center on September 11, 2001, I believe that this legislation is justifiable and will go a long way towards boosting the morale of these public servants who respond to such events.

From the Grand Lodge of the Fraternal Order of Police, their President, Steve Young, writes that they very strongly support this Terrorist Response Tax Exemption Act or this amendment. They are in strong support.

September 11 was a day of terrible tragedy, but in the midst of flames and the rubble, we saw shining examples of heroism from our law enforcement officers and other rescue workers. Placing their own lives in jeopardy, these courageous men and women helped rescue thousands. They called their own nation to heroism in the face of the long and difficult struggle that looms in our future.

Your bill would exempt the income of uniform rescue personnel in "terrorist attack zones," from income tax during the months in which they perform their duties in response to such attacks. Our nation is engaged in a conflict that will not be fought between just armies or soldiers. Our hidden enemies aim their attacks at civilian targets and public safety officers—police, firefighters, and emergency medical personnel—will be the first to respond to the scene, not the U.S. military. We think it fitting, therefore, that your bill mirrors current law giving military personnel tax relief while serving in a combat zone.

It goes on to commend the measure.

Finally, I would like to share with my colleagues a letter of endorsement from the International Association of Fire Chiefs. This is signed by their executive director, Gary Briese.

Dear Senator Allen: On behalf of the International Association of Fire Chiefs and America's 1.1 million fire fighters, I would like to thank you for introducing legislation to provide tax relief for fire fighters and other first responders who respond to acts of terrorism.

As we understand it, your [measure], the Terrorist Response Exemption Act, would provide an exemption from federal income taxes to those who respond to terrorist incidents while they are engaged in emergency operations. This exemption already exists for members of our armed forces who enter into combat zones.

Assistance of any kind to fire fighters is of great help, particularly in the wake of the stunning and tragic events of September 11. Thank you for your continued support of our nation's fire fighters.

Those are the comments of many decent leaders who represent literally tens of thousands, hundreds of thousands of outstanding individuals who devote their lives to protecting their communities and the lives of people in their communities. Since these vile attacks of September 11, we have seen the nature of warfare change dramatically. As long as our enemies are willing to conduct these suicide bombings, these terrorist attacks, acts we consider brazen and outrageous, and are particularly outrageous since they are attacking us here in our homeland, civilians, undefended men, women, and children, people commandeered on an aircraft, people in office buildings, as long as this continues, our laws should reflect this new reality.

Our firefighters, police and EMTs, other rescue personnel have all proven themselves to be not only heroes but superheroes in these attacks; they will hopefully never be called on again to perform such duty. But if they do, if that sad eventuality should occur, I think they deserve all the protections and benefits in these modern combat zones that we can offer.

I ask my colleagues, in a bipartisan effort to support this amendment to this measure, let's support our firefighters, our police, our emergency medical personnel.

This is a sad new reality for our country. We are united. Let's support our heroes. It is not a lot of money, but it means a lot.

I think it expresses our sentiment that we want to support them as they protect us and our lives and our livelihoods.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2721 TO AMENDMENT NO. 2698

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senator BAUCUS which would be the next Democratic amendment in order.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. BAUCUS, proposes an amendment numbered 2721 to amendment No. 2698.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide emergency agriculture assistance)

At the end add the following:

TITLE _____ EMERGENCY AGRICULTURE ASSISTANCE

Subtitle A—Income Loss Assistance

SEC. ____ 01. INCOME LOSS ASSISTANCE.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this title as the "Secretary") shall use \$1,800,000,000 of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm that have incurred qualifying income losses in calendar year 2001.

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and economic losses as were used in administering that section.

(c) USE OF FUNDS FOR CASH PAYMENTS.—The Secretary may use funds made available under this section to make, in a manner consistent with this section, cash payments not

for crop disasters, but for income loss to carry out the purposes of this section.

SEC. ____ 02. LIVESTOCK ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary shall use \$500,000,000 of the funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2001 losses in a county that has received an emergency designation by the President or the Secretary after January 1, 2001, of which \$12,000,000 shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

Subtitle B—Administration

SEC. ____ 11. COMMODITY CREDIT CORPORATION.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

SEC. ____ 12. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In addition to funds otherwise available, not later than 30 days after the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to pay the salaries and expenses of the Department of Agriculture in carrying out this title \$50,000,000, to remain available until expended.

(b) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsection (a), without further appropriation.

SEC. ____ 13. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this subtitle shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

Mr. REID. Mr. President, does the Senator from Virginia have any business before the Senate at this time?

Mr. ALLEN. I do not.

VOTE EXPLANATION

Mrs. CLINTON. Mr. President, I was unable to be present for today's procedural vote pertaining to the Smith amendment. Had I been present, I would have voted "no" on the motion to waive the Budget Act with respect to the Smith second-degree amendment to the Daschle substitute amendment. The Daschle amendment includes 1-year 30-percent bonus depreciation for assets either put in operation or binding contracts signed by

September 10, 2002. The Smith amendment would have provided 30-percent bonus depreciation for 3 years, causing a deepening of the projected Federal deficit and extending the incentive beyond the forecasted period of the current economic downturn. Moreover, the incentive for a company to act now to acquire and place into service assets that do not take years to produce would be reduced under a 3-year bonus depreciation proposal, as proposed by Senator SMITH. I would also note that my absence for this vote did not affect the outcome of the vote. The Smith amendment was rejected in a 39-45 vote, and would have required 60 votes to prevail.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak therein for a period not to exceed 10 minutes each.

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

GOMA

Mr. FEINGOLD. Mr. President, I rise today to bring my colleagues' attention to the desperate situation of the people of Goma in the Democratic Republic of the Congo. A natural disaster recently added to the man-made tragedies that have already had a profound effect on the population in and around Goma. Basic human decency demands that the United States and the international community take prompt action to provide relief to the Congolese people, and to help them in their efforts to rebuild their communities.

On January 17, Mount Nyiragongo, which is situated in the eastern part of the country near Lake Kivu, erupted and eventually produced several different paths of lava, including one that ran directly through Goma, destroying one-fifth to one-third of the city and displacing over 200,000 people. Some 62,500 people's homes were destroyed, and reports indicate that hundreds of thousands have lost their jobs, their places of work utterly destroyed. It appears that scores lost their lives. For days, the displaced suffered without assistance, desperately searching for food, water, and shelter.

Witnesses to the misery of the Rwandan refugees who fled the 1994 genocide, many were unwilling to become refugees themselves, and rapidly returned to the devastated city.

The international community has now been able to mobilize help. As of yesterday, the water system in Goma had resumed limited operations, but there are still parts of the city with no access to clean water, forcing families to drink from contaminated sources and increasing the risk of a cholera outbreak. Today, U.S. relief assistance has reached the people of Goma, and I commend the Administration for work-

ing to get blankets, water, emergency food aid, and temporary emergency shelter materials to the communities in need.

I want to stress that life has been precarious for the people of this region for far too long. They have been among the millions of Congolese suffering from the all too often overlooked humanitarian crisis that has gripped much of central Africa.

The Congolese people suffered unspeakably during the colonial era. Then they endured the repression and astonishing corruption of the Mobutu regime. Next came the civil war that still leaves the country divided. Throughout these political trials, the most basic infrastructure of the country has crumbled, year by year, the victim of neglect, of corruption, and of conflict. Not only are the Congolese people still denied basic political rights—no matter which force controls the section of the country in which they live—but many also do not have access to even rudimentary health care. Several credible surveys and reports indicate that malnutrition levels have reached appalling levels.

As chairman of the Subcommittee on African Affairs, I am committed to holding a hearing to focus attention on the DRC in the months ahead. My colleagues will surely recognize that a vast country gripped by deprivation and fear provides opportunities for some of the worst international actors. Surely they will see that the situation in the Democratic Republic of the Congo creates a zone of instability at the heart of the continent—a direct challenge to our global efforts to stand on the side of both order and justice. Surely we will all realize that both our interests and our morals demand that we help the people of Goma not just to survive their immediate ordeal, but to rebuild their communities. We must work to support the inter-Congolese dialogue that aims to bring peace and a democratic political solution to the country, and we must demand all signatories to the Lusaka Accords respect the fundamental human rights of the Congolese people. We must work with the international community to provide desperately needed development assistance to the people who have long been denied meaningful control over the course of their own country's destiny.

The disaster in Goma has finally drawn international attention to the plight of the Congolese. We cannot avert our eyes now that the lava has stopped its terrible advance.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a sig-

nal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 8, 1998, in Palm Springs, CA. A gay participant in Palm Springs' Gay Pride weekend was attacked by three men. The assailants, Raymond Quevedo, 18, and two youths, ages 16 and 17, were charged with assault with a deadly weapon in connection with the incident.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

TRIBUTE TO SGT. JEANNETTE L. WINTERS

Mr. BAYH. Mr. President, I rise today to pay tribute to the seven members of the U.S. Marine Corps who died on January 9, 2002, when their KC-130 plane crashed in Pakistan. We are grateful for their service to the United States and are humbled by the ultimate sacrifice they made in defense of our country.

In Indiana, we grieve the untimely death of one of our own, Sgt. Jeannette Winters. Sergeant Winters grew up in Gary, IN and followed in the footsteps of her older brother, Matthew, when she joined the Marine Corps in 1997. Sergeant Winters was deployed for Operation Enduring Freedom in December and worked as a radio operator on the KC-130 plane.

Jeannette is remembered fondly by her friends and family as a caring person who had a positive outlook on life. She loved her country and was a proud marine who served honorably for more than 4 years. Her courage and her commitment to our country are a credit to her family and to the State of Indiana.

It is my privilege to pay tribute to Sgt. Jeannette Winters for her bravery and sacrifice by honoring her in the official RECORD of the U.S. Senate. I send my heartfelt condolences to her family and friends. Sergeant Winters and all of the brave men and women of our Armed Forces will remain in our thoughts and prayers.

When I reflect on the just cause in which we are engaged, on our commitment to routing out the scourge of terrorism across the world, I am reminded of the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

ADDITIONAL STATEMENTS

TRIBUTE TO DARRELL J. LOCKWOOD

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Darrell Lockwood of Goffstown, NH,