

S. 1774

At the request of Mr. CORZINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1774, a bill to accord honorary citizenship to the alien victims of September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks.

S. 1839

At the request of Mr. ALLARD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1839, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. RES. 182

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. WELLSTONE), the Senator from Indiana (Mr. LUGAR), and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. Res. 182, a resolution expressing the sense of the Senate that the United States should allocate significantly more resources to combat global poverty.

#### STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 1892. A bill to designate the facility of the United States Postal Service located at 37 Carl Path in Deer Park, New York, as the "Raymond M. Downey Post Office Building"; to the Committee on Government Affairs.

Mrs. CLINTON. Madam President, I rise today to introduce legislation to pay tribute to a great New Yorker, a beloved leader and noble public servant, Deputy Chief Ray Downey of the New York City Fire Department. The legislation I'm introducing today with my colleague, Senator SCHUMER, would name a post office in Deer Park, New York as the "Raymond M. Downey Post Office Building."

Firs, I want to express my deepest sympathies to his wife, Rosalie, and their five children for their terrible loss.

A hero among heroes, Ray Downey was one of the most decorated members of the Fire Department, awarded five medals for valor and 16 unit citations. His esteemed career spanned nearly 40 years with the New York Fire Department, including service with both ladder and engine companies, as

well as rescue squads. A former Marine, Downey joined the New York fire department in 1962, first serving in Brooklyn.

From the Murrah Federal Building in Oklahoma City in 1995 to the 1993 World Trade Center bombing, Chief Downey helped lead the department with his skill and courage. He was considered a leading expert on rescues involving collapsed buildings. For nearly 15 years, he commanded Rescue Company 2 and in August, because of his leadership and skill, he was promoted to Special Operations Command, which dealt with hazardous materials and rescue work. The reach of his work extended beyond New York City. He was a leader of the Urban Search and Rescue Team, which assisted in the Walton Floods response in Upstate New York, as well as the "ice storm" that hit Upstate in 2000 and Hurricane Georges and the Dominican Republic.

Due to his incredible knowledge of how buildings fall down, he has been described as having "rock star" status among firefighters across the country. Congressman Israel, who introduced the companion legislation in the House of Representatives, summed it up well, saying, "He is a national treasure." I could not agree more.

Chief Downey was also a member of a national advisory commission on domestic response to terrorism. Nearly five years ago, he warned that our next war would be fought in an urban area, and, unfortunately, he was right. Early on September 11, at age 63, just like he did a thousand times before, Ray Downey responded to the call for duty. In spite of his age, he joined the heroic and unforgettable effort to save lives in World Trade Center towers. The unmistakable courage and the incalculable sacrifices that he and all the public safety officers who responded that day made for the good of their communities and their country are the kinds of virtues and values that make them real-life heroes.

It has been reported that after September 11, Ray Downey's wife Rosalie, found a manila folder in his brief case filled with letters and praise from his lifetime of service. This modest man, who never boasted of his incredible rescues, had immense pride in his work, and rightly so. He quietly chronicled his service to the city and the manila folder grew thicker.

His life of service will also live on in the hearts and minds of all those whose lives he touched through his bravery and leadership. We will never forget Ray Downey's extraordinary career and I ask you to join us today in supporting this legislation, which will create a lasting tribute to this legendary figure. Ray Downey leaves behind a grateful city, in awe of all he achieved on its behalf.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 200—EXPRESSING THE SENSE OF THE SENATE REGARDING THE NATIONAL NUTRITION PROGRAM FOR THE ELDERLY, ON THE OCCASION OF THE 30TH ANNIVERSARY OF ITS ESTABLISHMENT

Mr. KENNEDY (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

SENATE RESOLUTION 199—HONORING THE LIFE OF REX DAVID "DAVE" THOMAS AND EXPRESSING THE DEEPEST CONDOLENCES OF THE SENATE TO HIS FAMILY ON HIS DEATH

Mr. LEVIN (for himself, Mr. DEWINE, Ms. LANDRIEU, Ms. STABENOW, Mr. CRAIG, Mrs. CLINTON, Mr. HELMS, Mr. VOINOVICH, Mr. ROCKEFELLER, Mr. GRASSLEY, Mr. BAUCUS, Mr. CHAFEE, Mr. CRAPO, Mr. INHOFE, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. LUGAR, Mr. HAGEL, Mrs. HUTCHISON, Mr. JOHNSON, Mr. ALLEN, Mr. MCCAIN, Mr. NICKLES, Mr. BURNS, Mr. SESSIONS, Mr. DURBIN, Mr. SPECTER, and Mr. HUTCHINSON) submitted the following resolution; which was considered and agreed to:

Whereas the Senate has learned with great sadness of the death of Dave Thomas from liver cancer at the age of 69 on January 8, 2002;

Whereas Dave Thomas, born in Atlantic City, New Jersey, on July 2, 1932, and adopted shortly thereafter by Rex and Auleva Thomas, of Kalamazoo, Michigan, was a lifelong advocate and activist for the cause of adoption;

Whereas Dave Thomas, in 1979, was awarded the Horatio Alger Award for dedication, individual initiative, and a commitment to excellence, as exemplified by remarkable achievements accomplished through honesty, hard work, self-reliance, and perseverance;

Whereas from 1990 until 2000 Dave Thomas was national spokesman for numerous White House adoption and foster care initiatives;

Whereas Dave Thomas received numerous awards including the Angel in Adoption Award by the Congressional Coalition on Adoption for generating awareness of the thousands of children waiting for permanent homes and loving families;

Whereas Dave Thomas, in 1992, established the Dave Thomas Foundation for Adoption and donated his speaking fees and profits from sales of his books, "Dave's Way, Well Done!" and "Franchising for Dummies", to adoption causes;

Whereas Dave Thomas established the Dave Thomas Foundation for Adoption, to work with national adoption organizations, individuals and public and private agencies to raise awareness about children awaiting adoption and to provide direct support for programs seeking to find permanent homes for children in foster care;

Whereas Dave Thomas established the Dave Thomas Center for Adoption Law to ease and facilitate the adoption process through education, advocacy and research;

Whereas Dave Thomas was a constructive force in shaping corporate health policy to cover adoption expenses and, through his efforts, 75 percent of Fortune 1000 companies

now offer adoption benefits to their employees;

Whereas Dave Thomas received the 2001 Social Awareness Award from the United States Postal Service for being instrumental in the use of the Adoption Awareness postage stamp as a vehicle for highlighting cause of adoption;

Whereas Dave Thomas founded Wendy's Old-Fashioned Hamburgers in Columbus, Ohio, on November 15, 1969 and transformed it into one of the most successful food franchises in the country and, in promoting Wendy's, became a national figure representing a friendly face, good food, and a kind sense of humor;

Whereas Dave Thomas, in 1993, 45 years after leaving school, earned his GED certificate and received his high school diploma from Coconut Creek High School in Ft. Lauderdale, Florida, securing him as role model to students of all ages;

Whereas Dave Thomas used his financial success to promote and advance the cause of adoption: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that America has lost one of its most dedicated and hardest working advocates for adoption, and honors him in his devotion to family, life, and business; and

(2) expresses its deep and heartfelt condolences to the family of Dave Thomas on their loss.

#### S. RES. 200

Whereas on March 22, 1972, President Richard Nixon signed Public Law 92-258, which amended the Older Americans Act of 1965 to establish a national nutrition program for the elderly, commonly referred to as the "Elderly Nutrition Program";

Whereas the Elderly Nutrition Program has been expanded since its inception in 1972 to include 3 distinct components: congregate meals, home delivered meals, and the Nutrition Program for the Elderly in the Department of Agriculture;

Whereas the Elderly Nutrition Program operates in every State and most counties and cities in the United States, providing seniors with guaranteed meals;

Whereas these meals each provide at a minimum 33 percent of the recommended daily allowances of nutrients;

Whereas the Elderly Nutrition Program has provided more than 4,700,000,000 meals;

Whereas the Elderly Nutrition Program is a vital component of a service network, providing a continuum of home- and community-based long-term care for seniors and helping them to avoid premature or unnecessary institutionalization;

Whereas the Elderly Nutrition Program provides a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation;

Whereas a strong national network of nutrition service providers and thousands of dedicated volunteers administer the Elderly Nutrition Program; and

Whereas under the Elderly Nutrition Program, more than 272,000,000 meals are provided each year to older individuals in the greatest economic or social need and to older Native Americans: Now, therefore, be it

*Resolved*, That on the occasion of the 30th anniversary of the establishment of a national nutrition program for the elderly, commonly referred to as the "Elderly Nutrition Program"—

(1) it is the sense of the Senate that the program, of great importance to the health and well-being of participants, is well-run and continues to achieve its objectives on behalf of the senior citizens it serves; and

(2) the Senate—

(A) expresses appreciation for the daily work of all the individuals, including volun-

teers, who administer the program at the local level; and

(B) recognizes the importance of the present and future health and well-being of the millions of senior citizens across the Nation, including the maintenance of their independence and dignity.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2698. Mr. DASCHLE (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

#### TEXT OF AMENDMENTS

SA 2698. Mr. DASCHLE (for himself, and Mr. BAUCUS) proposed an amendment to the bill H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Economic Recovery and Assistance for American Workers Act of 2002".

(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—SUPPLEMENTAL REBATE FOR INDIVIDUAL TAXPAYERS

Sec. 101. Supplemental rebate.

#### TITLE II—TEMPORARY BUSINESS RELIEF

Sec. 201. Special depreciation allowance for certain property.

#### TITLE III—ASSISTANCE FOR MEDICAID COVERAGE

Sec. 301. Temporary increases of medicaid FMAP.

#### TITLE IV—TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS

Sec. 401. Short title.

Sec. 402. Federal-State agreements.

Sec. 403. Temporary extended unemployment compensation account.

Sec. 404. Payments to States having agreements under this title.

Sec. 405. Financing provisions.

Sec. 406. Fraud and overpayments.

Sec. 407. Definitions.

Sec. 408. Applicability.

#### TITLE V—ADDITIONAL PROVISIONS

Sec. 501. No impact on social security trust funds.

Sec. 502. Emergency designation.

#### TITLE I—SUPPLEMENTAL REBATE FOR INDIVIDUAL TAXPAYERS

##### SEC. 101. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

“(f) SUPPLEMENTAL REBATE.—

“(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 16, 2001—

“(A) filed a return of tax imposed by subpart A for such taxable year, or

“(B) filed a return of income tax with the government of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, or the Virgin Islands of the United States, shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

“(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

“(A)(i) \$600 in the case of taxpayers to whom section 1(a) applies,

“(ii) \$500 in the case of taxpayers to whom section 1(b) applies, and

“(iii) \$300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

“(B) the amount of any advance refund amount paid to the taxpayer under subsection (e).

“(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible.

“(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.

“(5) SPECIAL RULE FOR CERTAIN NON-RESIDENTS.—The determination under subsection (c)(2) as to whether an individual who filed a return of tax described in paragraph (1)(B) is a nonresident alien individual shall, under rules prescribed by the Secretary, be made by reference to the possession or Commonwealth with which the return was filed and not the United States.”.

#### (b) TECHNICAL CORRECTION.—

(1) IN GENERAL.—Subsection (b) of section 6428 is amended to read as follows:

“(b) CREDIT TREATED AS NONREFUNDABLE PERSONAL CREDIT.—For purposes of this title, the credit allowed under this section shall be treated as a credit allowable under subpart A of part IV of subchapter A of chapter 1.”.

#### (2) CONFORMING AMENDMENTS.—

(A) Subsection (d) of section 6428 is amended to read as follows:

“(d) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

“(1) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer under subsection (e). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

“(2) JOINT RETURNS.—In the case of a refund or credit made or allowed under subsection (e) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.”.

(B) Paragraph (2) of section 6428(e) is amended to read as follows:

“(2) ADVANCE REFUND AMOUNT.—For purposes of paragraph (1), the advance refund amount is the amount that would have been allowed as a credit under this section for such first taxable year if—

“(A) this section (other than subsections (b) and (d) and this subsection) had applied to such taxable year, and

“(B) the credit for such taxable year were not allowed to exceed the excess (if any) of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(ii) the sum of the credits allowable under part IV of subchapter A of chapter 1 (other