

**“§ 2339D. Terrorist offenses resulting in death**

“(a) PENALTY.—A person who, in the course of committing a terrorist offense, engages in conduct that results in the death of a person, shall be punished by death or imprisoned for any term of years or for life.

“(b) TERRORIST OFFENSE DEFINED.—In this section, the term ‘terrorist offense’ means—

“(1) international or domestic terrorism as defined in section 2331;

“(2) a Federal crime of terrorism as defined in section 2332b(g);

“(3) an offense under this chapter;

“(4) section 175, 175b, 229, or 831 of this title;

“(5) section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284); or

“(6) an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), (4), or (5).”

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States Code, is amended by inserting at the end the following:

“2339D. Terrorist offenses resulting in death.”

(c) AGGRAVATING FACTORS.—

(1) IN GENERAL.—Section 3591(a)(1) of title 18, United States Code, is amended by striking “or section 2381” and inserting “2339D, or 2381”.

(2) CONFORMING AMENDMENT.—Section 3592(b) of title 18, United States Code, is amended—

(A) in the heading, by striking “AND TREASON” and inserting “, TREASON, AND TERRORISM”; and

(B) in paragraph (1)—

(i) in the heading, by striking “OR TREASON” and inserting “, TREASON, OR TERRORISM”; and

(ii) by striking “or treason” and inserting “, treason, or terrorism”.

**SEC. 3. DENIAL OF FEDERAL BENEFITS TO TERRORISTS.**

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

**“§ 2339E. Denial of Federal benefits to terrorists**

“(a) IN GENERAL.—Any individual who is convicted of a Federal crime of terrorism (as defined in section 2332b(g)) shall, as provided by the court on motion of the Government, be ineligible for any or all Federal benefits for any term of years or for life.

“(b) FEDERAL BENEFIT DEFINED.—As used in this section, ‘Federal benefit’ has the meaning given that term in section 421(d) of the Controlled Substances Act (21 U.S.C. 862(d)).”

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States Code, is amended by inserting at the end the following:

“2339E. Denial of Federal benefits to terrorists.”

**REMEMBERING GENERAL BILL CREECH**

Mr. ENSIGN. Mr. President, I rise today to pay tribute to a man of remarkable leadership, dedication, and courage and to join Nevadans and Americans in mourning the loss of retired Air Force General Bill Creech.

As chairman of the Military Readiness Subcommittee, I have learned a great deal about what it has taken and what it will continue to take for our armed services to be the top military in the world, bar none. For the strength, effectiveness, and success of

today’s Air Force, this nation owes a debt of gratitude to Bill Creech.

Creech started as a private in the Air Force in 1944, and as he rose 14 rungs to four-star general, he never forgot what it was like to be at the bottom. During almost 40 years of service to this nation, he flew 280 missions as a combat pilot and was decorated 39 times, including 22 awards for bravery in combat.

In 1960, he came to Nellis Air Force Base in Las Vegas where he was director of operations for the “Top Gun” Fighter Weapons School and during which his relationship to southern Nevada first formed.

In 1978, he earned his fourth star and became commander of the Tactical Air Command, or TAC, at Langley Air Force Base in Virginia. During his 6½ years as commander, Creech showed the Air Force how to get the job done, and his leadership continues to be a lesson to us all. Under his direction, TAC’s productivity improved by 80 percent and resulted in \$12 billion of savings for the government.

And while Creech cut out the fat and waste, he oversaw the development of a new generation of air fighters including many modern jets as well as our prized Stealth fighter that eludes radar detection. Creech also used his experiences in Vietnam to develop night-flying tactics that led to our victories in the Persian Gulf War and Iraq.

After his retirement from the military, Creech became an internationally recognized management consultant with a best-selling book on total quality management based on his success restructuring the Air Force. For anyone who manages a single office or a multi-billion dollar corporation, Creech’s message is invaluable. By rewarding accomplishments, creating pride in ownership, and developing a team atmosphere, the human factor endures and success results.

To southern Nevadans, Bill Creech will always hold a special place in our hearts for his loyalty and dedication to our beloved Thunderbirds, the air demonstration team that calls Nellis Air Force Base home. A Thunderbird pilot who flew 125 demonstration shows, Creech was once referred to as “the father of the Thunderbirds,” and he believed that the Thunderbirds inspired young people to join the Air Force.

The Thunderbirds exist today because Bill Creech stood up for them. After four pilots were killed in flight, he publicly stated that if the team suffered an accident during his tenure he would resign. We are grateful that he took that stand. I have had the honor of watching the Thunderbirds in action on many occasions. They display the power and awesomeness of our Air Force and the dedication of people like Bill Creech who lift this nation to new heights so that we may all continue to soar.

To Bill’s wife, Caroline, I offer the condolences and admiration of Nevadans and Americans. This great Nation

that Bill Creech risked his life for and lived his life for will always be grateful for his contributions.

**THE SMALL BUSINESS ADMINISTRATION 50TH ANNIVERSARY REAUTHORIZATION ACT OF 2003**

Mr. BOND. Mr. President, I rise today in recognition of S. 1375, the Small Business Administration 50th Anniversary Reauthorization Act of 2003. This bill revitalizes existing SBA programs and brings to life new pilot programs, all of which promote the demands and growth of the small business community. I commend the Chair, Senator SNOWE, for passing this bill through the Small Business Committee with unanimous support.

Upon final passage of this bill, we will take a giant step toward improving and refining the SBA and its programs. With the new provisions that enhance Agency recordkeeping and realign program operations under a more appropriate department, it is clear that Agency accountability and oversight will be strengthened. In addition, small businesses will benefit from improvements in the lending programs, greater access to capital, new innovations in the entrepreneurial programs, expansion of procurement programs, and improved training and assistance provisions.

According to the SBA’s Office of Advocacy, small businesses represent more than 99.7 percent of all employers, employ more than half of all private sector employees, and generate 60 to 80 percent of net new jobs annually. Given these statistics and the difficult financial times we face in today’s economy, I urge Congress to continue to nurture the needs of the small business community. We must show enthusiastic support for this bill, which I am confident will provide the SBA with greater tools to keep pace with the ever-changing global economy and to serve the small business community in a more effective and efficient manner. To act otherwise could jeopardize this Nation’s much-needed job growth and innovation.

I refer to an important small business program titled the Historically Underutilized Business Zone Contracting Program, or as it is commonly referred to, the HUBZone Program. This small-business program was one of my personal priorities as former chairman of the Senate Small Business Committee. It was established in 1997 with the intent to create jobs in severely economically distressed communities, both rural and urban. In addition, the HUBZone program provides a federal contracting preference as an incentive for small businesses to locate in these low-income areas. The jobs created by the HUBZone Program bring money to those blighted areas and create a demand for more goods and services, which leads to the creation of more small businesses and increased commerce in the area. Little

by little, the community's economic base is reborn.

Today, there are over 8,378 small businesses that are HUBZone certified, and the Government has procured approximately \$1.7 billion in HUBZone contracting this year. The SBA reports that in fiscal year 2001, each dollar spent on the program yielded a return of \$288 in contract awards and as a result, the program helped to create 12,782 jobs in the U.S., approximately 8,974 of which were located in distressed areas.

Based on fiscal year 2001 procurement statistics, HUBZone firms increased employment 33 percent to 50 percent as a result of contract awards. Nearly 50 percent of HUBZone firms increased capital expenditures as a result of receiving contracts in fiscal year 2001. As our economy struggles during these difficult times, this vital program will continue to bring jobs to our Nation's inner cities, poor rural counties, and Indian reservations.

I urge Congress to support the HUBZone Program in its current form along with the new amendments provided in the Senate's version of the SBA Reauthorization Act of 2003. Any additional changes not supported by the full Senate Committee on Small Business could seriously undermine the original intent of the program.

Thank you for the opportunity to speak today on behalf of the small business community. I encourage my colleagues to support Senator SNOWE and S. 1375, the Small Business Administration 50th Anniversary Reauthorization Act of 2003.

#### FINDING THE CONNECTION

Mr. VOINOVICH. Mr. President, it has been nearly 2 years since terrorists attacked the United States on September 11, 2001. As our Nation prepares to honor the memory of those who were lost on that tragic day, I would like to submit for the RECORD a piece that I read in yesterday's Cleveland Plain Dealer that was written by Christy Ferer, whose husband, Neil Levin, perished in the World Trade Center. I was deeply moved by her words, which serve to remind us of the reason behind our ongoing efforts to promote the virtues of freedom and democracy as our men and women in uniform remain on the front lines in the fight against terrorism in Iraq, Afghanistan, and other parts of the world. We owe them our deepest gratitude.

I ask unanimous consent the article be printed in the RECORD.

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

[From the Plain Dealer, Sept. 8, 2003]

#### FINDING THE CONNECTION

(By Christy Ferer)

When I told friends that I was making a pilgrimage to Iraq to thank the U.S. troops, their reactions were underwhelming at best.

Some were blunt: "Why are you going there?"

They couldn't understand why it was important for me, a Sept. 11 widow, to express my support for the men and women stationed today in the Persian Gulf.

The reason seemed clear, as far as I was concerned. I was going not to embrace the war, but to embrace the warriors.

I didn't intend to use the emotional capital generated by my connection to Sept. 11, 2001, to defend the U.S. presence in the Gulf. And I am certainly aware there is no proof yet that Saddam Hussein was linked to those terrorist attacks.

But I wanted to go to Iraq because I am the daughter of a World War II veteran who was decorated with a Purple Heart, and because I am the widow of a man who lost his life in what some feel was the opening salvo of World War III.

I wanted, needed, to honor my father and my husband, their service and sacrifice, by standing before those who were now making sacrifices and serving our country.

But my friends' reactions were so politely negative that I began to doubt my role in the first USO/Tribeca Institute tour into newly occupied Iraq. Besides, with Robert DeNiro, Wayne Newton and Rebecca and John Stamos, who needed me? I'm hardly a celebrity.

Did U.S. soldiers really want to hear about my husband, Neil Levin, who went to work as director of the Port Authority of New York on Sept. 11 and never came home?

How would they relate to the two other bereaved people traveling with me—Ginny Bauer, a N.J. homemaker and mother of three who lost her husband, David, and former Marine Jon Vigiano, who lost his only sons, Jon, a firefighter, and Joe, a policeman?

As we were choppered over the bleached deserts, I wondered if I'd feel like a street hawker, passing out Port Authority pins and baseball caps as I said "Thank you" to the troops. Would a hug from me compare to hugs from a Victoria's Secret model, or the Dallas Cowboys cheerleaders?

The first "meet and greet" made me weep. My own daughters are old enough to be soldiers. Here were their peers—18-years-olds, armed with M-16s and saddlebags of water in the 120-degree heat. The soldiers swarmed around the stars for photos and autographs. Then it was announced that a trio of Sept. 11 family members was also in the tent.

It was as if an emotional dam had burst.

Some wanted to touch us, as if they needed a physical connection to our sorrow, and living proof of one reason they were there. One mother of two from Montana told me she'd signed up because of Sept. 11, and dozens of others said the same. One young man showed me his metal bracelet engraved with the name of victim he'd never known and that awful date none of us will ever forget.

At every encounter with the troops, there was a surge of reservists—firefighters and cops, including many who had worked in the rubble of Ground Zero—who had come to exchange a hometown hug. Their glassy eyes still didn't allow anyone to penetrate to the place where their trauma is lodged, the trauma that comes with devastation unimaginable to those who didn't witness it. It's there in me, too. I forced my way downtown on that terrible morning, convinced I could find Neil beneath the rubble.

I was not prepared for the soldiers who showed us the World Trade Center memorabilia they'd carried with them into the streets of Baghdad. Others had been holding in stories of personal Sept. 11 tragedies that had made them enlist.

To those men and women, it didn't seem to matter that Saddam's regime had not produced the murderers of Sept. 11. What they made clear to me was their belief that des-

potic rulers like Saddam fuel the volatile anti-American sentiment that breeds such terrorism: They feel they are in Iraq to stabilize the Gulf region, and thus to protect U.S. soil.

At Saddam Hussein International Airport, where Kid Rock gave an impromptu concert in a steamy hangar, Capt. Jorge Vargas from the Bronx tapped me on the back. He'd enlisted in the Army after some of his wife's best friends were lost at the World Trade Center. When he saw the piece of recovered metal from the Towers that I had been showing to a group of soldiers, he grasped for it as if it were a grail.

Then he handed it to Kid Rock, who passed the precious metal through the 5,000 troops in the audience. They lunged at the opportunity to touch the steel that symbolized what so many of them felt was the purpose of their mission. Looking into that sea of khaki gave me chills, even in the blistering heat.

When I got to the microphone, I told the soldiers we hadn't made the journey to hear condolences, but to thank them and to say that the families of Sept. 11 think of them every day. The crowd interrupted me with chants of "U.S.A.! U.S.A.! U.S.A.!" Many cried.

What happened next left me with no doubt as to why I had come.

There I was on stage, quaking before thousands of troops because I was to present a small piece of the World Trade Center steel to Gen. Tommy Franks. As I handed him the icy gray block, his eyes welled up.

I was stunned when the proud four-star general was unable to hold back the tears, which streamed down his face as he stood at center stage before his troops. The men and women in khaki fell silent.

And he turned from the spotlight to regain his composure, I put my arms around him and tried to comfort both of us with an embrace.

#### ADDITIONAL STATEMENTS

#### TRIBUTE TO CHESTERFIELD SMITH

● Mr. GRAHAM of Florida. Mr. President, I rise today to pay tribute to the memory of an extraordinary Floridian who was also an American treasure—Chesterfield Harvey Smith.

On Wednesday, July 16, 2003, we lost this resounding voice of conscience to cardiopulmonary complications at Doctor's Hospital in Coral Gables, FL. He was 85.

Chesterfield Smith often called himself a "country lawyer," but he was a pillar of this Nation's legal community. After graduating from the University of Florida's law school in 1948, he joined a law firm that he led through mergers and acquisitions to become one of the country's largest, Holland & Knight. He served as president of the Florida Bar Association in 1964, and then became president of the American Bar Association in 1973.

While ABA president, Mr. Smith condemned President Richard Nixon following the firings of an attorney general and others in the so-called "Saturday Night Massacre" during the Watergate scandal. Mr. Smith's comment—"no man is above the law"—has been described as a turning point in public