

I do this because, in the State of Nevada, Nellis Air Force Base and the Fallon Naval Air Training Center are desperately in need of construction starts and completion of jobs that are already underway.

So I hope my friends on the other side will allow this very important conference report to be agreed to and the motion to reconsider be laid upon the table, and that be done with no intervening action or debate.

I so move.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, first I thank my colleague from Oregon and my colleague from Virginia for the hard work they did to get us to this point where we have an opportunity to review some of the problems we have seen in the Internet tax area. I had an early opportunity to review and carefully consider S. 150, and I support the stated purpose of this legislation. I agree that the American consumer should be encouraged and not taxed to access the Internet.

I also agree with the stated purpose of this legislation, that the Federal Government should ensure tax-free access to the Internet, irrespective of the technology the consumer uses, whether it is the regular dial-up modem, cable modem, DSL, wireless, or satellite.

My concerns with this legislation don't stem from its stated purposes. My concerns are with the legislation's unstated purposes and unintended consequences which most State, county, and local tax experts believe would jeopardize important revenue streams, such as the gross receipts tax, that were permitted under the first two iterations of the Internet tax moratorium.

The Internet tax moratorium bill was conceived in 1998 as a proconsumer legislative attempt aimed at increasing American access to the Internet. Now that the bill has been rewritten and greatly expanded, it has as a result become another corporate giveaway of potentially enormous and devastating proportions.

According to the Commerce Committee report accompanying S. 150, the original enactment of this legislation in 1998 imposed a temporary moratorium on "certain taxes that could have a detrimental effect on the continued expansion of Internet use in the United States."

In 1999, only 26 percent of United States households had Internet access, according to the Department of Commerce. In September 2001, 51 percent of United States households had Internet access. In 2002, according to the Forrester Research firm, 64 percent—quite a jump in a year—of U.S. households had Internet.

The number of households with Internet access has more than doubled in 4

years, from 26 percent in 1998 to 64 percent in 2002. I am sure the rate of Internet access today is even higher.

Many households, however, only have basic dial-up access to the Internet and haven't moved to the faster broadband access services.

Clearly, the supporters of this bill can't blame an access tax that isn't being imposed for the digital divide that exists between people who have Internet access and those who do not, or between households which can afford broadband or wireless Internet access service and those households which still use the narrowband dial-up.

Nevertheless, I would support an extension of the moratorium on Internet access taxes. By temporary, I am talking about a couple of years. But to make the moratorium permanent, as this bill would do, in my view is an abdication of responsibility on our part.

I cannot and will not support a permanent moratorium that is so poorly defined that it won't just apply to access taxes. I cannot and will not support a moratorium that will deprive the States of \$4 billion to \$9 billion in revenues by the year 2006, according to the Multi-State Tax Commission and the National Governors Association. Based on the language in the bill reported out of the Commerce Committee, my home State of New Jersey by itself stands to lose \$833 million in annual revenues. Other States also stand to lose hundreds of millions of dollars as well. Maybe some Senators are willing to look the other way and not address the problems with this bill. So be it. But I cannot do that. Even under the managers' amendment, which is a modest improvement, the annual revenue loss for New Jersey is believed to be somewhere around \$600 million. My question is: Why are we doing this to States when they are facing the biggest fiscal crisis they have seen since World War II or even the Depression years?

A permanent, poorly crafted moratorium? No way. I cannot in good conscience support something so far reaching.

That is why I support an amendment I believe will be offered by some of my colleagues, Senators ALEXANDER, CARPER, and VOINOVICH, to extend the existing moratorium for only 2 years, and to fix the discrepancy in the way DSL and cable modem are treated for tax purposes.

I realize even if this amendment is offered and agreed to, States such as New Jersey will still lose much-needed revenue, but at least we can and must minimize the impact.

I yield the floor.

Mr. WYDEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, prior to wrap-up, this completes the debate and discussion for this evening. It is my understanding that Senators from Tennessee, Ohio, and Delaware have an amendment that has been filed and they will call it up when we begin our continued debate on this legislation tomorrow morning at 9:30. I hope we can limit our debate on that amendment and have a vote on it and then take up other amendments. It is still the intention of the majority leader to finish this legislation tomorrow. I hope we can achieve that goal.

I know everybody would like to go home on Friday afternoon, but I have been assured by the majority leader we will remain until completion of the legislation.

I think it has been a good debate tonight. I thank all of my colleagues. I look forward to disposing of the amendments tomorrow when we reconvene at 9:30.

I yield the floor to the distinguished Senator from Nevada.

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UNANIMOUS CONSENT REQUEST—  
H.R. 1828

Mr. REID. Mr. President, I will propound a unanimous consent request regarding the Syria Accountability Act in just a minute.

This is an important piece of legislation that requires our immediate attention.

This bill would establish economic sanctions against Syria, unless the President certifies that Syria has ceased all support for international terrorism and has gotten out of the weapons of mass destruction business.

As we have known for some time, Syria supports and sponsors Hizballah and other terrorist groups. Hizballah, of course, was responsible for the deadly attack against 298 of our marines in Lebanon 20 years ago, and they have also been behind repeated attacks against Israeli civilians over the years.

It is also no secret that the Baathists of Syria and Iraq shared a common view of the world. They are anti-western, corrupt, and dangerous. Our intelligence experts have noted a significant amount of weapons and terror traffic between Iraq and Syria leading up to the war. This would be consistent with reports that Syria offered sanctuary to senior figures from the Iraqi regime.

And now, as our brave men and women fight a low-intensity conflict in Iraq, it is becoming clear that many of the threats that they face result from the porous border with Syria, and the failure of Syria to crack down on cross-border terrorism.

Make no mistake: This bill is critical to our troops, and to restoring peace in the Middle East. It is also critical to holding Syria accountable for their shabby record on terrorism and human rights.

I am hopeful my colleagues on the other side will pass it without further delay.

To my knowledge, no amendment has been filed tonight. I hope tomorrow morning we can pass the Syria Accountability Act. We can shorten the time to 1 hour. Under the present consent agreement which has been approved before this body, we will move to it for an hour and half at any time the majority leader wishes. We have waited a long time to get to this. I hope we can do it tomorrow.

I hope that also tomorrow—and I was willing to do it tonight, but it has been rejected on two separate occasions—we can pass the Military Construction appropriations bill. I don't understand why we can't do that. We could have this matter on the President's desk in a matter of hours. After it is signed, places such as Nellis Air Force Base and Fallon Naval Air Training Center would be able to start construction projects that are badly needed. Both of those bases are terribly busy because of what is going on in the Middle East and because of the training for our naval airmen and Air Force airmen. I know the people at Nellis badly need this money.

I ask consent that the order entered with respect to H.R. 1828, the Syria Accountability Act, be changed to reflect the time for consideration be reduced to 60 minutes; that there be 30 minutes under the control of Senator SPECTER, 15 minutes each for Senators LUGAR and BOXER, or their designees; and at 9 a.m. tomorrow morning the Senate proceed to the measure under limitations provided under the previous order as modified above with the remaining provisions of the order now in order to remain in effect.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. REID. I would hope that the majority would allow the Senate, before we take our weekend break, to do these two pieces of legislation—the Syria Accountability Act and the military construction conference report. I hope we can do that. These are non-partisan measures. I don't know what advantage any of us have by taking a few minutes and passing them. I hoped we could do military construction in tonight's wrap-up. It is something that needs to be done that no one disputes. No one needs it more than the military of our country.

I yield the floor.

#### MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent there be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### THE ARMED FORCES RELIEF TRUST

Mr. GRAHAM of South Carolina. I rise today to commend an initiative recently launched by the National Association of Broadcasters and its local radio and television station members.

With more than 140,000 military personnel stationed in Afghanistan, Iraq and around the world, the resources needed to take care of our troops and their families are strained. As an Air Force reservist, I have seen firsthand the financial and emotional difficulties that many families face when a family member is on an extended deployment.

Of course, the military takes care of its own. But, as the war on terror continues and needs escalate, the military cannot do it alone. To respond to this growing need, the four military aid societies have joined together to create a single umbrella organization: the Armed Forces Relief Trust.

In support of this new relief organization, local commercial radio and television stations are airing radio and television public service announcements, asking viewers and listeners to contribute to the Trust. The over-the-air broadcast medium continues to be the most effective way to rapidly disseminate information to the public. Last year, the four military emergency assistance programs disbursed more than \$109 million in interest-free loans and grants to more than 145,000 individuals and families in need. With the help of America's local radio and television stations, I am convinced that the Trust will be able to assist even more military families.

I applaud the efforts of local broadcasters to support the families of those who defend us every day.

#### THE CRIMINAL SPAM ACT OF 2003

Mr. LEAHY. Mr. President, in June of this Year, I introduced S. 1293, the Criminal Spam Act, together with my friend Senator HATCH and several of our colleagues on the Judiciary Committee. In September, the committee unanimously voted to report the bill to the floor. Two weeks ago, the Senate adopted portions of the bill as an amendment to S. 877, the CAN SPAM Act. The bill has been cleared from the Democratic cloakroom for weeks.

Unfortunately, this important measure is hung up on the Republican side because of an anonymous "hold" by some Republican Senator.

The Criminal Spam Act targets the most pernicious and unscrupulous spammers—those who use trickery and deception to induce others to relay and view their messages. Ridding America's inboxes of deceptively delivered spam will significantly advance our fight against junk e-mail.

Why would anyone want to prevent passage of this important legislation? It is bipartisan. It is non-controversial. It enjoys broad support from businesses, consumer groups, and civil lib-

erties groups alike. The administration has only good things to say about it, and I know of no individual or organization that opposes it.

The answer must be that someone on the other side of the aisle is playing politics with this bill, holding it up for some reason that has nothing to do with it—or for no reason at all.

We could pass the Criminal Spam Act today, the House could act quickly and we could start prosecuting the worst of the worst spammers without delay. Instead, a single Republican Senator is allowing these individuals to continue to flood the Internet with their unwanted ads.

The Internet is a valuable asset to our Nation, to our economy, and to the lives of Americans. We should act now to secure its continued viability and vitality.

#### NATIONAL CONSUMER CREDIT REPORTING SYSTEM IMPROVEMENT ACT OF 2003

Mr. BUNNING. Mr. President, I rise today in support of S. 1753, the National Consumer Credit Reporting System Improvement Act of 2003. As we all know, reauthorization of the Fair Credit Reporting Act is a very important issue for the financial services industry and for consumers. When I talk to my friends in this sector, it is always the first thing they ask about. It touches everyone and their money and our national economy. It is critical that we act on it before adjournment. I believe that the Banking Committee under the leadership of Chairman SHELBY has created a fair, bipartisan bill and I urge my colleagues to support it.

We have been talking about this issue for several years. We have held a number of hearings on it. We looked it over pretty thoroughly, and I think we have come up with a reasonable approach. Most importantly, we have to act now because this bill is also important to our overall economy.

Last week we had great economic news. Our economy is roaring back and that is good news for everyone. But if we fail to pass this bill, it could end up being a serious speed bump on the road to a better economy. If there is one thing that markets hate, it is uncertainty. They want to know where we are and where we are going. For better or worse, the markets think we are going to pass this bill. They think we are going to outline a stable path for financial institutions when it comes to the sharing of information. Any talk or any sign from Congress that makes the markets think that we aren't going to pass this bill would create a great deal of uncertainty in the financial markets. Now that our economy is really coming to life, that is the last thing we need. If the markets think we are going to let the FCRA lapse, they are going to get very jittery very quickly. I can understand that. This is a sensitive, complicated area. I don't think any of us wants the FCRA to lapse.