

the organizational problems here, at some future point I will chair—and Chairman Greenspan was asked two questions. The first question I asked him. I said:

In this time of boom, Mr. Chairman, can we assume that the business cycle has been repeated and that there will never be a period of bust?

He smiled a little wryly and said:

No, Senator, we have not repeated the business cycle, and the bust is coming.

Now, it is not coming because of government. It was not coming because we did something on the Senate floor. It came because the business cycle always comes through a series of circumstances that I will describe in another speech on the floor. But the downturn that we had at the end of the boom was virtually inevitable, and to blame anybody in government for it is, frankly, political opportunism. The polls show that most Americans understand that. They don't buy the class warfare arguments that have been raised saying it was Bush's election that caused the downturn. It was caused by the excesses of the nineties. The downturn is a correction of those, and in the long term it is a healthy kind of thing.

The second question Chairman Greenspan was asked was:

In this time of boom, who is benefiting the most?

The Senator who asked that question, obviously, had the answer already in his mind. The answer that he was going to give was the same answer we heard on the floor from the Democratic leader—that the people benefiting the most from this boom are the people at the top because, look, statistically, at all the money they are getting. This assumes the money went directly into their pockets and just stayed there.

Chairman Greenspan surprised the Senator by giving a different answer. He said: There is no question that in this time of prosperity, in this time of boom, in this time when things are going well, the people who are benefiting the most are the people at the bottom. They can find jobs because the money is there investing in new business, the money is there investing in new opportunities, and jobs are available. They do not depend on welfare checks anymore because they can earn money for themselves.

The greatest welfare benefit we can give anybody is a job. If the economy starts to slow down, who will get hurt the most? We have seen it. The people at the bottom. Yes, we need to do unemployment insurance, and we did. Yes, we need to do things to take care of them temporarily, and we have. But ultimately the best thing we can do for them is to get the economy growing again at the kind of rates we experienced after the Reagan tax cut in the early eighties and that we experienced in the tech boom in the midnineties.

If we can get the economy growing in that direction again, the people at the bottom will benefit far more than if we

take a shortsighted 1-year focus attempt to redistribute wealth. That is why the Bush proposal is a serious proposal. Should it be changed? I do not know. Should it be debated and challenged? Absolutely. Should we be prepared to make changes if, during that debate and challenge, we decide something else needs to be done? Of course. But should it be dismissed out of hand just because it is long-term in its view and replaced with a short-term, stop-gap "let's take care of this year and not worry about the future" sort of plan?

If we were to do that, Mr. President, who would get hurt the most? And the answer, of course, is the people at the bottom.

If we were to take the principles laid out by the Democratic leader as our guiding principles in economic policy, the people at the bottom would be the ones who would suffer. The best thing we can do for them, the best thing we can do for our children, the best thing we can do for our Government is to see to it that the entire economy grows in a strong, long-term, stable fashion. That is the principle that has guided the Bush team in their proposal, and that is the principle that should guide the Congress as it debates and analyzes that proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes this morning.

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

#### OFFICE OF TOTAL INFORMATION AWARENESS

Mr. WYDEN. Mr. President, as the Senate moves to the spending bill, I rise to discuss briefly an amendment I will be offering. It is an amendment I discussed with colleagues on both sides of the aisle. It is an amendment that would limit the scope of the Office of Total Information Awareness. This is a program that is now being directed by retired Admiral John Poindexter, the former National Security Adviser to former President Reagan. It is one that raises a number of important issues that have arisen in our country since the horrific events of 9/11.

Given the fact that our country is engaged in fighting a war against an enemy without boundaries, clearly we must, as a Nation, take steps that constantly strive to balance the rights of our citizens against the need to protect the national security of our Nation.

My concern is the program that has been developed by Mr. Poindexter is going forward without congressional oversight and without clear accountability and guidelines. That is why I think it is important for the Senate, as we reflect on the need to fight terrorism while balancing the need to protect the rights of our citizens, to emphasize how important it is a program

such as this be subject to congressional oversight and that there be clear accountability.

On the Web site of this particular program, the Total Information Awareness Program, they cite a Latin slogan: "Knowledge is power"—something we would all agree with:

The total information awareness of transnational threats requires keeping track of individuals and understanding how they fit in to models. To this end, this office would seek to develop a way to integrate databases into a "virtual centralized grand database."

They would be in a position to look at education, travel, and medical records, and develop risk profiles for millions of Americans in the quest to examine questionable conduct and certainly suspicious activity that would generate concern for the safety of the American people.

I am of the view the Senate has a special obligation to be vigilant in this area so we do not approve actions or condone actions by this particular office that could compromise the bedrock of this Nation—our Constitution.

I sit on the Senate Intelligence Committee. I know it is a difficult job to find and maintain the proper balance between constitutional rights and the need to thoroughly track down every valid lead on terrorism, but I will tell you, Mr. President, I think it is critically important that the Senate have oversight over this program and we make sure there is not a program of what amounts to virtual bloodhounds.

We need to make sure there are guidelines and rules so that there has to be, for example, evidence there is activity that could threaten the country before additional intrusive steps are taken and, second, that there are safeguards in place at a time when it is possible, because of modern technology and new databases, to share information very quickly.

The fact is much of this information is already being shared in the private sector, and that is why so many Americans are troubled about the prospect of losing privacy. What is of concern to many about the Office of Total Information Awareness is it will take the current policies that threaten the privacy of the American people and magnify those problems, given the fact we have not been informed as to what safeguards and constitutional protections would be in place when this program goes forward.

It is time for the Senate to put some reins on this program before it grows exponentially and tips the balance with respect to privacy rights and the need to protect the national security in a fashion that is detrimental to our Nation.

Clearly, to fight terrorism, we have to have the confidence of the American people. In doing so, we are protecting their rights. My concern is the Office of Total Information Awareness, as it is constituted today, tips that balance against the procedural safeguards that

are needed to protect the rights of millions of Americans while fighting terrorism.

That is why I will be offering an amendment on the spending bill to limit the scope of the office. That amendment will not prevent those in the administration who support the program to come back at a later date and show why additional threats warrant additional action.

It will ensure that as this program is developed in its early days it is done in a fashion that is sensitive, with constitutional protections and safeguards, while still ensuring that our Nation can fight terrorism.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### EXTENSION OF MORNING BUSINESS

Mr. BURNS. I ask unanimous consent that the period for morning business be extended until 1:30 p.m., with the time equally divided, with Senators permitted to speak for up to 10 minutes each.

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

#### UPCOMING AGENDA

Mr. BURNS. Mr. President, this morning we are continuing to negotiate the reorganization of the responsibilities in this Senate. Those folks who observe the Senate and the goings on on the floor probably think there is not a whole lot going on, but it is kind of like a duck. He looks pretty calm and serene on top of the water, but under the water there is a lot of paddling going on.

As we work our way through this, it is hopeful we will come up with some kind of an agreement in the near future.

That being said, this morning we announced our agenda for the upcoming session as far as the Subcommittee on Telecommunications. I will share with my colleagues how these issues will rank and their importance. Last year, we passed a "can spam" bill out of committee. The bill came to the floor at the tail end of the session and was up for consideration in a package with a lot of other legislation, but it did not make it. It is broadly supported by this body. There is a similar bill in the House of Representatives which has to do with spam.

Spam is the unwanted mail that one gets in e-mail. Whenever one clicks on their e-mail, they see a lot of unwanted messages that are selling everything from shoelaces to whatever. This unwanted mail continues not only to plague our system and clog it, but in rural areas, especially like my State of Montana where some Internet users actually have to pay long distance fees to their server, it becomes quite expensive. In fact, American business is reporting that the cost of spam right now is going out of sight.

Before Christmas of last year, it was thought that around 8 percent of the mail a person received in their Internet was unwanted mail or spam. By December of 2002, just before Christmas, that figure grew to 40 percent of the mail a person found in their mailbox was unwanted. Another figure that sort of astounds all of us, it was estimated the average user of the Internet receives 2,300 pieces of unwanted mail in their mailbox.

Spam messages sent increased nearly 300 percent between the years of 2001 and 2002. This tells me it is time we pass this legislation and get it to the desk of the President. Junk mail sent will outpace other e-mail by at least the middle of this year, and 80 percent of the people online now say they find spamming very annoying.

That being said, we must pass this legislation. It is the first agenda item on my priority list, and we can do it.

I also remind Members, there are a couple of important meetings coming up this month and next that have to do with the Internet. February 12 is the Internet caucus. It is probably the most active caucus we have in the Senate. I am being told now some folks want to set up demonstrating units and vendors have to be turned away. That will be held in 902 of the Hart Building on February 12, starting at 5 p.m. It will be highly attended. I think we had a larger number of people at the planning meeting the other day than was anticipated, so there is quite a lot of interest in that.

The U.S. Asian Network kickoff will be January 27. Of course, that is just prior to the President's State of the Union Message that will be on January 28.

The head of the ruling party, Mr. Hyun of South Korea, will be there. He is part of that network. This was founded about a year ago to bring together the countries in the Pacific Rim and the Far East, because we feel the free flow of communications and technologies is a key to stability in the Far East. We are in this situation now with North Korea, and we feel the free flow of information and those technologies will somewhat diffuse that if people are informed. It will also address key areas such as privacy and copyright. All of those issues are very important to the communications industry.

A new caucus that was formed last year was the E-911 caucus. E-911 is enhanced 911, which is legislation that passed 2 or 3 years ago and was signed by President Clinton. I sponsored that bill, which was probably one of the better public safety bills we passed in Congress.

When a person has an emergency and dials 911 from their home, from a wired line, the one who fields that call has an immediate trace on that call and they know exactly where the person is when they report an emergency.

In the early days—and when I say early days, let's say around 1996 or so—if someone was a cellular phone user,

using wireless communications, they could dial 911 and the person at 911 who received the call really did not know where to go. A person was liable to get the 600 Cafe in Miles City, MT, and they might be in southern California. It just did not know where to take someone who called 911.

We have dealt with that issue, making 911 the national emergency number, No. 1. No. 2, we want to put in place those technologies that when a person dials 911 from their cellular phone, they have the ability to be located.

In my State of Montana, under certain emergency conditions, we lose lives because we have to deal with distances, and also we do not know where a person is located. To give an example of that, there was a man involved in an automobile accident. He was south of Missoula, MT, which is over in the western part of the State, in the Bitterroot Valley. When he dialed 911, his call came into a communications center. When they asked him where he was, he said he was south of town. The operator, we are happy to say, said: What town? He says, Missoula.

Well, he had the operator in Miles City, and those two cities are 400 miles apart.

So working with Senator CLINTON of New York, the cochair of the E-911 caucus, we will have our first meeting on February 24. Any Member wanting to join that caucus because of their interest in 911, please join us to get this technology in place because it is superb legislation that helps us in our public safety.

This year, Members can also look for the debate to start on spectrum reform: How we handle our spectrum, how we allocate it, how we regulate it. It has been a long time since we have looked at spectrum allocation and management. There has been an agreement now between the Consumer Electronics Association and the television people that will advance or accelerate the deployment of high-definition television, or digital television, in the home. It was an industry problem they had to face. They faced it. The standards are now set in the private sector. The "plug in and play," as they call it, of buying a digital television, plugging into the cable, and it works, and the customer will have digital television or high-definition television immediately should bring down the cost to the consumers as more and more digital televisions are offered.

We will have spectrum returned to the Government for reallocation. How we handle that spectrum, how we manage it, will be very important. There are a couple of studies completed and one more to complete. Mark my word, this will be an issue of high debate, although it will not be a front-page issue.

Yesterday, Senator BAUCUS, my colleague from Montana, and I introduced a new broadband bill. Last year, I was privileged to work with Senator ROCKEFELLER on the Commerce Committee as he had written a bill giving