

of the recent terrorist attacks highlight the inadequacies of the current screening system. Under the system, airlines, subject to Federal Aviation Administration requirements, are responsible for administering screening of passengers and their carry-on luggage. Airlines generally contract out their screening responsibility to private security companies, often awarding contracts based upon the lowest bid rather than superior security systems. Allowing airlines such authority has resulted in a system that too often promotes lower costs over the safety of passengers.

Recent separate studies by the GAO and the DOJ's Inspector General revealed the serious inadequacies of the current screening system and causes for its failures. Among the problems noted by the IG report was the frequent failure of the airlines to conduct background checks of employees with access to secure areas and the ability of IG personnel to access secure areas without being challenged by security 68 percent of the time. The GAO report which concluded that screener performance in major U.S. airports was unsatisfactory, attributed the poor performance of security screeners to a high employee turnover rate, more than 100 percent per year at many airports—low wages, insufficient training, and inadequate monitoring of screeners.

Federalizing security operations throughout U.S. airports is the best answer for improving screener performance. It would raise wages, lower employee turnover, promote career loyalty among screeners, create uniform training among security personnel, and, as a result, strengthen the performance of screeners to discover dangerous objects. Once the Federal government ensures that screeners are performing their duties in strict adherence to the highest safety standards, the public will gain greater confidence in airport security. In light of the current campaign against terrorism, now is the time to incorporate this change. As a recent New York Times editorial stated, "airports are a front line in the struggle against terrorism, and it no longer makes sense to delegate their policing to the private sector, which emphasizes low cost as opposed to security." I agree with this assessment.

I also want to underscore my support for Senator CARNAHAN's amendment to provide much-needed relief for the thousands of hard-working employees in the airline industry who have lost their jobs as a result of the horrific attack on our Nation on September 11th. This amendment will provide unemployment benefits, health care and training to airline industry employees who have been laid off due to the marked decrease in air travel in this country.

The airline industry has been most directly affected in the aftermath of the attack, but the ripple effect of the attacks is being felt throughout other industries as well. Hotel, travel, and

tourism employees, who number in the hundreds of thousands, are at risk of losing their jobs due to the nationwide decrease in travel. In Maryland, tourism is a \$7.7 billion industry. It means jobs for our people and revenues for our State and local programs. While we are moving vigorously to encourage travelers to come to Maryland this fall, a decrease in tourism is expected in the State, as it is nationwide. While it is crucial that we provide support to airline workers at this time, we should also remember the plight of the hundreds of thousands of other workers across the State of Maryland and the country whose livelihood may be affected.

The terrorist attacks of September 11th were intended to create fear in Americans and our way of life, including air travel. This legislation will help to ease fears about air travel and the state of our economy by strengthening our airport security system. In this regard, I urge the Senate to pass this legislation expeditiously.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill 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 (Mr. MILLER). Without objection, it is so ordered.

#### MORNING BUSINESS

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

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

#### PAYING THE BILL

Mr. HOLLINGS. Somehow, Mr. President, we have to get a grip on ourselves. We ended, at just the end of September, September 30—October 1 was the beginning of the fiscal year—with a deficit of \$132 billion. No double-talk about on budget, off budget, or public debt and private debt, and all of that. We spent \$132 billion more than we took in. We have been in a deficit position most of the year, when everyone was talking surpluses.

In August we had a briefing from the Congressional Budget Office to the effect that we were going to have a deficit of \$104 billion for fiscal year 2002. And he updated that, some 10 days ago, and said: Rather than \$104 billion, I am going to have to add about \$120 billion to \$140 billion. So we are looking at a deficit of at least \$224 billion or \$244 billion, for starters. That is without the \$40 billion we passed in one stimulus measure; \$15 billion for the airline measure; so \$55 billion there.

There is on course—and everybody is agreed to—an amount, in general terms, on defense, in education, and emergency supplementals, and so forth, agriculture, of around \$25 billion. And now they are talking about \$75 billion; and that has been restudied, and rather than the President's \$75 billion, it comes out to around \$114 billion. So while we are talking about stimulus, we are going into an election next November with a deficit in excess of \$300 billion, at least.

I am for paying the bill. I cannot get any support for a value-added tax. But when we started other wars we put in a special tax. I was reminded, of course, that when President Nixon came into office, he put in a 10-percent surcharge on imports. And the distinguished majority leader, Mike Mansfield, took my dear wife Peatsy and myself on a honeymoon to about nine countries in Europe to consult and console the heads of state on why this was necessary. So we went to Finland, Denmark, Norway, Sweden, France, England, Germany, Austria, Italy, Spain, Portugal, Morocco and we explained that.

We put on, in World War II, a tax. But we are going in two different dangerous directions. The right direction, of course, is to pursue the war; along with that pursuit, a coalition at the homefront of discipline, restraint, and sacrifice. When you go to war, you can't ask people to lay their lives on the line and then everybody else go to Disney World. We better sober up on our talk and particularly with respect to tax cuts. Further tax cuts is not going to stimulate but enhance the rich. So they are all getting together in a fine cabal about we are going to spend so much more and we are going to stimulate so much more with tax cuts. But they will have a motion to forgo and cancel out those tax increases in the outyears that they want to move fast forward. I want to put them on notice.

#### HONORING U.S. CAPITOL POLICE

Mr. WELLSTONE. Mr. President, I want to read this resolution to make sure it is now a formal part of the RECORD. It was adopted last night. I submitted this resolution on behalf of all Senators, but let's make sure it is a formal part of the RECORD:

Whereas the Capitol is an important symbol of freedom and democracy across the United States and throughout the world, and those who safeguard the Capitol safeguard that freedom and democracy;

Whereas millions of people visit the Capitol each year to observe and learn the workings of the democratic process;

Whereas the United States Capitol Police force was created by Congress in 1828 to provide security for the United States Capitol building;

Whereas, today the United States Capitol Police provide protection and support services throughout an array of congressional buildings, parks, and thoroughfares;

Whereas the United States Capitol police provide security for Members of Congress, their staffs, other government employees,

and many others who live near, work on, and visit Capitol Hill;

Whereas the United States Capitol Police have successfully managed and coordinated major demonstrations, joint sessions of Congress, State of the Union Addresses, State funerals, and inaugurations;

Whereas the United States Capitol Police have bravely faced numerous emergencies, including three bombings and two shootings (the most recent of which in 1998 tragically took the lives of Private First Class Jacob 'J.J.' Chestnut and Detective John Michael Gibson);

Whereas the horrific events of September 11, 2001 have created a uniquely difficult environment, requiring heightened security, and prompting extra alertness and some strain among staff and visitors;

Whereas the U.S. Capitol Police force has responded to this challenge quickly and courageously, including by facilitating the evacuation of all of the buildings under their purview, as well as the perimeter thereof;

Whereas the United States Capitol Police Department has since instituted 12-hour, 6-day shifts, requiring that officers work 30 hours of overtime each week to ensure our continued protection;

Now, therefore, be it

*Resolved by the Senate, That—*

(1) the Senate hereby honors and thanks the United States Capitol Police for their outstanding work and dedication, during a period of heightened security needs on the day of September 11, 2001 and thereafter;

(2) when the Senate adjourns on this date they shall do so knowing that they are protected and secure, thanks to the commitment of the United States Capitol Police.

I wanted that to be printed in the RECORD so we can get that to the officers who have provided us with this help. We owe a great debt to them.

#### EXECUTIVE BRANCH FUNCTIONING

Mr. BYRD. I ask unanimous consent to have printed in the RECORD a letter addressed to the Senate from the Vice President, together with two appendices, on the subject of the interaction of the Vice President's staff with the General Accounting Office.

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

THE VICE PRESIDENT,  
Washington, August 2, 2001.

*To the Senate:*

I am writing to inform you of certain actions undertaken by an agent of the Congress, Comptroller General David M. Walker, which exceed his lawful authority and which, if given effect, would unconstitutionally interfere with the functioning of the Executive Branch.

By memorandum of January 29, 2001, the President established the National Energy Policy Development Group ("Group"). The Group consists of six executive department heads (Treasury, Interior, Agriculture, Commerce, Transportation and Energy), two agency heads (Federal Emergency Management Agency and Environmental Protection Agency), three officers of the White House staff (Policy, Economic Policy, Intergovernmental), and the Vice President. The memorandum specified that the Group's "functions shall be to gather information, deliberate, and as specified in this memorandum, make recommendations to the President." It called for the Group to submit to the President a near-term assessment and then a report setting forth "a recommended national

energy policy to help the private sector, and as necessary and appropriate State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy for the future." The Group issued its report on May 16, 2001. The President approved the report's recommendations, now commonly called the National Energy Policy.

The Comptroller General proposed to investigate the workings of the Group and sought certain information from the Vice President's staff. The first appendix to this Message is a chronology of the interaction between the Comptroller General and my staff on this matter. As a matter of comity, my staff furnished substantial information regarding the Group, providing written answers dated May 4, 2001 to questions concerning the Group, a copy of the Presidential Memorandum establishing the Group, and documents responsive to the Comptroller General's inquiry concerning costs associated with the Group's work. In response to separate requests from the General Accounting Office, executive agencies also have provided substantial responses concerning the roles of their agency heads on the Group.

On July 18, 2001, the Comptroller General sent to me a letter which stated that he was reviewing "the process by which the National Energy Policy was developed" and that the purpose of the letter was to "demand" certain documents. With regard to documents not already provided that the Comptroller General has demanded, statutory and constitutional reasons for not providing them are set forth in the second appendix to this Message. I am furnishing a copy of this Message, including its appendices, to the Comptroller General so that the copy will serve as the response to his letter of July 18, 2001 that he would receive under Section 716(b)(1) of Title 31 of the U.S. Code if that provision were applicable in this matter.

RICHARD B. CHENEY.

#### APPENDIX 1: CHRONOLOGY OF INTERACTION OF THE VICE PRESIDENT'S STAFF WITH THE GENERAL ACCOUNTING OFFICE

On April 19, 2001, Representatives John Dingell (D-MI) and Henry Waxman (D-CA) sent a letter to the Executive Director of the National Energy Policy Development Group ("Group"), asking a lengthy series of questions and asking for all records of the Group relating to its meetings. That same day, they asked the General Accounting Office (GAO) to initiate an investigation.

On May 4, 2001, the Vice President's counsel forwarded to Messrs. Dingell and Waxman answers from the Executive Director of the Group to their questions.

On May 8, 2001, a GAO Assistant Director faxed to the Office of the Vice President a request to interview Group officials and staff and for production of records and information.

On May 15, 2001, Representatives Dingell and Waxman sent another letter to the Executive Director of the Group, expressing dissatisfaction with the answers to their questions previously received and requesting more information and records, including all of the following relating to the Group:

"... correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video re-

cordings, e-mails, voice mails, computer tapes, or other computer stored mater, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records of statements of accounts, and papers and things similar to any of the foregoing, however denominated."

On May 16, 2001, the Vice President's counsel wrote to the GAO General Counsel, asking the Comptroller General to determine whether the proposed GAO inquiry was appropriate, in compliance with the law, and, especially in light of information already provided, a productive use of resources, and asking the GAO General Counsel for a statement of GAO's legal authority to conduct its proposed inquiry.

On May 22, 2001, Representatives Dingell and Waxman wrote to the Vice President's counsel stating that they were "astounded" that the GAO's authority had been questioned.

On May 25, 2001, the Vice President's counsel wrote to counsel for Messrs. Dingell and Waxman, reporting on the status of correspondence with GAO in the matter.

On June 1, 2001, the GAO General Counsel wrote to the Vice President's counsel, advising that the Comptroller General wished to go forward with the inquiry and citing as authority for the inquiry Section 712, 716, and 717 of Title 31 of the U.S. Code. The letter said that GAO would "initially" like to focus on:]

"1. Previously, you identified 9 meetings conducted by the NEPDG and indicated that each meeting was held in the White House Complex. For each meeting, we want to learn the name of each attendee, title, and office represented, as well as the duration of the meeting.

"2. Previously, you stated that 6 professional staff, referred to as the Group support staff, were assigned to the Office of the Vice President for the purpose of supporting the NEPDG. We want to learn their name, title, office or employer represented; the date on which that person began working for that office; and their responsibilities.

"3. Previously, you indicated that various members of the Group support staff met with many individuals to gather information relevant to the NEPDG work. For each interview or meeting, want to establish (a) its date and location, (b) the persons met with, including their name, title, and office or clients represented, (c) its purpose and agenda, (d) the information presented, (e) whether minutes or notes were kept, and (f) how members of the NEPDG or Group support staff determined who would be invited to the interviews of meetings.

"4. We are interested in learning whether the Vice President met with individuals to gather information relevant to the NEPDG and, if so, we want to obtain the same information listed in question 3 above.

"5. We are interested in obtaining the direct and indirect costs incurred by both the Vice President and the Group support staff.

"After discussing these questions with you, we would also like to arrange meetings with members of the Group support staff to discuss meetings they conducted and the process they used to develop information in support of the task force."

On June 7, 2001, the Vice President's counsel wrote to the GAO General Counsel, advising that Sections 717 (which allows GAO to investigate agency implementation of statutes, but no performance of constitutional duties) and 716 of Title 31 of the U.S. Code