do not have a plan. A hundred million dollars here or there isn't a strategy. Even $10 billion isn't a strategy. The Administration needs to spell out in clear terms a plan for dealing with each component of the AIDS crisis care for orphans, treatment for the infected, and prevention. It needs to do this on a country scale and a global scale, and it needs to commit our share of the funds to implement it.

It won't be cheap. The Manhattan Project wasn't cheap either, but that is what we need. It will cost far, far more if we waste another ten years.

The Congress has showed over and over that it is ready. The administration needs to lead.

CONTINUING THE FIGHT AGAINST THE HIV/AIDS PANDEMIC

Mr. BIDEN. Mr. President, it is with mixed feelings that I rise to speak on the HIV/AIDS bill that the Senate passed by unanimous consent tonight. This is the second time this year that the Senate passed a bill to combat the spread of HIV/AIDS overseas. As you recall, in July we unanimously passed a comprehensive bill to fight the deadly disease. The bill contained new authorities for the Department of Health and Human Services, authorized money for a contribution to the Global Fund for AIDS, Tuberculosis and Malaria, authorized the Secretary of the Treasury to enter into negotiations to improve the Heavily Indebted Poor Countries Initiative, and authorized funds for our bilateral assistance programs at the Agency for International Development.

The funding levels and authorities provided in the bill the Senate passed in July reflected an understanding of the enormity of the problem, what it will take to address it, and the Senate's dedication to doing so. Unfortunately, our colleagues in the House of Representatives had neither the understanding nor the will to consider all of the provisions in the bill.

Instead, the Republican led House slow rolled conversations and negotiations on the bill for so long that four months later we were still unable to come to an agreement on the original provisions in the Senate passed bill. What we are left with is a stripped down version of what the Senate passed. Our original bill authorized $2.172 billion in fiscal year 2003 and $2.576 billion in fiscal year 2004. The House insisted that we slash the title containing Health and Human Services authorities. The only version of the bill they would agree to authorizes a billion dollars less in fiscal year 2003 to fight HIV/AIDS overseas.

The Senate provided $1 billion for the Global Fund to Combat AIDS, tuberculosis and malaria this fiscal year, giving a clear indication that we believe that the Fund is an important mechanism through which to meet the resource needs of countries highly affected by the disease. The compromise with the House authorizes $250 million less in fiscal year 2003.

The Senate legislation included a bill I introduced in April which authorizes the Secretary of the Treasury to move forward with negotiations for deeper debt relief for poor countries—especially those facing a health crisis like HIV/AIDS. More debt relief provides poor countries more resources to devote to healthcare. The House insisted that we eliminate even Sense of Congress language about debt relief from the bill despite the fact that it is now clear—and the World Bank itself has recently announced—that unless the current debt relief program is enhanced, the debt levels of those poor countries will remain too high. How can we expect to developing nations struggling under crippling debt to adequately meet the needs engendered by a severe health emergency such as HIV/AIDS? We cannot.

I am bitterly disappointed in the decisions made by our House colleagues on the issues I have outlined above. Time and time again we have been given information about the human consequences of the spread of the disease. Three million people died of AIDS in 2001, according to the Joint United Nations Program on HIV/AIDS. Over half a million of them were children. Over a million of them were women, who are the primary care givers in any society. There are currently over 40 million people living with AIDS.

Time and time again, we have been alerted to the security implications of the spread of HIV. In January of 2000 the National Intelligence Council issued an estimate entitled the Global Infectious Disease Threat and Its Implications for the United States in which it states:

> The persistent infectious disease burden is likely to aggravate and in some cases, may even provoke economic decay, social fragmentation, and political destablization in the hardest hit countries in the developing and former communist worlds. . . . Some of the hardest hit countries in Sub-Saharan Africa—and possibly later in South and Southeast Asia—will face a demographic upheaval as HIV/AIDS and associated diseases reduce human life expectancy by as much as 30 years and kill as many as a quarter of their populations over a decade or less, producing a huge orphan cohort.

That same month the United Nations Security Council convened the first ever session on a health issue to discuss the security implications of HIV/AIDS.

On October 1 of this year, the National Intelligence Council released another report, The Next Wave of HIV/AIDS: Nigeria, Ethiopia, Russia, India and China, which details the impact that HIV/AIDS is expected to have on those countries through the year 2010. The findings in the report were grim:

International efforts to combat HIV/AIDS to date have not checked the spread of the disease in these countries.

None of these five countries will be able to halt rising infection rates unless they channel more resources into education and health services—resources that these countries do not have.

Vaccines are currently being developed and tested, however even if a vaccine is developed soon it will be ineffective against the HIV/sub-types common in Ethiopia, Russia, China, India and Nigeria.

A vaccine that is 75 percent effective would have to be given to 50 percent of the population in order stop the spread of HIV, according to some experts.

Given the security threat and humanitarian concerns that HIV/AIDS poses throughout the world, I wish that my House colleagues had dealt with all of the provisions in the Senate passed bill in a serious and constructive way. We need to use all of the resources at our disposal to deal with this threat because make no mistake, the threat is very real.

There is no question that we are left with a bill that is significantly more parochial. However, I will say that there are some very good things in the legislation. First, we are able to keep the fiscal year 2004 authorization levels that were in the original Senate bill. $1.2 billion for the Global Fund to fight HIV/AIDS, Tuberculosis and Malaria in fiscal year 2004 is a much more realistic contribution, than the 2003 level.

Second, the bill contains a provision which requires the administration to produce a report which outlines a comprehensive integrated strategy to combat the global HIV/AIDS pandemic. A scattershot approach will not stop the disease from spreading. In addition to being well funded, our programs must be well thought out.

This bill establishes the position of Special Coordinator for HIV/AIDS at the State Department, which I think is critical. As there are several agencies involved in providing assistance to fight the spread of HIV/AIDS overseas. In order to avoid duplication and omissions, it is imperative that there be an office which coordinates and oversees all the activities being carried out.

Finally, the bill contains a section which asks the Agency for International Development to develop a plan to empower women to prevent the spread of HIV/AIDS. The plan is to include education for women and girls, and to provide access to programs which focus on economic independence for women such as micro-finance loans. In addition, this section authorizes money for product development of topical microbicides, medications which kill the HIV virus, that women can use to protect themselves without having to obtain the consent of an partner unwilling to use preventative measures.

HIV/AIDS is the worst plague mankind has ever known. No corner of the globe is safe. It has hit hardest in the areas of the world with the least resources with which to respond. I would argue that we should help these nations on purely humanitarian grounds. To those for whom self-interest is a

stronger motivating factor, let me say this: the spread of HIV/AIDS poses very grave threats to economic growth and security in countries whose stability has a direct impact on our own. If we do not help address the threat now, it may well be to our detriment tomorrow. I urge the House to take up and pass the measure on which the Senate has just completed action.

The fight is not over. Next year, I plan to reintroduce legislation to improve the Heavily Indebted Poor Countries Initiative so that countries dealing with the AIDS epidemic are better able to respond. I hope that my colleagues will support these efforts. It is also my sincere hope that the Senate will revisit the provisions that we dropped in order to reach compromise with our House colleagues. Failure to do so would be unwise.

THE SMALL BUSINESS DROUGHT RELIEF ACT

Mr. KERRY. Mr. President, as the Senate and the House prepare to bring the 107th session to a close, we leave some important small business legislation unfinished. Regrettably, that includes passage of the Small Business Drought Relief Act because of serial holds from Republicans since August 1–3 and a half months. This emergency legislation passed our committee with unanimous support, and yet Senators with no jurisdiction in small business, instigated by an administration that claims to support small business, obstructed passage.

The committee reached out to those Senate members and their staffs time and again, and there was no cooperation. Sixteen Governors—Governor Hodges of South Carolina, Governor Easley of North Carolina, Governor Barnes of Georgia, Governor Foster of Louisiana, Governor Musgrove of Mississippi, Governor Perry of Texas, Governor Wise of West Virginia, Governor Patton of Kentucky, Governor Glendening of Maryland, Governor Holden of Missouri, Governor Keating of Oklahoma, Governor Sundquist of Tennessee, Governor Warner of Virginia, Governor Siegel man of Alabama, Governor Huckabee of Arkansas, and Governor Guinn of Nevada—reached out to the Congress asking for us to pass this bill, and they got no cooperation. The committee was ultimately able to overcome tremendous differences between CBO's cost estimate and OMB's cost estimate to reach agreement with the Office of Management and Budget on passing this emergency legislation last week, but not even that moved the Republican leadership to cooperate.

So we go home tonight, and our small businesses—main street America—needlessly struggle to make ends meet, keep their doors open and employees on the payroll, because of partisan politics.

For those who don't remember, this is emergency legislation to help small non-farm-related businesses across this Nation that are in dire straits because of drought conditions in their State. Just like the farmers and ranchers, the owners of rafting businesses, marinas, and bait and tackle shops lose a lot of business because of drought.

Right now these small businesses can't get help through the SBA's disaster loan program because of something taxpayers hate about government—bureaucracy. SBA denies these businesses access to disaster loans because its lawyers say drought is not a sudden event and therefore it is not a disaster by definition. Contrary to the Agency's position that drought is not a disaster, as of July 16, 2002, the day we introduced this bill, the SBA had in effect drought disaster declarations in 36 States. Unfortunately, the assistance was limited to farm-related small businesses.

The 36 States include: Arizona, California, Colorado, Delaware, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

The situation has only gotten worse judging by SBA's own numbers. Since the bill was introduced, the SBA has declared disasters in two more States and the District of Columbia. Instead of rising to the occasion and using their statutory authority to help the small businesses in these areas, they continue to deny them access to disaster loans, hiding behind a legal opinion—a legal opinion that they will not provide to the committee.

To make sure the facts of this legislation are accurate, let the record show that this bill does not expand the SBA disaster loan program. SBA already has this authority, and this bill simply restates and clarifies that authority to ensure that the law is applied fairly. Let the record show that SBA, contrary to its claims, has the expertise to determine when a drought is a disaster. First, the SBA already declares drought disasters and does so mainly by working with the U.S. Secretary of Agriculture. Second, in addition to working with the Secretary of Agriculture, there are existing SBA guidelines for declaring disasters, and those guidelines apply to drought too. For example, the Governor of a State can request a declaration from the Administrator of the SBA after certifying that more than five small businesses have suffered economic injury because of a disaster. Last, let the record show that this legislation is modest in cost. CBO estimated that this bill would cost $5 million per year for 5 years, far less than OMB's estimate of approximately $100 million per year. And last week, as I referenced earlier, we were able to reach an agreement with OMB that capped the cost at $9 million for fiscal year 2003, enough to cover the cost of the bill as passed by the committee and the Bond/Enzi/Burns/Crapo amendment. Unfortunately, even OMB's concurrence and the support of many Senators and Governors did not persuade the remaining Senator blocking passage of the bill to put aside his differences for the sake of small businesses and permit it to pass.

I thank the many supporters of this bill. My 22 colleagues who are cosponsors—Senators BOND, HOLLINGS, LANDRIEU, BAUCUS, BINGAMAN, DASCHLE, JOHNSON, EDWARDS, CARNAHAN CLELAND, ENZI, LIEBERMAN, HARKIN, ENSIGN, REID, HELMS, ALLEN, BENNETT, TORRICELLI, LEVIN, CRAPO and THURMOND. All the Governors who put small businesses first and politics last. Mr. Donald Wilhite, director of the National Drought Mitigation Center at the University of Nebraska in Lincoln, for all his assistance to my staff in understanding the scope of drought in this country and for writing in support of the legislation. National Small Business United, for always being there to stand up for small businesses. The many small business owners and small business advocates, such as Wildlife Action, in South Carolina, who took the time to write me regarding the drought and their problems with the SBA. And last, but certainly not least, from my home State, I thank Bob Durand of the Massachusetts Emergency Management Association for his help and support. We will take this fight up again in the next Congress.

Mr. President, I ask unanimous consent that several letters of support and my remarks be included in the RECORD.

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

SOUTHERN GOVERNORS' ASSOCIATION,
Washington, DC, August 19, 2002.

Hon. JOHN KERRY,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR KERRY: We are deeply concerned that small businesses in states experiencing drought are being devastated by drought conditions that are expected to continue through the end of the summer. We urge you to support legislation that would allow small businesses to protect themselves against the detrimental effects of drought.

Much like other natural disasters, the effects of drought on local economies can be crippling. Farmers and farm-related businesses can turn in times of drought to the U.S. Department of Agriculture. However, non-farm small businesses have nowhere to go, not even the Small Business Administration (SBA), because their disaster loans are not made available for damage due to drought.

To remedy this omission, Sen. John Kerry (D-Mass.) introduced the Small Business Drought Relief Act (S. 2734) on July 16, 2002, to make SBA disaster loans available to those small businesses debilitated by prolonged drought conditions. This bill was passed by the Senate Small Business Committee just eight days later. Also, the companion legislation (H.R. 5197) was introduced by Rep. Jim DeMint (R–S.C.) on July 24, 2002.