

(3) where the child has been adjudicated as neglected or abused.

SEC. 140. MANDATORY ADVANCED ELECTRONIC INFORMATION FOR AIR CARGO AND PASSENGERS ENTERING THE UNITED STATES. (a) AIR CARGO INFORMATION.—

(1) IN GENERAL.—Section 431(b) of the Tariff Act of 1930 (19 U.S.C. 1431(b)) is amended—

(A) by striking “(b) PRODUCTION OF MANIFEST.—Any manifest” and inserting the following:

“(b) PRODUCTION OF MANIFEST.—

“(1) IN GENERAL.—Any manifest”;

(B) by indenting the margin of paragraph (1), as so designated, two ems; and

(C) by adding at the end the following new paragraph:

“(2) ADDITIONAL INFORMATION.—

“(A) IN GENERAL.—In addition to any other requirement under this section, every air carrier required to make entry or obtain clearance under the customs laws of the United States, the pilot, the master, operator, or owner of such carrier (or the authorized agent of such owner or operator) shall provide by electronic transmission cargo manifest information specified in subparagraph (B) in advance of such entry or clearance in such manner, time, and form as the Secretary shall prescribe. The Secretary may exclude any class of air carrier for which the Secretary concludes the requirements of this subparagraph are not necessary.

“(B) INFORMATION REQUIRED.—The information specified in this subparagraph is as follows:

“(i) The port of arrival or departure, whichever is applicable.

“(ii) The carrier code, prefix code, or, both.

“(iii) The flight or trip number.

“(iv) The date of scheduled arrival or date of scheduled departure, whichever is applicable.

“(v) The request for permit to proceed to the destination, if applicable.

“(vi) The numbers and quantities from the master and house air waybill or bills of lading.

“(vii) The first port of lading of the cargo.

“(viii) A description and weight of the cargo.

“(ix) The shippers name and address from all air waybills or bills of lading.

“(x) The consignee name and address from all air waybills or bills of lading.

“(xi) Notice that actual boarded quantities are not equal to air waybill or bills of lading quantities.

“(xii) Transfer or transit information.

“(xiii) Warehouse or other location of the cargo.

“(xiv) Such other information as the Secretary, by regulation, determines is reasonably necessary to ensure aviation transportation safety pursuant to the laws enforced or administered by the Customs Service.

(3) AVAILABILITY OF INFORMATION.—Information provided under paragraph (2) may be shared with other departments and agencies of the Federal Government, including the Department of Transportation and the law enforcement agencies of the Federal Government, for purposes of protecting the national security of the United States.”.

(2) CONFORMING AMENDMENTS.—Subparagraphs (A) and (C) of section 431(d)(1) of such Act are each amended by inserting before the semicolon “or subsection (b)(2)”.

(b) PASSENGER INFORMATION.—Part II of title IV of the Tariff Act of 1930 is amended by inserting after section 431 the following new section:

“SEC. 432. PASSENGER AND CREW MANIFEST INFORMATION REQUIRED FOR AIR CARRIERS.

“(a) IN GENERAL.—For every person arriving or departing on an air carrier required to make entry or obtain clearance under the customs laws of the United States, the pilot, the master,

operator, or owner of such carrier (or the authorized agent of such owner or operator) shall provide, by electronic transmission, manifest information specified in subsection (b) in advance of such entry or clearance in such manner, time, and form as the Secretary shall prescribe.

“(b) INFORMATION.—The information specified in this subsection with respect to a person is—

“(1) full name;

“(2) date of birth and citizenship;

“(3) sex;

“(4) passport number and country of issuance;

“(5) United States visa number or resident alien card number, as applicable;

“(6) passenger name record; and

“(7) such other information as the Secretary, by regulation, determines is reasonably necessary to ensure aviation transportation safety pursuant to the laws enforced or administered by the Customs Service.

“(c) AVAILABILITY OF INFORMATION.—Information provided under this section may be shared with other departments and agencies of the Federal Government, including the Department of Transportation and the law enforcement agencies of the Federal Government, for purposes of protecting the national security of the United States.”.

(c) DEFINITION.—Section 401 of the Tariff Act of 1930 (19 U.S.C. 1401) is amended by adding at the end the following new subsection:

“(t) AIR CARRIER.—The term ‘air carrier’ means an air carrier transporting goods or passengers for payment or other consideration, including money or services rendered.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 45 days after the date of enactment of this Act.

SEC. 141. The General Accounting Office, in consultation with the relevant agencies and members of the Committee on Appropriations Subcommittee on the District of Columbia, shall submit by January 2, 2002 a report to the Committees on Appropriations of the House and the Senate and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations Acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.): Provided, That such report shall include a comparison of the cause of actions and judgments rendered against public school districts of comparable demographics and population as the District.

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

Ms. LANDRIEU. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendments, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints Ms. LANDRIEU, Mr. DURBIN, Mr. REED, Mr. INOUE, Mr. DEWINE, Mrs. HUTCHISON, and Mr. STEVENS conferees on the part of the Senate.

Ms. LANDRIEU. Madam 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. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there now be a period for morning business, with Senators allowed to speak for up to 10 minutes each.

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

#### SEPTEMBER 11 VICTIMS' TAX LEGISLATION

Mr. TORRICELLI. Madam President, nearly 2 months have passed since the events of September 11. The tragedy and its ramifications have been part of the life of every American family in the weeks that have followed. Even American schoolchildren can recount not only the images but recite the numbers of the dead, the cost, and the consequences.

In my State there are hundreds of people who did not come home on that night. The changes experienced by average Americans cannot obviously be compared with the families themselves—wives and husbands, children, brothers and sisters who are rebuilding shattered lives. They wake up every day reminding themselves of the new reality that will follow them throughout their lives.

Recently, Senator CORZINE and I met with a number of the widows and widowers. You can only imagine, if this entire Nation has found it difficult to accept the reality of these circumstances, what it is like for a young mother still recoiling from the experience of informing her children, or a father, now left to raise children alone.

The pain of September 11 is measured on many scales. It has changed the finances of this Government. It has forever impacted our national sense of safety. But for these few thousand families, it has changed lives in ways we could never hope to understand.

There is little in terms of the things that matter that any of us can do to generally offer comfort or consolation. But in the ways that Government can measure compassion, there are things we must try to do.

Families that JON CORZINE and I met with indicated to us that when they are not dealing with the pain or the trauma, life has returned to much more mundane things: A woman who even as she buries her husband thinks about next month's mortgage; the young family who even when they are consoling their children are dealing with colleges or grade schools on next year's tuition; the young family who may have just started life together and bought a home or rented an apartment

and used all their resources; and now, as a mother thinks about her children's future, she is thinking about the groceries next week.

America can afford to debate this issue philosophically and how it may have changed our laws or our lives. That luxury is not available to these young families.

It raises in the Senate an important question about how we can respond. Some weeks ago the House of Representatives passed legislation to provide tax relief to families of these victims so that as these young mothers or fathers received their last paychecks or struggled to deal with the financial realities or negotiate perhaps bonuses from employers who are themselves struggling to deal with the impact, they can at least husband these resources without concern that the Federal Government will tax what they have remaining. That legislation has been sent to the Senate Finance Committee. These weeks we have been working to prepare it and have it ready for committee consideration.

I want my colleagues to know that enough time has now passed. I am, on this day, introducing this legislation to the Senate. I will offer it as an amendment when the Senate Finance Committee meets tomorrow to consider stimulus and tax legislation as an amendment.

I commend Senator BAUCUS for not only his support but his efforts in drafting this legislation. I also understand Senator NICKLES wants to understandably change the legislation to include equitable treatment for the victims of Oklahoma City.

The victims' tax legislation will essentially extend the benefits currently offered to military personnel and Government employees who die as a result of combat or terrorism to civilians abroad. The legislation will waive income tax liability for both this year and last year and will refund any income taxes paid in those years to the family.

As I am certain my colleagues would agree, these funds are better used by families to rebuild their lives rather than used by the Federal Government at this moment.

There is, however, the question of those employees who lost their lives and their families who may have had income so modest, they did not pay Federal income tax. Under my legislation, which improves upon the version of the House of Representatives, the Senate bill I am introducing will refund 2 years' worth of payroll taxes to families of those who lost their lives on September 11.

I have also drafted legislation to include significant estate tax relief for families by exempting the first \$3 million in assets from both Federal and State estate taxes and \$8.5 million from Federal estate tax.

These are the funds these families will use for this generation and perhaps succeeding generations to bring order and security to their lives. They should keep this money. It is not for us. If this is the last and only gift a mother or father had to give to their children or husband, or wife to their spouse, that is as it should be. It is not for us.

Current law excludes disability benefits from income if a U.S. employee is injured in a terrorist attack outside the United States. This legislation will also expand this to include those injured in a terrorist attack in the United States.

Every Member of the Senate should feel proud to be part of this legislation. We have offered assistance to the States of Virginia and New York and New Jersey because of the terrorist attacks. We have offered relief to the airline industry to save them from bankruptcy. There is debate now on what should be done for the insurance industry. These things may all be right and proper. They are not complete.

No financial arrangement, no change of the law could possibly be complete unless we address the question of families themselves. Senator CORZINE and I made a solemn pledge to these families that we would not rest until this is done. I can assure you that promise will be kept. There is little else this Government can offer these people. This much, Madam President, we can and should do.

#### THANKING SENATOR ALLEN

Ms. MIKULSKI. Madam President, I would like to take this opportunity to thank Senator ALLEN for his generosity and his collegiality.

As one of the displaced Hart people, he very graciously offered facilities in his own office to welcome my staff. It was a bridge across the Potomac, hopefully a little bit less expensive than the Woodrow Wilson Bridge. Now we are working together on the capital region security plan. I express in this time this is what bipartisan collegiality is all about.

#### COVE POINT

Ms. MIKULSKI. Madam President, I want to bring the full attention of the Senate to a national security issue about which I am deeply alarmed. Plans are well underway to reactivate and expand a liquefied natural gas, LNG, terminal at Cove Point in Maryland.

What would this mean? It would mean that foreign ships, transporting flammable liquid natural gas, would come up the Chesapeake Bay and dock 3½ miles down from the nuclear powerplant at Calvert Cliffs.

Can you believe that the Federal Energy Regulatory Commission has given preliminary approval to reopen the

Cove Point LNG facility and will let this type of tanker steam up the bay and park next to a nuclear powerplant? And guess when they did it? They did it on October 11, the 1-month anniversary of the terrorist attack on America.

The President of the United States was warning us against more attacks. The Attorney General had us on high alert. And FERC is signing little pieces of paper saying "you all come from Algeria."

I cannot believe it. Calvert Cliffs, 3½ miles away, needs to be protected. The International Atomic Energy Agency and U.S. officials have warned that nuclear powerplants are at risk.

The Homeland Security Director, Tom Ridge, has called for increased security at nuclear powerplants.

We cannot fly over nuclear powerplants. Why should we be able to dock next to them with an LNG tanker?

From where do these LNG tankers come? One of the main sources is Algeria. Algeria is on every terrorist watch list. It is the home of the Armed Islamic Group, or IGA, a terrorist group with international reach. Islamic radicals from Algeria are key players in bin Laden's terrorist network. But that is OK; an Algerian tanker can just come up and park in Maryland next to a nuclear powerplant. I am concerned that these terrorists could attack ships carrying fuels, posing a real risk.

The mayor of Boston is also worried about it. That is why he tried to keep an LNG tanker out of Boston Harbor.

If LNG tankers are allowed in the Chesapeake Bay near Calvert Cliffs, a nightmare scenario could become a reality.

As America leads the war on terrorism, we cannot do business as usual and issue permits without analysis through a national security prism.

I acknowledge we do need more natural gas in our country. I acknowledge we need to look at energy policy. But while we are looking at the long-range solutions, we should not make short-range decisions that put us further at risk.

So what am I doing about it?

I am demanding that the Chairman of FERC review their permitting process and review their Commission's decision on Cove Point in the interest of national security and national safety. I don't know what they were thinking about on October 11, but they are going to have to rethink this whole process.

I am bringing this matter to the attention of Homeland Security Director Tom Ridge and FBI Director Robert Mueller, urging them to fully consider potential risks from terrorism and to get a hold on the permitting processes that are going on in this country.

I am turning to U.S. Coast Guard Admiral Loy to ensure that the Coast Guard rigorously reviews the Cove Point proposal, working with the Office on Homeland Security and the FBI to