

December 20, 2001

Middle East as the Israeli-Palestinian conflict threatens to spin out of control. That must be the epicenter of our concern right now. Yes, we want inspections, but this is not the best way to achieve them.

TERRORIST BOMBINGS CONVENTIONS IMPLEMENTATION ACT

SPEECH OF

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Ms. KILPATRICK. Mr. Speaker, while I support the ratification and implementation of the International Conventions for the Suppression of Terrorist Bombings and the Suppression of the Financing of Terrorism in H.R. 3275, I cannot support the overall bill. I am concerned that bill includes controversial language that will jeopardize future enforcement of these Conventions.

I believe that the provision in title I that authorizes the imposition of the death penalty for the offenses set forth in section 102.2 is superfluous and unnecessary. Our experience with other nations, as it pertains to the U.S. death penalty, should guide our actions on the floor today. Courts in Canada and France have refused to extradite criminals to the United States, citing our continued insistence on the imposition of the death penalty. A South African Constitutional Court ruled that a suspect on trial in Manhattan in connection with the bombing of the American Embassy in Tanzania should not have been turned over to United States authorities without assurances that he would not face the death penalty.

At a time when we are seeking the cooperation of nations to bring international criminals to justice, it makes no sense to authorize this death penalty provision, which may, in fact, impede the extradition of criminals to U.S. jurisdiction. The administration acknowledges that capital punishment is not required to implement the Conventions. Yet, even while admitting that the provision is unnecessary to implement the Convention, the administration justifies the inclusion of this new death penalty provision by claiming that it simply tracks current law.

This justification is without merit. Under U.S. law, the death penalty is justified for its deterrent effect. Surely in this case there is no punitive or deterrent basis for the death penalty. In this instance, those that the Conventions target are willing to commit suicide for their criminal causes. In this instance, it cannot be argued in good faith that fear of the death penalty will prevent terrorists from carrying out acts of terrorism.

EXTENSIONS OF REMARKS

TERRORIST BOMBINGS CONVENTION IMPLEMENTATION ACT OF 2001

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Ms. JACKSON-LEE of Texas. Mr. Speaker, the International Convention for the Suppression of Terrorist Bombings was initiated by the United States in the wake of the 1996 bombing of Khobar Towers in Saudi Arabia. It requires signatories to criminalize terrorist bombings aimed at public, governmental, or infrastructure facilities and to prosecute or extradite those responsible. The United States has not yet ratified the convention, which went into force in May of this year. The legislation before us, H.R. 3275, implements the International Convention for the Suppression of Terrorist Bombings.

Specifically, H.R. 3275 makes it a Federal crime to unlawfully deliver, place, discharge or detonate an explosive device, or to conspire or to attempt to do so, in a public place, public transportation system, or in a State or Federal facility. It provides penalties of up to life in prison, or death for perpetrators if the bombing resulted in fatalities, and also provides for the prosecution or extradition of perpetrators who commit crimes outside of the United States, but who are subsequently apprehended in this country.

Additionally, H.R. 3275 implements the International Convention for the Suppression of the Financing of Terrorism, which requires signatories to prosecute or extradite people who contribute to, or collect money for, terrorist groups.

It also makes it a Federal crime to directly or indirectly provide or collect funds to carry out, in full or in part, specific acts of terrorism. It also makes it a crime for any U.S. national or entity, both inside and outside the country, to conceal or disguise the nature, location or source of any funds provided or collected to carry out terrorist acts. It also provides for the prosecution or extradition of perpetrators who commit these crimes outside of the United States, but who are subsequently apprehended in this country.

Finally, provisions in the bill make the crimes of terrorist bombings and terrorist financing "predicate offenses" under U.S. wiretap laws and included on the list of Federal crimes of terrorism.

Mr. Speaker, I fully support prompt ratification and implementation of the International Conventions for the Suppression of Terrorist Bombings and the Suppression of the Financing of Terrorism. However, I am concerned that H.R. 3275 includes controversial changes to U.S. domestic law that go well beyond those changes required to bring our laws into conformity with the requirements of those agreements.

Specifically, we must avoid the redundancy of ancillary provisions relating to the death penalty, wiretapping, money laundering, and RICO predicates. To this end, during the recent Judiciary Committee markup of this I joined my colleagues, Mr. SCOTT and Mr.

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DELAHUNT in their opposition to certain ancillary provisions of this bill in relation to treaty approval.

While I fully support the efforts of our law enforcement professionals in light of the recent attacks against this Nation, I am concerned that prosecutors should be limited in the extent to which they can cast the widest possible net, often to the great detriment of those who were not initially target by Congress when the legislation was enacted.

Many of these provisions have already been included in the anti-terrorist bill which has since been passed into law on October 26, 2001. Therefore, to include the same provisions in H.R. 3275 would be redundant and would serve no purpose. As a matter of fact, Mr. Chertoff of the Department of Justice stated recently that these provisions are not even required in order to implement the treaties.

Moreover, most party states to the Conventions do not tolerate the death penalty, but are still in compliance with the treaty. This could have a profound effect on extradition and result in an inordinate burden on our criminal justice system.

These necessary changes could have easily have been facilitated on the floor by allowing amendments, and I regret that we were not allowed to address these issues due to the suspensions calendar.

Despite these concerns, it is in our best interest, as well as in the interest of the international community, that we comply with the treaty. Our message that we will not tolerate terrorism in any way, shape, or form, must be strong and clear.

I believe that this bill fulfills this obligation.

CONFERENCE REPORT ON H.R. 3061, DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. BENTSEN. Mr. Speaker, I rise in strong support of H.R. 3061, the Fiscal Year 2002 Labor, Health and Human Services, and Education Appropriations bill. This legislation would provide \$395 billion for the Departments of Labor, Health and Human Services, and Education, and related agencies. This \$395 billion funding level represents an 11 percent increase above last year's budget. I am especially pleased that this legislation would provide a 15 percent increase for education funding and 15 percent increase or \$23.3 billion for biomedical research conducted through the National Institutes of Health (NIH).

With regard to education, I am pleased that this bill would dramatically increase funding, for education programs by providing \$6.8 billion or 15 percent over FY 2001 levels and \$3.9 billion above the President's request. Over the last five years, the average annual rate of new educational investment has been 13 percent. This legislation would increase the

education investment to 17 percent—the highest in a decade. While the bill does not include separate funding for the class-size reduction initiative, I am pleased that the program was redirected into teacher quality state grants. Under this legislation, these state grants will receive a \$2.9 billion increase to help schools reduce class size and provide professional development for teachers and other school employees. Additionally, the committee's inclusion of \$975 million for the President's Reading First initiative will enable schools to bring proven, research-based reading programs to students in the critical early learning years. The \$1 billion increase for 21st Century After School Centers will provide students with a quality after school programs. And for students continuing on to higher education, the increase in the Pell Grant maximum grant to \$4,000 will enable low-income students to meet today's ever-increasing educational costs. Additionally, the bill wisely rejects proposed enrollment cuts to Head Start, preventing possible cuts for as many as 2,500 children from this critically important program.

I am also pleased that the committee included a 18 percent increase in the federal share of special education costs. This agreement provides \$8.7 billion for educating children with disabilities, \$1.3 billion more than this year's funding. In 1975, Congress passed Public Law 94-142, the Individuals with Disabilities Education Act (IDEA), which committed the federal government to fund up to 40 percent of the educational costs for children with disabilities. However, the federal government's contribution has never exceeded 15 percent, a shortfall that has caused financial hardships and difficult curriculum choices in local school districts. According to the Department of Education, educating a child with a disability costs an average of \$15,000 each year. However, the federal government only provides schools with an average of just \$833. While I believe the funding increase in this legislation represents a step in the right direction, I believe we must abide by our commitment to fund 40 percent of IDEA costs, and I am hopeful that we will consider greater funding increases in the next fiscal year.

While the overall bill is a good one, there are many important programs that were level-funded or eliminated under this legislation. To that end, I look forward to working with my colleagues to continue funding for these programs at adequate levels, or in the case of school modernization, to work for its reinstatement. In total, though, this bill makes important investments in education, and will provide America's children with the resources they need to succeed and be productive members of our society.

As a Co-Chair of the Congressional Biomedical Research Caucus, I am pleased that this legislation provides \$23.3 billion for the National Institutes of Health (NIH), an increase of 15 percent or \$3 billion more than last year's budget. This \$23.3 billion NIH budget is our fourth payment to double the NIH's budget over five years. Earlier this year, I organized two bipartisan letters in support of a \$3.4 billion increase for the NIH. I am a strong supporter of maximizing federal funding for biomedical research through the NIH. I believe that investing in biomedical research is fiscally

responsible. Today, only one in three meritorious, peer-reviewed grants which have been judged to be scientifically significant will be funded by the NIH. This higher budget will help save lives and provide new treatments for such diseases as cancer, heart disease, diabetes, Alzheimer's, and AIDS. Much of this NIH-directed research will be conducted at the teaching hospitals at the Texas Medical Center. In 2000, the Texas Medical Center received \$289 million in grants from the NIH.

In addition, I support the \$4.3 billion budget for the Centers for Disease Control, a \$431 million increase above last year's budget. The CDC is critically important to monitoring our public health and fighting disease. Of this \$4.3 billion CDC budget, \$ 1.1 billion will be provided to address HIV/AIDS programs and to combat tuberculosis. This CDC budget also provides \$627 million to provide immunizations to low-income children. In Texas, there are many children who are not currently receiving the immunizations that they need to stay healthy. This CDC program will help to monitor and encourage low-income families to get the immunizations that will save children's lives and reduce health care costs. Investing in our children is a goal which we all share.

I also want to highlight that this agreement provides \$285 million for pediatric graduate medical education (GME) programs. As the representative for Texas Children's Hospital (TCH), which is one of the nation's independent pediatric training facilities, I am pleased that this bill fully funds this critically important program. This \$285 budget is \$50 million more than last year's budget and is the same level which has been authorized for this program. Under current law, independent children's hospitals such as TCH can only receive Medicare GME funding for those patients which they treat who are Medicare beneficiaries. Since many of TCH's patients are not Medicare eligible, current GME programs fall to help to pay for the cost of training our nation's pediatricians. Last year, TCH received approximately \$8 million from this program, which is more than half of the cost of training physicians, residents and fellows at TCH. This bill is an important step in the right direction to ensure that all hospitals receive assistance to help defray the cost of training physicians.

I am also pleased that this agreement includes funding for several projects which I have spearheaded. This bill provides \$440,000 for the Center for Research on Minority Health (CRMH) at the University of Texas M.D. Anderson Cancer Center. This \$440,000 budget is the third installment in my effort to examine cancer rates among minority and underserved populations. The CRMH is a comprehensive cancer control program to address minority and medically underserved populations.

I urge my colleagues to support this legislation and vote for this important health, education and labor funding measure.

CONFERENCE REPORT ON H.R. 3061,  
DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES,  
AND EDUCATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2002

SPEECH OF

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mrs. LOWEY. Mr. Speaker, I rise today in strong support of the conference report and I urge its adoption. I want to thank the Ranking Member, Mr. OBEY, for yielding me this time and for his strong and forceful leadership not only on this bill, but also for the American people.

I want to recognize the Chairman of our Subcommittee, Mr. REGULA. He has been an absolute pleasure to work with and has gone out of his way to ensure that the bill was crafted in a bipartisan manner and that the concerns of Members on both sides of the aisle were considered.

Mr. Speaker, this conference report provides tremendous increases for health, education and worker safety and training. We've been able to follow up on the promises we made on this floor last week when we passed the ESEA conference report in this bill. Increases in Title I funding will ensure that our most disadvantaged children have access to a quality education. Pell Grants will reach a maximum of \$4,000 per student, giving low-income students a helping hand in paying for college. Overall, the bill boosts education funding by over \$1 billion, to its highest level ever.

In health programs, the bill continues to provide an unprecedented level of funding for medical research. We are in an age of tremendous discovery in medical research, and the resources provided to NIH will help find treatments and cures for many diseases. There are increases for mental health research and treatment, HIV/AIDS programs, and programs for the elderly. And, we address the growing threat of bioterrorism by giving the CDC, our leader in this fight, greater resources to help keep our nation secure.

Even with these vast increases for so many programs, we know that next year will be very different. The surpluses we've enjoyed have disappeared. And, the President's tax cuts will take up more and more of the federal budget as we go forward. We're just beginning to fund education and healthcare at the levels they deserve. I am concerned, as are many of my colleagues, that we will not be able to provide this same level of funding next year.

I want to mention one area of critical importance—the need to combat obesity in this country. The Surgeon General reported last week that two out of three American adults are overweight. In fact, he estimates that obesity will cause more deaths than smoking in the coming years. Reducing the rate of obesity can prevent unnecessary illness and death. We've been so successful in convincing people to quit smoking, and this should be the next big fight for public health.

I know that Chairman REGULA and Mr. OBEY will be very interested in that effort, and I want