Abram and said, ''I am giving you this land,''—the West Bank.

This is not a political battle at all. It is a contest over whether or not the word of God is true. The seven reasons here, I am convinced, clearly establish that Israel has a right to the land.

Eight years ago on the lawn of the White House, Yitzhak Rabin shook hands with PLO Chairman, Yasser Arafat. It was a historic occasion. It was a tragic occasion.

At that time, the official policy of the Government of Israel began to be, ''Let us appease the terrorists. Let us begin to trade the land for peace.'' This process has continued unabated up until last year. Here in our own Nation, at Camp David, in the summer of 2000, then Prime Minister of Israel, Ehud Barak, offered the most generous concessions to Yasser Arafat that had ever been laid on the table.

He offered him more than 90 percent of all the West Bank territory; sovereign control of it. There were some parts he did not want to offer, but in exchange for that he said he would give up land in Israel proper that the PLO was not asking for.

And he also did the unthinkable. He even spoke of dividing Jerusalem and allowing the Palestinians to have their capital there in the East. Yasser Arafat stormed out of the meeting.

Why did he storm out of the meeting? Everything he has said he has wanted all of these years was put into his hand. Why did he storm out of the meeting?

A couple of months later, there began to be riots, terrorism. The riots began when, now Prime Minister, Ariel Sharon, went to the Temple Mount. And this was used as the thing that lit the fire and that caused the explosion.

Did you know that Sharon did not go unannounced and that he contacted the Islamic authorities before he went and secured their permission and had permission to be there? It was no surprise. The response was very carefully calculated. They knew the world would not pay attention to the details.

They would portray this in the Arab world as an attack upon the holy mosque. They would portray it as an attack upon that mosque and use it as an excuse to riot. Over the last eight years, during this time of the peace process, where the Israeli public has pressured its leaders to give up land for peace because they're tired of fighting, there has been increased terror.

In fact, it has been greater in the last eight years than any other time in Israel's history. Showing restraint and giving in has not produced any kind of peace. It is so much so, that today the leftist peace movement in Israel does not exist because the people feel they were deceived.

They did offer a hand of peace, and it was not taken. That is why the politics of Israel have changed drastically over the past 12 months. The Israelis have come to see that, ''No matter what we do, these people do not want to deal with us . . . They want to destroy us.'' that is why even yet today the stationery of the PLO still has upon it the map of the entire state of Israel, not just the tiny little part they call the West Bank that they want. They want it all.

The unwavering loyalty we have received from our only consistent friend in the Middle East has got to be respected and appreciated by us. No longer should foreign policy in the Middle East be one of appeasement. As Hiram Mann said, ''No man survives when freedom fails. The best men rot in filthy jails and those who cried 'appease, appease' are hanged by those they tried to please.''

Islamic fundamentalist terrorism has now come to America. We have to use all of our friends, all of our assets, and all of our resources to defeat the satanic evil.

When Patrick Henry said, ''We will not fight our battles alone. There is a just God who reigns over the destiny of nations who will raise up friends who will fight our battles with us,'' he was talking about all our friends, including Israel. And that is what is happening, as of yesterday and I thank God for that. Israel is now in the battle by our side.

That is what is happening. As of yesterday, Israel is now in the battle by our side, and I thank God for that. It is time for our policy of appeasement in the Middle East and appeasement to the terrorists to be over. With our partners, our victory must and will be absolute victory.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I was to speak next, but I ask unanimous consent that the Senator from Vermont be given 3 minutes and then I have the opportunity to address the Senate after that.

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

The Senator from Vermont.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—CONFERENCE REPORT—Continued

Mr. JEFFORDS. Madam President, as chairman of the Environment and Public Works Committee, which is the lead authorizing committee for many of the programs authorized in the Transportation Equity Act for the 21st Century, I would like to comment on the pending FY 2002 transportation appropriations conference report.

Overall, this is an excellent bill and I intend to vote for it. However, there are a few provisions in the highway portion of this legislation that concern me. TEA–21 represented a carefully negotiated compromise between many different points of view, numerous committees, and the entire House and Senate. One key provision of this compromise legislation was Revenue Aligned Budget Authority—RABA—which ensured that obligations from the Highway Trust Fund would equal revenues into the fund, called TEA–21. TEA–21 determined a carefully negotiated breakdown between the share of RABA funds that would flow to the States through the apportionment formulas and the share that would be competitively distributed through the allocated programs.

Unfortunately, the conference report makes significant changes to the authorization for RABA funding. As it has done in each of the past 2 years, the conference report ignores the authorized distribution of funds for allocated programs under RABA. However, this time, rather than giving the money back to the States through the formulas, this legislation earmarks it for special projects. In addition, the conference report earmarks nearly $500 million that was supposed to be distributed to States through the apportionment formulas. As a result, some States will lose significant amounts of highway funding. In essence, I am very concerned that the appropriators are rewriting the apportionment formulas that were so carefully negotiated in TEA–21.

I do not mean to begrudge the appropriators their prerogative to earmark funding for specific projects. In fact, I am very pleased that some of the funding is set aside for Vermont. However, at some point we do have to draw the line on earmarking when it threatens the very fabric of a carefully negotiated authorization. Unfortunately, this year we may have finally crossed that line.

I look forward to working with the appropriators next year and throughout the reauthorization process to make sure we do a better job of maintaining the integrity of TEA–21 while providing the appropriators flexibility within the guidelines set forth in that law. TEA–21 is a delicately balanced piece of legislation and we must be careful not to upset that balance.

I yield back any time I have.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Michigan is recognized.

PARTISAN ATTACKS ON THE MAJORITY LEADER

Ms. STABENOW. Mr. President, I rise today to express great concern about recent events and comments that have been made in this Chamber and in the House of Representatives that I believe are not in keeping with the sense of cooperation and bipartisanship that we have seen since September 11.

I remember, after the horrible attacks that we all grieved about and have focused on, on that day of September 11 we joined together on the Capitol steps, and one of our colleagues spontaneously started singing ''God Bless America,'' and we all joined in.

And there was a sense of purpose and dedication and commitment as Americans. We all said that while we may have had differences—that is what it is all about in a democracy—we were going to put aside the partisan bickering and the personal assaults and do as our President asked, which was to come together and focus on the needs of the country and to set a new tone.

And then a few weeks later we saw our own majority leader and his staff under another kind of attack, that of anthrax. It came to be an attack on those of us in the Hart Building. And we have now seen other letters. But we have seen our majority leader and his staff operating with incredible dedication, with poise, with tremendous leadership. And the hard work of the staff is continuing.

In fact, all of our staffs are continuing under very difficult circumstances. My own staff operates out of a room in the loading dock at Russell. We see people who are in various situations around this complex of the Capitol, but they continue to serve.

We have done a lot of things. We immediately responded to the attacks with a commitment of resources for New York and for the Pentagon. Yesterday I had the opportunity to visit the Pentagon and see the incredible changes that have taken place since September 11. They are rebuilding the Pentagon with speed that is amazing. Everyone involved in that should be commended for the work they are doing to rebuild this important part of our country and our national security and leadership.

We have responded to that. We have passed airport security bills. Yes, there were differences, but they were worked out to move us forward in terms of airport and airline security.

We have passed economic legislation to support the airlines and passed a sweeping antiterrorism bill that has included the ability to track the money through money laundering provisions—I was pleased to be a part of it in the Banking Committee—as well as upgrading the tools available to law enforcement officials and create the kinds of opportunities to reach out and prevent terrorism as well as to respond to it.

We have continued to move the appropriations bills through this process. We are coming to the conclusion of that in the next couple of weeks. But we are still debating economic recovery, how best to do that. What should be our priorities? Should we, in fact, invest in additional homeland security, beefing up our public health infrastructure, as I hope we will do?

But we are now seeing a constant drone of attacks and comments being made about our Senate majority leader, and I just have to rise today to express deep disappointment and concern about that. We have seen personal comments being made.

Last week the chair of the House Ways and Means Committee made statements about our leader saying there was nothing inside the leader's head on which to focus. There have been implications, with all kinds of derogatory statements that have been made about his leadership and calls for him to step aside because he may be putting forward a different vision or set of values and priorities than someone on the other side—statement after statement, attacks about someone's sincerity and their patriotism and their leadership that are just not helpful and not necessary and, by the way, absolutely absurd.

I found it offensive, when we were listening to the debate on the energy bill on Friday; over and over again it was laced with personal comments, comments that are unbecoming to this body or the body on the other side of the building from which I came as a House Member.

Mrs. BOXER. Will the Senator yield for a question?

Ms. STABENOW. I am happy to yield to my good friend from California.

Mrs. BOXER. First, I want to say how proud I am you took to the floor to bring this to light. I think the American people are ill-served, as you do, when there are personal attacks on any of our leaders.

Do we have differences? Yes. Should we express those differences? Absolutely. Because, frankly, I have a lot of people who say: What really is the difference between Democrats and Republicans? So the fact that we do not agree on an economic stimulus package is to be expected. The fact that the Democrats are fighting for people who lost their jobs, yes, that is to be expected. The fact that we do not think it is right to give big rebate checks to the largest and most wealthy corporations in America and call it a stimulus, the fact that we do not agree with it is to be expected. The fact that the other side would support that is to be expected. So debating that is fine.

But my colleague has pointed out the viciousness of the attack against the leader of this Senate, TOM DASCHLE, who happens to be one of the kindest, most compassionate people in politics today, is something that cannot go by without a statement.

So I say to my friend, by way of a question, isn't it true that the people of this country expect us to have differences, expect us, on domestic policy, to bring those differences to light, where we are so united on the terrorism front—and we support our President and our Secretary of State; and we are moving together in this fight; there are no differences really, not even around the edges on that. But isn't it a fact that it is fine for us to have these differences, but that these differences should be debated with respect, with fairness, and with dignity?

Ms. STABENOW. I couldn't agree more with my friend from California. I know the families I represent in Michigan are saying to me: We know there are differences in approaches.

That is a reason why they sent me here. And I am of a different party, a different philosophy, on economic questions possibly, or other domestic issues, than those on the other side of the aisle.

They expect us to operate with civility, with respect. I believe and in fact have been telling people in Michigan that there is a new day, that since September 11 we have come together. Yes, we have differences in priorities. We are Americans. Under the Constitution, we have a right, an obligation, to give our point of view. There will be differences.

The personal attacks, the vicious partisan attacks that we have heard recently are just the same old thing we have seen for too long around here. People don't want to see that happening.

I will not question someone's patriotism. I will not say because they differ with my thoughts that there is nothing between their ears or that they are somehow a child who wants a recess and that they are a third grader—whatever the comments were last week. Those kinds of things, frankly, demean all of us. That is my concern.

We have a lot of work to do in this next couple of weeks. People expect us to be focused on their needs and on the needs of the country, the safety of the country, the economy. It is legitimate for us to debate, and we have legitimate differences on how to move the economy forward. I have spoken before in this Chamber about whether it is supply side economics or demand side economics, what is the best mix? That is legitimate. People expect us to do that. We would not be fulfilling our own responsibilities as individual Senators not to come forward with our own ideas. But when it goes on and we hear our leader being attacked for abrogating his responsibility or that every day someone is in pain should be laid at the foot of TOM DASCHLE, that is uncalled for.

I was particularly concerned that there are actually ads being run now attacking our leader in the Senate because of a meeting he had in Mexico with the President of Mexico. Our President has met with Vicente Fox. President Fox has been here. We have welcomed him to the Capitol. They are our neighbors to the south. We have important work to do with them. Certainly part of what happens economically relates to trade and the relationship of our two countries. Yet we have those who have actually paid for partisan ads back in our leader's home State to imply that while a weekend in Mexico might be a nice break from the attacks at hand, in fact, this trip was the wrong thing to do.

I hope we can decide we are going to dedicate the time between now and the end of this session to the serious, vital business at hand and the priorities about which we can disagree. We can disagree about whether or not to drill in Alaska's national wildlife refuge. We

can disagree about appropriations priorities.

As someone who has tremendous respect for the leader of this body, I will continue to object when there are personal comments made either about our leader or about the Republican leader or about others on the Senate floor. We have been through too much together since September 11 to turn back to the personal kinds of derogatory statements that were a part of the past. We can do better than that. The American people deserve better. The American people expect us to do better than that.

I call on the President of the United States and the Republican leadership to join us in a vigorous, sincere debate on the priorities for the country, the best way to achieve economic recovery and security, and to do that with the highest and best that is in us. We have a great body and people of wonderful good will on both sides of the aisle in both Houses, as well as the White House. We can do what the people expect us to do. We can do it right. I hope in fact we will get about the business of doing it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the previously scheduled vote which is scheduled for 12:30 now begin at 12:25 p.m. today.

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

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment, the Domenici amendment No. 2202, be laid aside, to recur at 2:15 p.m. today; that there then be 5 minutes of debate equally divided and controlled in the usual form prior to a vote in relation to the amendment; that there be no second-degree amendments in order, nor to the language proposed to be stricken.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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. Without objection, it is so ordered.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the conference report to accompany H.R. 2299.

The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Texas (Mrs. HUTCHISON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 346 Leg.]

YEAS—97

Akaka	Durbin	McConnell
Allard	Edwards	Mikulski
Allen	Ensign	Miller
Baucus	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Boxer	Graham	Reed
Breaux	Gramm	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Harkin	Sarbanes
Campbell	Hatch	Schumer
Cantwell	Helms	Sessions
Carnahan	Hollings	Shelby
Carper	Hutchinson	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Thomas
Corzine	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	
Dorgan	Lugar	

NAYS—2

Bayh	McCain

NOT VOTING—1

Hutchison

The conference report was agreed to.

Mrs. MURRAY. Mr. President, 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.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:55 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, parliamentary inquiry: What bill is pending before the Senate? What are the agreements regarding it?

The PRESIDING OFFICER. The pending bill is H.R. 10, to which pending is the Daschle substitute amendment, and an amendment to that is the amendment by the Senator from New Mexico with time for debate evenly divided.

Mr. DOMENICI. Has a vote been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. DOMENICI. I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I yield myself the 2½ minutes that I have.

First, I thank the chairman of the Budget Committee for cosponsoring this amendment.

Second, for those—they are numerous in the Senate—who are for the railroad retirement bill, this amendment is not a poison pill for the railroad retirement bill. It does not impact how this bill will be implemented. It simply will make sure the costs are recorded correctly. If you record them correctly rather than direct how they will be scored, you have no impact on whether the bill proceeds.

There is no additional point of order or anything that is an impediment to the bill. It is just that we very seldom, if ever, let a bill go through that costs money where we direct how it should be scored. In this case, the Congressional Budget Office was asked how much it will cost. They told us. Instead of scoring it as we would normally in almost every single bill that affects spending, the House, in the final moments as this bill was getting ready to be passed, put in language saying it shouldn't be scored as it is; we want to score it another way; we direct it not be scored costing $15.3 billion.

All I ask is that provision be stricken. The bill does not have language in it, if the Domenici amendment is agreed to, that directs how you score it, but rather the costs will be scored as estimated by the Congressional Budget Office, which does the same thing for every bill that goes through. Bills do not have language telling you that you must score it differently than you score all the other bills and differently than the Congressional Budget Office indicates.

I reserve whatever time I have and yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield myself a minute and a half.

Mr. President, I have the highest regard for the Senator from New Mexico and also for Senator CONRAD, chairman of the Budget Committee. They do an excellent job in a very difficult situation trying to keep us on track with