

# One Hundred Seventh Congress

Jan. 7, 2001-Jan. 3, 2003

## First Administration of George W. Bush

Historical Background.....	1
War or Peace? .....	3
Economic Trends and Conditions.....	6
Major Treaties.....	7
Landmark U.S. Supreme Court Decisions.....	8
2001 Events.....	10
2002 Events.....	12
Major Acts.....	14

### Historical Background

On the evening of November 7, 2000, as polling places around the country began to close and results trickled in, Americans gathered around their televisions to watch election coverage, hoping to stay awake long enough to learn the identity of the 43<sup>rd</sup> President of the United States. The contest pitted Republican George W. Bush, then the governor of Texas and son of the 41<sup>st</sup> President, George H.W. Bush, against Democrat Al Gore, the former Tennessee Senator who was just wrapping up his second term as Vice President. Early in the evening, the major news networks announced their prediction that Gore would prevail in Florida, giving him the state's 25 electoral votes and putting him in a good position to win the election outright. As it turned out, however, this prediction was made as the polls closed in the main, peninsular part of the state, but before they closed in the deeply conservative panhandle. When the night was over, Florida had been changed to "too close to call" and Americans were no better informed about who would steer American policy into the 21<sup>st</sup> century.

In Florida, when all the votes were counted in the early morning of November 9, Bush led in the tally by a margin of fewer than 2,000 votes and thereby triggering an automatic and mandatory machine recount. After this first recount, Bush's lead shrank to a mere 300 votes. Over the coming weeks, the Gore campaign would request manual recounts in four counties with unusually high numbers of rejected ballots. The Republican official responsible for overseeing Florida elections issued firm deadlines, which were extended by the Florida Supreme Court. The recounting and legal maneuvering continued into December, bringing with it a sense of uncertainty unusual in American governance. Finally, on December 12, after



George W. Bush  
President of the United States

President  
George W. Bush

House	Senate*
Majority Party: Republican (221 seats)	Majority Party: Democrat (50 seats)
Minority Party: Democrat (212 seats)	Minority Party: Republican (50 seats)
Other Parties: Independent (2 seats)	Other Parties: None
Speaker of the House: J. Dennis Hastert	Majority Leader: Thomas A. Daschle

\* Jan. 3-20, 2001: Senate is evenly split, allowing Democrat Al Gore, the out-going Vice President, gave the Democrats the tie-break and majority control for 17 days.

having previously halted a recount of 70,000 ballots ordered by the Florida Supreme Court two weeks earlier, the United States Supreme Court ruled in a 7-2 decision that the order by the Florida Supreme Court to conduct a statewide recount violated the Equal Protection clause of the U.S. Constitution. The court sent the issue back to the Florida court hours before the deadline for certifying the election, effectively handing the election to the Bush campaign. The prolonged uncertainty about the coming succession was uncharacteristic and the profoundly partisan nature of the discourse surrounding the election would contribute to a sense of partisan suspicion and acrimony in the years to come.

President George W. Bush addressed Congress on Feb. 27, 2001, during which he described the challenges facing the nation, as well as the U.S.' current strengths. He listed a number of warning signs, including rising unemployment, rising energy prices, too many failing schools, persistent poverty, and the vestiges of racism. On the positive side, he noted that the U.S. enjoyed a balanced budget, big surpluses, a military that was "second to none," technology that was revolutionizing the world, and "our greatest strength, concerned citizens who care for our country and care for each other." He asked Congress to work with him to direct the advantages of our time to solve the problems of our people, especially in areas of education and health. The positive economic situation allowed him to propose a budget that was intended to protect Social Security and Medicare, with money left over to pay down an unprecedented amount of public debt and reduce taxes.

On Sept. 11, 2001, however, everything changed. Members of Al-Qaeda, an Islamic terrorist organization headquartered in Afghanistan and led by Osama bin-Laden, launched coordinated suicide terrorist attacks in the U.S. Terrorists hijacked four passenger planes. Two were deliberately crashed into the twin towers, destroying the World Trade Center in New York City, killing everyone on board as well as hundreds of people in the buildings and on the ground in the subsequent collapse of the towers. A third plane was crashed into the Pentagon in Arlington, Va., and a fourth that is believed to have targeted Washington, D.C., crashed into a field in Somerset County, Pennsylvania when passengers attempted to overpower the hijackers. In total, 2,996 people were killed, including 403 rescue personnel. The event would send shockwaves around the world and change American foreign policy.

Bush addressed the nation on Sept. 21 and demanded that the Taliban regime in Afghanistan extradite all of the Al-Qaeda leaders within its borders, release all foreign nationals currently imprisoned in Afghanistan, and close all terrorist training camps. None of those demands was met, and the U.S. military intervention in Afghanistan, known as "Operation Enduring Freedom," began on Oct. 7, 2001. With assistance from the U.S. and other nations, rival Afghani political groups were able to regain control of much of Afghanistan from the Taliban.

When Bush delivered his State of the Union address on Jan. 29, 2002, the U.S. was engaged in military operation in Afghanistan and the economy was in recession. Bush asserted that the United States' war on terror had just begun

House	Senate*
Majority Party: Republican (221 seats)	Majority Party: Republican (50 seats)
Minority Party: Democrat (212 seats)	Minority Party: Democrat (50 seats)
Other Parties: Independent (2 seats)	Other Parties: None
Speaker of the House: J. Dennis Hastert	Majority Leader: Trent Lott

\* Jan. 20 - June 6, 2001: Senate is evenly split, allowing Republican Vice President Dick Cheney, to give the tie-break and majority control to the Republican Party

House	Senate*
Majority Party: Republican (221 seats)	Majority Party: Democrat (50 seats)
Minority Party: Democrat (212 seats)	Minority Party: Republican (49 seats)
Other Parties: Independent (2 seats)	Other Parties: Independent (1 seat)
Speaker of the House: J. Dennis Hastert	Majority Leader: Thomas A. Daschle

\* June 6, 2001 - Nov. 12, 2002: Senator Jim Jeffords, previously a Republican, declared himself an independent and would be caucusing with the Democrats

and that the U.S. would intervene if nations failed to rid themselves of terrorists. He described North Korean, Iran, and Iraq as an axis of evil, and his budget priorities included the war effort, homeland security, and economic security. Also, during this address, President Bush pointed to the recently enacted No Child Left Behind Act of 2001. The Act reflected Bush's advocacy for standards-based education reform. Under the law, all public schools receiving Federal funding would be required to administer statewide standardized tests to all students to assure that "Adequate Yearly Progress" (AYP) is made in improving results. Schools that repeatedly fail to meet AYP standards would be subject to a series of sanctions, including turning the school into a private charter school.

Sources:

Bush, George W. [\*Message from the President of the United States Transmitting a Report on the State of the Union\*](#). House, Feb. 4, 2002. 107<sup>th</sup> Congress, 2<sup>nd</sup> Session, H. Doc. 107-157. ProQuest Congressional, 14752 H.doc.157

Bush, George W. [\*Message from the President of the United States Transmitting the Text of Remarks in an Address to a Joint Session of Congress\*](#). House, Sept. 21, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session (Y1.1/7:107-122). ProQuest Congressional, 14716 H.doc.122

Bush, George W. [\*Address to a Joint Session of Congress. Message from the President\*](#). House, Feb. 28, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session (Y1.1/7:107-1). ProQuest Congressional, 14696 H.doc.1

Katzman, Kenneth. [\*Afghanistan: Current Issues and U.S. Policy Concerns\*](#). Foreign Affairs, Defense, and Trade Division (CRS), Nov. 15, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session, RL30588. ProQuest Congressional, CRS-2001-FDT-0514

House	Senate*
Majority Party: Republican (221 seats)	Majority Party: Republican (50 seats)
Minority Party: Democrat (212 seats)	Minority Party: Democrat (48 seats)
Other Parties: Independent (2 seats)	Other Parties: Independent (2 seats)
Speaker of the House: J. Dennis Hastert	Majority Leader: Thomas A. Daschle

\*Nov. 12, 2002 – Jan. 3, 2003: Jim Talent takes Senate seat for Missouri giving following a special election, defeating Democrat Jean Carnahan, who had held the seat following the death of her husband Mel Carnahan who was elected posthumously in 2000.

## War or Peace?

### September 11<sup>th</sup>, War on Terrorism, and Military Operations in Afghanistan

Prior to the terrorist attacks of September 11, the largest contingency operations in which the U.S. military was engaged were in the Central Command and the European Command. Over 10,000 troops participated in NATO peacekeeping operations in Bosnia and Kosovo. Over 20,000 U.S. troops were stationed in Saudi Arabia, Kuwait, Turkey, and their respective coastal waters to enforce UN-mandated no-fly zones in Iraq and to assist in the defense of Kuwait. U.S. and allied officials justified the imposition of no-fly zones over Iraq on United Nations Security resolution 688 of Apr. 5, 1991 in which the U.N. demands Iraq end its oppression of the Kurds in its north and of Shia Muslim Arabs in its south—Saddam Hussein, as well as most of those in authority in Iraq were Sunni Muslim Arabs from central Iraq—and on the Safwan Accords that ended military hostilities during the Persian Gulf War of 1991.

On Jan. 18, 2001, just prior to his inauguration, Bush threatened Iraqi President Saddam Hussein. He stated that the U.S. would use military force if Iraq were found to be developing weapons of mass destruction. On Feb 16, U.S. and British combat aircraft struck five Iraqi defense command-and-control installations, with the purpose of disrupting and degrading the capability of Iraq's air defense system.



**Tom Daschle**

Senate Majority Leader  
Thomas A. Daschle

Within days of the September 11th attacks, the House Government Reform Committee held hearings to examine strategies to wage a war on terror, including the use of military force. Military operations against Afghanistan began on Oct. 7. In mid-November the U.S. announced that U.S. Special Forces were operating in southern Afghanistan, searching for Taliban and Al-Qaeda leaders. On November 14, 2001, the UN Security Council called for a central UN role in establishing a transitional administration and invited member states to send peacekeeping forces to promote stability and the delivery of humanitarian assistance. During late November, after Kabul had fallen, delegates of major Afghan factions other than the Taliban met in Bonn, Germany to establish a temporary government and provide for the installation of an international peacekeeping force.

In the immediate aftermath of September 11, there was concern over whether or not more attacks were to come and assuring that national security agencies were able to intercept any would be attackers. This concern became near-hysteria when, about a week after the 9/11 attacks, envelopes with a Trenton, New Jersey postmark began arriving at major news organizations, including ABC News, NBC News, and the American Media Inc. (AMI), the parent company of the *National Enquirer* from an unknown sender. Then, on October 5, Robert Stevens, who worked at AMI's *Sun* tabloid, died in a Florida hospital, a few days after being admitted for a mysterious illness. Stevens, it was discovered, had died from an anthrax infection contracted when he was exposed to anthrax spores sent by an unknown assailant. Shortly after Stevens's death, more envelopes were discovered addressed to the offices of Senators Tom Daschle and Patrick Leahy, each containing roughly a gram of highly refined anthrax spores. As this fresh assault played out, Americans were in a state of near panic as more people sickened and died and yet nobody knew who was sending the letters or whether there was more to come. In all, 22 people were infected with anthrax during the 2001 anthrax attacks, five of whom succumbed to the disease. Though the identity of the attacker would remain unknown for some time, investigators in 2008 focused their attention on Bruce E. Ivins, a biodefense researcher at the United States Army Medical Research Institute in Ft. Detrick, MD. That August, as investigators were closing in on him, Ivins committed suicide. Several days later, Federal prosecutors declared that the strain of anthrax used in the attacks matched a strain developed and maintained by Ivins, thereby justifying their conclusion that he was solely responsible for the anthrax attacks.

In 2001, however, the anthrax scare compounded the sense after 9/11 that the country was vulnerable to attack. Legislatively, the Congress responded by looking for ways to improve national security. On October 26, 2001, President Bush signed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, after it was approved in both houses of Congress by overwhelming margins. The PATRIOT Act represented a major overhaul of the intelligence regime in the United States, giving law enforcement and intelligence operatives broad new authorities in surveillance and information sharing. The law was not without controversy, however, not



**Trent Lott**

Senate Majority Leader  
Trent Lott



J. Dennis Hastert  
Speaker of the House of Representatives

Speaker of the House  
J. Dennis Hastert

least because its length and the speed with which it was enacted meant that it was highly unlikely that most members of Congress who voted to approve it could have studied it in any depth. Civil libertarians charged that the law granted excessive powers to law enforcement agencies that can be used opportunistically to investigate people for reasons having nothing to do with international terrorism. In spite of these criticisms, however, the law would largely remain in effect and be reauthorized with only minor changes for years to come.

Other major national security legislation approved in response to the attacks of September 11 includes the Homeland Security Act of 2002, which sought to centralize counterterrorism efforts and promote the kind of information sharing that some have suggested may have prevented the attacks altogether. Enacted in November 2002, the Act established a cabinet-level Department of Homeland Security, consolidating the functions of various existing Federal agencies.

In the days following September 11, prior to the discovery of definitive evidence linking the attacks to al-Qaeda and Osama bin Laden, the government cast a wide net in its search for the responsible parties. High on the list of suspects to be investigated was the government of Saddam Hussein in Iraq, a perennial thorn in the side of U.S. administrations since his disastrous 1990 invasion of Kuwait. Investigators left no stone unturned in their search for evidence linking Iraq to the attacks but came up short.

Although U.S. officials found no evidence that Iraq was involved in any way in the September 11 attacks, some officials remained skeptical. On October 11, 2001, U.S. Ambassador to the UN John Negroponte delivered a warning that the U.S. would launch military strikes against Iraq if it tried to attack its neighbors or aid anti-U.S. forces in Afghanistan. On September 12, 2002 in a speech before the United Nations, Bush implied that U.S. military action would be taken if the UN did not disarm Iraq. On October 16, P.L. 107-243 was signed into law, authorizing the President to use force against Iraq. On November 8th, the UN Security Council provided UN weapons inspectors with new authorities. These new UN inspections began on November 27th. On December 7, Iraq handed over a 12,000-page declaration of all its past weapons of mass destruction programs and its current capabilities. On Dec. 19, Secretary of State Colin Powell stated that there were omissions in Iraq's declaration that constituted a material breach of their obligations. Other Security Council Members declined to consider the declaration a material breach.

President George W. Bush's administration tended to view international organizations and protocols with some suspicion, preferring, where possible, to allow the United States to act unilaterally as necessary. Thus, in March 2001, the administration announced that the United States would abandon the Kyoto Protocol to reduce greenhouse gas emissions, claiming that the accord put insufficient restraints on developing countries like China and India. Then, that December, the President announced that the United States would be abandoning the 1972 Anti-Ballistic Missile (ABM) Treaty with the Soviet Union in six months, as required by the treaty. The withdrawal was

necessary, it was argued, to allow the U.S. to develop a missile defense battery. In response, Russian President Vladimir Putin ordered a buildup of Russian nuclear armaments to counterbalance U.S. capabilities.

Sources:

Committee on Armed Services. Senate. [\*Department of Defense Authorization for Appropriations for FY2002, Part 1\*](#). GPO, Mar. 22, 27, June 28, July 10, 12, 17, 19, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session, (Y4.AR5/3:S.HRG.107-355/PT.1). ProQuest Congressional, HRG-2001-SAS-0017

Committee on Government Reform. House. [\*Preparing for the War on Terrorism\*](#). GPO, Sept. 20, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session (Y4.G74/7:T27/15). ProQuest Congressional, HRG-2001-HGR-0037

Katzman, Kenneth and Alfred B. Prados. [\*Iraq-U.S. Confrontation\*](#). GPO, Feb. 27, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session, IB94049. ProQuest Congressional, CRS-2001-FDT-0417

Katzman, Kenneth. [\*Afghanistan: Current Issues and U.S. Policy Concerns\*](#). GPO, Dec. 3, 2002. 107<sup>th</sup> Congress, 2<sup>nd</sup> Session, RL30588. ProQuest Congressional, CRS-2002-FDT-0507

Katzman, Kenneth. [\*Iraq: Weapons Threat, Compliance, Sanctions, and U.S. Policy\*](#). GPO, Dec. 24, 2002. 107<sup>th</sup> Congress, 2<sup>nd</sup> Session, IB92117. ProQuest Congressional, CRS-2002-FDT-0534

---

## **Economic Trends and Conditions**

During the start of 2001 the U.S. economy was strong, enjoying the longest economic expansion ever recorded. With more than 22 million new jobs created since 1993, and the unemployment rate was the lowest in 30 years. The female unemployment rate was the lowest in 40 years. And the Hispanic and African-American unemployment rate was the lowest ever recorded. Homeownership stood at the highest rate on record, and wages were increasing at all income levels. According to the National Bureau of Economic research, the economic expansion officially peaked in March 2001, but many of the factors contributing to the slowdown had been in place by mid-2000. That being the case, though, by mid-summer 2001 many economists were expecting an economic rebound to begin soon.

However, the September 11<sup>th</sup> attacks changed the economic outlook, increasing uncertainty in financial markets, which affected consumption and investment as consumer confidence waned. The expected rebound failed to materialize and the economy tilted towards recession. The attacks had a direct adverse impact on airline, aerospace, travel, insurance, and hotel industries. Moreover, the increased terrorist threat imposed long-term economic costs related to the increased costs of security. Even so, at the end of 2001 the chances for a rebound in 2002 seemed plausible. To help shorten the economic slowdown, the Federal Reserve lowered short-term interest rates, and fiscal policy became less restrictive.

The U.S. economy grew at an annual rate of 3.4 percent through the first three quarters of 2002. Although output rebounded after the September 11<sup>th</sup> attacks, job growth remained satisfactory. However, relatively slow economic growth within several important trading partners of the U.S. contributed to a widening of the U.S. "current account deficit," which is a broad measure of the balance of international transactions of U.S. goods and services.



Prior to the 9/11 attacks, President George W. Bush made good on a major campaign promise when, in June 2001, Congress enacted the Economic Growth and Tax Relief Reconciliation Act of 2001. The Act authorized substantial across-the-board reductions in taxes, including income tax, estate tax, and retirement plan rules. Though many of the cuts embodied in the Act were designed to be temporary, with firm sunset dates, Congress reauthorized the act in full in 2010.

In October 2001, a major accounting scandal impacting the Texas-based energy services giant Enron was uncovered. On October 16, the company announced that it needed to reissue its financial statements for the years 1997-2000 due to accounting irregularities that were discovered, reducing earnings by 23%, increasing liabilities by 6%, and reducing equity by 10%. This came on the heels of a troubling few months for the company during which worried employees warned chairman Kenneth Lay of problems in the firm's accounting and the company's CEO, Jeffrey Skilling, resigned his position after a mere six months, citing personal reasons. The scandal that developed brought down Enron, until recently one of the great juggernauts in the American energy services industry, as well as the accounting firm responsible for auditing its books, Arthur Andersen. In response to the crisis, the Senate Committee on Banking, Housing, and Urban Affairs held a series of hearings about the Enron scandal and accounting issues. This process culminated in the passage of the Sarbanes-Oxley Act in July 2002. The Sarbanes-Oxley Act authorized new regulatory requirements that must be followed by all publicly traded companies. The Act established the Public Company Accounting Oversight Board, which would provide independent oversight of public accounting firms and established new standards for auditor independence and financial disclosures.

Sources:

Bush, George W. [Economic Report of the President](#). House, Jan. 1, 2001. 107<sup>th</sup> Congress, 1<sup>st</sup> Session, H. Doc. 107-2. ProQuest Congressional, 14696, H.doc.2

Bush, George W. [Economic Report of the President](#). House, Feb. 1, 2002. 107<sup>th</sup> Congress, 2<sup>nd</sup> Session, H. Doc. 107-158. ProQuest Congressional, 14752 H.doc.158

---

## Major Treaties

**Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions** (SORT Treaty; Treaty of Moscow). Provided for reduction of nuclear arsenals in both countries. Signed in Moscow on May 24, 2002.

Source:

Committee on Foreign Relations. Senate. [The New START Treaty \(Treaty Doc. 111-5\)](#). Senate, Apr. 29, May 18-19, 25, June 10, 15-16, 24, July 15, 2010. 111<sup>th</sup> Congress, 2<sup>nd</sup> Session, S. Hrg. 111-738 (Y4.F76/2:S.HRG.111-738). ProQuest Congressional, HRG-2010-FOR-0013

---

## Landmark U.S. Supreme Court Decisions

*Brentwood Academy v. Tennessee Secondary School Athletic Association*, concluded that an association's regulatory activity is state action owing to the pervasive entwinement of state school officials in the association's structure, there being no offsetting reason to see the Association's acts in any other way, [531 U.S. 288](#) (2001)

*Board of Trustees of University of Alabama v. Garrett*, concluded that suits in federal court by state employees to recover money damages by reason of the State's failure to comply with Title I of the ADA are barred by the Eleventh Amendment, [531 U.S. 356](#) (2001)

*Legal Services Corporation v. Velazquez*, held that Congress must subsidize grantees involved in litigation that seeks to amend or otherwise challenges existing welfare laws, and funding restriction violates the First Amendment, [531 U.S. 533](#) (2001)

*Hunt v. Cromartie*, concluded that the State Violated the Equal Protection Clause in Drawing the 1997 Boundaries is Based on Clearly erroneous Findings, [532 U.S. 234](#) (2001)

*Alexander v. Sandoval*, holding that private individuals may not sue State agencies under Title VI of the Civil Rights Act of 1964 over claims of unintentional (disparate impact) discrimination, [532 U.S. 275](#) (2001)

*United States v. Oakland Cannabis Buyers' Cooperative*, holding that there is no medical necessity defense to the Federal law prohibiting cultivation and distribution of marijuana, [532 U.S. 483](#) (2001)

*Bartnicki v. Vopper*, held that the First Amendment protects the disclosures made by federal and Pennsylvania wiretapping statutes; they prohibit the disclosure or other use of an unlawfully intercepted electronic communication by a person who was not involved in the interception itself, but who knows or has reason to know that the communication was unlawfully intercepted, [532 U.S. 514](#) (2001)

*Kyllo v. United States*, concluded that the Warrantless Use of a Thermal Imaging Device to Detect Heat Sources Within a Home Constitutes an Unreasonable Search and Seizure Under the Fourth Amendment to the United States Constitution, [533 U.S. 27](#) (2001)

*United States v. United Foods, Inc.*, held that the assessments imposed by the Mushroom Promotion, Research, and Consumer Information Act of 1990, 7 U.S.C. 6101 et seq., on members of the mushroom industry for advertising programs designed to support the industry violate the First Amendment, [533 U.S. 405](#) (2001)

*Federal Election Commission v. Colorado Republican Federal Campaign Committee*, concluded that a political party does not have a First Amendment right to make unlimited campaign expenditures in Coordination with the party's congressional candidates, [533 U.S. 431](#) (2001)



*Zadvydas v. Davis*, vacated and held that an alien's post-removal-period of detention should be limited to a period reasonably necessary to bring about that alien's removal from the United States and does not permit indefinite detention; and for the sake of uniform administration in the federal courts, six months is the appropriate period of "reasonable time," [533 U.S. 678](#) (2001)

*Good News Club v. Milford Central School*, concluded that Milford's restriction violated the free speech rights of the Club and discriminated against the Club's religious viewpoint, [533 U.S. 98](#) (2001)

*Ashcroft v. Kim Ho Ma*, vacated and held that the post-removal-period detention statute implicitly limits an alien's detention to a period reasonably necessary to bring about that alien's removal from the United States, and does not permit indefinite detention. The Ninth Circuit's conclusion that Ma should be released may have rested solely upon the absence of a repatriation agreement without giving due weight to the likelihood of successful future negotiations, [533 US 678](#) (2001)

*Thomas v. Chicago Park District*, held that a content-neutral permit scheme regulating uses of a public forum need not contain the procedural safeguards described in *Freedman v. Maryland*; and a content-neutral time, place, and manner regulation can be applied in such a manner as to stifle free expression, 380 U. S. 51. , [534 U.S. 316](#) (2002)

*Department of Housing and Urban Development v. Rucker*, holding as constitutional the provisions of the Anti-Drug Abuse Act of 1988 that allow for no-fault evictions of public housing tenants for drug-related criminal activity engaged in by the tenant, the tenant's guests, a member of the tenant's household, or any other person under the tenant's control, [535 U.S. 125](#) (2002)

*Hoffman Plastic Compounds v. NLRB*, holding that the National Labor Relations Board is precluded from awarding back pay to an undocumented alien who has never been legally authorized to work in the U.S. even in cases where the employer has violated the National Labor Relations Act, [535 U.S. 137](#) (2002)

*Ashcroft v. Free Speech Coalition*, held that the prohibitions of § 2256(8)(B) and 2256(8)(D) of the Child Pornography Prevention Act of 1996 are overbroad and unconstitutional, [535 U.S. 234](#) (2002)

*Tahoe-Sierra Preservation Regional Council, Inc. v. Tahoe Regional Planning Commission*, held that the moratoria ordered are not per se takings of property requiring compensation under the Takings Clause, [535 U.S. 302](#) (2002)

*Thompson v. Western States Medical Center*, held that prohibitions on soliciting prescriptions for, and advertising, compounded drugs amount to unconstitutional restrictions on commercial speech, [535 U.S. 357](#) (2002)

*Ascroft v. American Civil Liberties Union*, vacated and held that the Child Online Protection Act's requirement that online publishers prevent children from accessing "material that is harmful to minors" was likely to violate the First Amendment by restricting too much protected speech and using a method that is not the least restrictive one available, [535 U.S. 564](#) (2002)

*Alabama v. Shelton*, held that the imposition of a suspended or conditional sentence in a misdemeanor case invoked a defendant's Sixth Amendment right to counsel, [535 U.S. 654](#) (2002)

*Federal Maritime Commission v. South Carolina State Port Authority*, held that the State sovereign immunity bars the Federal Maritime Commission from adjudicating a private party's complaint against a nonconsenting State under the Eleventh Amendment to the United States Constitution, [533 U.S. 27](#) (2002)

*Watchtower Bible and Tract Society of New York, Inc. v. Stratton, Ohio*, holding unconstitutional a municipal ordinance requiring religious groups and others to obtain a permit prior to engaging in neighborhood canvassing, [536 U.S. 150](#) (2002)

*McKune v. Lile*, concluded that the revocation of correctional institution privileges did not violate the Fifth Amendment's privilege against self-incrimination where the inmate has no liberty interest in the lost privileges and such revocation is based upon the inmate's failure to accept responsibility for his crimes as part of a sex offender treatment program, [536 U.S. 24](#) (2002)

*Atkins v. Virginia*, concluded that executions of mentally retarded criminals are "cruel and unusual punishments" prohibited by the Eighth Amendment, [536 U.S. 304](#) (2002)

*Zelman v. Simmons-Harris*, upholding as constitutional an Ohio school voucher program providing tuition subsidies to students in failing public schools to allow them to attend private schools, including religious schools, [536 U.S. 639](#) (2002)

*Republican Party of Minnesota v. White*, concluded that the announce clause violates the First Amendment, it does not permit the Minnesota Supreme Court to prohibit candidates for judicial election in that State from announcing their views on disputed legal and political issues, [536 U.S. 765](#) (2002)

---

## 2001 Events

- **Jan. 3:** The Senate convenes with 50 Democrats and 50 Republicans, but Vice President Al Gore's vote gives the Democrats the majority, and Tom Daschle is made Majority Leader

- **Jan. 20:** President George Bush and Vice President Dick Cheney are sworn in, and Cheney's Senate vote gives the Republicans the majority, and Trent Lott is made Majority Leader
- **Feb. 16:** [The U.S. participates in Allied airstrikes against Iraqi air defense installations](#)
- **Apr. 28:** American millionaire Dennis Tito is launched by Russia to the *International Space Station* thereby becoming the first space tourist
- **June 6:** Republican Senator Jim Jeffords switches to an Independent and caucuses with the Democrats, thus giving the Democrats the majority and Tom Daschle becomes Majority Leader
- **June 20:** [General Pervez Musharraf, self-declared chief executive of Pakistan since the coup of 1999, assumes the post of President of Pakistan](#)
- **June 28:** [Former Republic of Yugoslavia President Slobodan Milosevic is transferred to The Hague to stand trial for international war crimes](#)
- **June 28:** [Microsoft is found guilty of violating the Sherman Antitrust Act, due to its monopoly in bundling both the web browser and the Windows operating system](#)
- **Aug. 1:** [Oil exploration is approved within Alaska's Arctic National Wildlife Refuge](#)
- **Aug. 9:** [President Bush says Federal funds will be used to support research on human embryonic stem cells, however, the funding will be limited to existing stem cell lines](#)
- **Sept. 11:** [September 11<sup>th</sup> Attacks - Al Qaeda terrorists launch coordinated suicide attacks in the U.S. crashing passenger jets into the World Trade Center and the Pentagon, and crashing another in a field in Pennsylvania](#)
- **Sept. 18 - Oct. 9:** [Anthrax is discovered in the U.S. mail stream](#)
- **Oct. 7:** [President George W. Bush orders airstrikes targeting Al Qaeda and the Taliban in Afghanistan, in retaliation for the 9/11 attacks](#)
- **Oct. 26:** [Passage of the USA PATRIOT Act](#)
- **Nov 13:** [President Bush issues an order to the military for it to create a tribunal to try foreign individuals suspected of assisting in the 9/11 terrorist attacks](#)
- **Dec. 2:** [Enron Corp. files the largest corporate bankruptcy in U.S. history](#)
- **Dec. 13:** [President Bush gives formal notice to Russia, Belarus, Kazakhstan, and Ukraine that the U.S. is withdrawing from the Anti-Ballistic Missile Treaty](#)
- **Dec. 22:** [Hamid Karzai, a Pashtun tribal leader, assumes leadership of the interim government in Afghanistan](#)
- **Dec. 22:** Airline passenger Richard Reid is discovered concealing a bomb in his shoe during a transatlantic flight
- **Dec. 27:** [The U.S. grants normal trade relations status to the People's Republic of China](#)

## 2002 Events

- **Jan. 8:** [No Child Left Behind Act is signed into law](#)
- **Jan. 16:** [U.N. Security Council freezes Osama bin Laden's assets and establishes an arms embargo](#)
- **Jan. 23:** [In Karachi, Qaeda-linked militants kidnap Daniel Pearl, a journalist for \*The Wall Street Journal\*](#)
- **Feb. 1:** Militants murder kidnapped journalist Daniel Pearl
- **June 13:** [The Anti-Ballistic Missile Treaty terminates](#)
- **July 13 – Sept. 5:** [Sour Biscuit Fire burns almost 500,000 acres in Oregon and northern California](#)
- **Sept. 12:** [President Bush delivers a speech before the United Nations that implies the U.S. will take military action against Iraq if the U.N. fails to disarm Iraq](#)
- **Oct 2 - 24:** [Beltway Sniper Attacks - John Allen Muhammad and Lee Boyd Malvo go on a killing spree, shooting people at random in the Baltimore-Washington Metro area](#)
- **Oct 11:** [President Bush signs H.J. Res. 114 \(PL 107-243\) that authorizes the use of U.S. military force to defend the national security against threats posed by Iraq](#)
- **Oct. 25:** [Democratic Senator Paul Wellstone of Minnesota is killed in a plane crash](#)
- **Nov. 4:** [Minnesota Governor Jesse Ventura appoints Independent Dean Barkley as interim Senator; Barkley chose to not caucus with either the Republicans or Democrats](#)
- **Nov. 5:** Republican Senator Jim Talent defeats Democrat Jean Carnahan for a seat Carnahan's husband—Mel Carnahan—had been posthumously elected to
- **Nov. 8:** The United Nations Security Council adopts Resolution 1441, which provides U.N. weapons inspectors with new authority when conducting inspections in Iraq
- **Nov. 20:** The Senate adjourns prior to the certification of the special election results in the Missouri Senate race, thereby postponing reorganization of the Senate until 2003
- **Nov. 27:** [The United Nations conducts new rounds of weapons inspections in Iraq](#)
- **Dec 7:** [Iraq submits over 12,000 pages of documentation detailing its past programs to develop weapons of mass destruction as well as its current capabilities](#)
- **Dec. 19:** [Secretary of State Colin Powell says Iraq's documentation on its weapons programs is fraught with omissions thereby constituting a breach of obligation](#)

Sources:

["Antiballistic Missile Treaty."](#) Congressional Record, 107th Congress, 1st Session (Dec. 12, 2001) Vol. 147, pp. 25609-25616. ProQuest Congressional, CR-2001-1212

[“Commending President Pervez Musharraf of Pakistan For His Leadership and Friendship and Welcoming Him to the United States.”](#) Congressional Record, 107th Congress, 2nd Session (Feb. 12, 2002) Vol. 148, pp. 1060-1065. ProQuest Congressional, CR-2002-0212

Committee on Appropriations. House. [Airline Security](#). GPO, Sept. 20, 2001. 107th Congress, 1st Session (Y4.AP6/2:S.HRG.107-480). ProQuest Congressional, HRG-2001-SAP-0016

Committee on Armed Services. Senate. [Operation Enduring Freedom](#). GPO, Feb. 7, July 31, 2002. 107th Congress, 2nd Session (Y4.AR5/3:S.HRG.107-801). ProQuest Congressional, HRG-2002-SAS-0006

Committee on Banking, Housing, and Urban Affairs. Senate. [Administration's National Money Laundering Strategy for 2001](#). GPO, Sept. 26, 2001. 107th Congress, 1st Session (Y4.B22/3:S.HRG.107-641). ProQuest Congressional, HRG-2001-BHU-0028

Committee on Commerce, Science, and Transportation. Senate. [Overview of the Enron Collapse](#). GPO, Dec. 18, 2001. 107th Congress, 1st Session (Y4.C73/7:S.HRG.107-724). ProQuest Congressional, HRG-2001-CST-0093

Committee on Foreign Relations. Senate. [Afghanistan: Building Stability. Avoiding Chaos](#). GPO, June 26, 2002. 107th Congress, 2nd Session (Y4.F76/2:S.HRG.107-708). ProQuest Congressional, HRG-2002-FOR-0014

Committee on Health, Education, Labor, and Pensions. Senate. [Implementation of the No Child Left Behind Act](#). GPO, Apr. 23, 2002. 107th Congress, 2nd Session (Y4.L11/4:S.HRG.107-423). ProQuest Congressional, HRG-2002-HEL-0026

Committee on International Relations. House. [Authorization for Use of Military Force Against Iraq](#). GPO, Oct. 2-3, 2002. 107th Congress, 2nd Session, Committee on International Relations Serial No. 107-116 (107 H.J.Res. 114). ProQuest Congressional, HRG-2002-HIR-0051

Committee on International Relations. House. [Congratulating Estonia, Latvia and Lithuania on Anniversary of Reestablishment of Full Independence; Transfer of Slobodan Milosevic to the International Criminal Tribunal for Yugoslavia \[...\]](#). 107th Congress, 1st Session, Committee on International Relations Serial No. 107-34 (Y4.IN8/16:ES8). ProQuest Congressional, HRG-2001-HIR-0034

Committee on International Relations. House. [Requesting That Documents in the President's Possession Relating to Iraq's Declaration on Its Weapons of Mass Destruction \[...\] Be Transmitted to the House of Representatives \[...\]](#). GPO, Mar. 12, 2003. 108th Congress, 1st Session, Committee on International Relations Serial No. 108-4 (Y4.IN8/16:P92/5). ProQuest Congressional, HRG-2003-HIR-0038

Committee on International Relations. House. [U.S. Policy Toward Iraq: Administration Views](#). GPO, Sept. 19, 2002. 107th Congress, 2nd Session, Committee on International Relations Serial No. 107-117 (Y4.IN8/16:P75/26). ProQuest Congressional, HRG-2002-HIR-0052

Committee on Resources. House. [Crisis on Our National Forests: Reducing the Threat of Catastrophic Wildfire to Central Oregon Communities and the Surrounding Environment](#). GPO, Aug. 25, 2003. 108th Congress, 1st Session, Committee on Resources Serial No. 108-51 (Y4.R31/3:108-51). ProQuest Congressional, HRG-2003-HRC-0004

Committee on Resources. House. [H.R. 2436, the Energy Security Act](#). July 11, 2001. 107th Congress, 1st Session, Committee on Resources Serial No. 107-48 (Y4.R31/3:107-48). ProQuest Congressional, HRG-2001-HRC-0028

Committee on the Judiciary. Senate. [Department of Justice Oversight: Preserving Our Freedoms While Defending Against Terrorism](#). GPO, Nov. 28, Dec. 4, 6, 2001. 107th Congress, 1st Session, Committee on the Judiciary Serial No. J-107-50 (Y4.J89/2:S.HRG.107-704). ProQuest Congressional, HRG-2001-SJS-0052

Committee on the Judiciary. Senate. [Microsoft Settlement: A Look to the Future](#). GPO, Dec. 12, 2001. 107th Congress, 1st Session, Committee on the Judiciary Serial No. J-107-53 (Y4.J89/2:S.HRG.107-772). ProQuest Congressional, HRG-2001-SJS-0056

["Expressing Sorrow of the House at the Death of the Honorable Paul D. Wellstone, Senator from the State of Minnesota."](#) Congressional Record, 107th Congress, 2nd Session (Nov. 14, 2002) Vol. 148, pp. 22642-22643. ProQuest Congressional, CR-2002-1114

["The Foreign Terrorist Military Tribunal Authorization Act."](#) Congressional Record, 107th Congress, 1st Session (Dec. 13, 2001) Vol. 147, pp. 26219-26220. ProQuest Congressional, CR-2001-1213

["Lessons of 9/11 and the D.C. Area Sniper Shootings."](#) Congressional Record, 108th Congress, 1st Session (Oct. 2, 2003) Vol. 149, pp. 24068-24069. ProQuest Congressional, CR-2003-1002

Prados, Alfred B. and Katzman, Kenneth. [Iraq-U.S. Confrontation](#). Foreign Affairs, Defense, and Trade Division (CRS), Feb. 27, 2001. 107th Congress, 1st Session, IB94049. ProQuest Congressional, CRS-2001-FDT-0554

Squassoni, Sharon A. [Iraq: U.N. Inspections for Weapons of Mass Destruction](#). Foreign Affairs, Defense, and Trade Division (CRS), Mar. 13, 2003. 108th Congress, 1st Session, RL31671. ProQuest Congressional, CRS-2003-FDT-0518

Subcommittee on International Security, Proliferation, and Federal Services, Committee on Governmental Affairs. Senate. [Terrorism Through the Mail: Protecting Postal Workers and the Public](#). Oct. 30-31, 2001. 107th Congress, 1st Session (Y4.G74/9:S.HRG.107-214). ProQuest Congressional, HRG-2001-SGA-0036

Subcommittee on Labor, HHS, and Education Appropriations, Committee on Appropriations. Senate. [Stem Cells, 2001](#). GPO, July 18, Aug. 1, Oct. 31, 2001. 107th Congress, 1st Session (Y4.AP6/2:S.HRG.107-499). ProQuest Congressional, HRG-2001-SAP-0017

Subcommittee on Near Eastern and South Asian Affairs, Committee on Foreign Relations. Senate. [Crisis in Pakistan](#). GPO, Oct. 14, 1999. 106th Congress, 1st Session (Y4.F76/2:S.HRG.106-298). ProQuest Congressional, HRG-1999-FOR-0022

Subcommittee on Trade, Committee on Ways and Means. House. [Renewal of Normal Trade Relations with China](#). GPO, July 10, 2001. 107th Congress, 1st Session, Committee on Ways and Means Serial No. 107-41 (Y4.W36:107-41). ProQuest Congressional, HRG-2001-WAM-0046

["Welcome to Senator Dean Barkley."](#) Congressional Record, 107th Congress, 2nd Session (Nov. 12, 2002) Vol. 148, pp. 21287-21288. ProQuest Congressional, CR-2002-1112

Woolf, Amy F. [National Missile Defense: Russia's Reaction](#). Foreign Affairs, Defense, and Trade Division (CRS), June 14, 2002. 107th Congress, 2nd Session, RL30967. ProQuest Congressional, CRS-2002-FDT-0110

---

## Major Acts

**Economic Growth and Tax Relief Reconciliation Act of 2001.** Made sweeping changes to income, capital gains, and estate and gift taxes; and allowed education savings incentives and retirement plan roll overs, transfers, and catch-ups. Approved June 7, 2001. ([115 Stat. 38; PL107-16](#)) ([Regulatory History](#))

**Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act) of 2001.** Established new authorities to deter and punish terrorist attacks and



enhance law enforcement investigatory tools. Approved Oct. 26, 2001. ([115 Stat. 272; PL107-56](#)) ([Regulatory History](#))

**Internet Tax Nondiscrimination Act.** Banned internet taxes at federal, state, and local levels. Approved Nov. 28, 2001. ([115 Stat. 703; PL107-75](#))

**No Child Left Behind Act of 2001.** Established programs and authorities to improve overall educational achievement at elementary and secondary levels. Approved Jan. 8, 2002. ([115 Stat. 1425; PL107-110](#)) ([Regulatory History](#))

**Small Business Liability Relief and Brownfield Revitalization Act.** Amends the Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, to authorize funds for the evaluation and cleanup of brownfields and similarly hazardous waste sites. Amends regulations impacting owners of property adjacent to Superfund sites to provide relief from financial responsibility for environmental cleanup. Approved Jan. 11, 2002. ([115 Stat. 2356; PL107-118](#)) ([Regulatory History](#))

**Job Creation and Worker Assistance Act of 2002.** Increased the maximum period for carryback of net operating losses to five years, allowed for 30 percent expensing for certain capital asset expenditures and extended the exception for active financing income under Subpart F through 2006. Approved Mar. 9, 2002. ([116 Stat. 21; PL107-147](#))

**Bipartisan Campaign Reform Act of 2002.** Revised financing rules for Federal election campaigns, Mar. 27, 2002 ([116 Stat. 81; PL107-155](#)) ([Regulatory History](#))

**Farm Security and Rural Investment Act of 2002.** Appropriates up to \$16.5 billion annually toward various agricultural subsidies. Includes provisions encouraging farmers to increase energy efficiency and subsidies for the development of alternative and renewable energy resources. Approved May 13, 2002. ([116 Stat. 2646, PL107-171](#)) ([Regulatory History](#))

**Public Health Security and Bioterrorism Preparedness and Response Act of 2002.** Establishes procedures and facilitates interagency cooperation for preparing for and responding to bioterrorism and other public health emergencies. Creates the National Disaster Medical System to facilitate the efforts of healthcare professionals and volunteers to respond to emergent public health crises. Creates a new regime for analyzing the security risk potential of certain individuals who might have access to certain chemicals and toxins. Approved June 12, 2002. ([116 Stat. 594, PL107-188](#)) ([Regulatory History](#))

**Sarbanes-Oxley Act of 2002.** Revised requirements for corporate disclosure pursuant to securities laws in order to improve investor protections. Approved July 30, 2002. ([116 Stat. 745; PL107-204](#)) ([Regulatory History](#))

**Born-Alive Infants Protection Act of 2002.** Extends legal protections to infants delivered alive subsequent to a failed attempt at an induced abortion. Approved Aug. 5, 2002. ([116 Stat. 926, PL107-207](#))

**Trade Act of 2002.** Grants the President fast-track authority to negotiate international trade agreements and reserves for Congress only the right to approve or disapprove negotiated deals, not to amend them. Approved Aug. 6, 2002. ([116 Stat. 933, PL107-210](#)) ([Regulatory History](#))

**Authorization for Use of Military Force against Iraq Resolution of 2002.** Authorized the President to use U.S. armed forces to defend the national security of the U.S. against threats posed by Iraq. Approved Oct. 16, 2002 ([116 Stat. 1498, PL107-243](#))

**Sudan Peace Act.** Establishes that a comprehensive solution to the civil war in Sudan is the official policy of the United States. Authorizes up to \$100 million in aid over three years to areas not under Sudanese government control. Requires the President and Cabinet to certify on a semi-annual basis that the government of Sudan and the rebel Sudan People's Liberation Movement are negotiating in good faith and not interfering in humanitarian efforts. Approved Oct. 21, 2002. ([116 Stat. 1504, PL107-245](#))

**Help America Vote Act of 2002.** Responding to problems revealed during the 2000 Presidential Election during which nearly 2 million ballots were disqualified due to voting irregularities, the Act replaces punch card and lever-based voting systems, creates the Election Assistance Commission to oversee the conduct of Federal elections, and establishes minimum national election administration standards. Approved Oct. 29, 2002. ([116 Stat. 1666, PL107-252](#)) ([Regulatory History](#))

**Homeland Security Act of 2002.** Established the Department of Homeland Security, consolidating functions of various Federal agencies with responsibilities for preventing, protecting against and responding to terrorist and other threats against the U.S. Approved Nov. 25, 2002. ([116 Stat. 2135, PL107-296](#)) ([Regulatory History](#))

**E-Government Act of 2002.** Establishes the office of the Federal Chief Information Officer within the Office of Management and Budget to improve the administration and promotion of electronic Federal government services and requires the use of internet-based information technology to improve citizen access to Federal government services and information. Approved Dec. 17, 2002. ([116 Stat. 2899, PL107-347](#)) ([Regulatory History](#))

---

Copyright©2018, ProQuest LLC. All rights reserved.