United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, THURSDAY, OCTOBER 17, 2002 No. 137

# House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

O God of faithfulness and justice, You guide everything with wisdom. You bind people together in love and friendship. Accept this prayer for our Nation. Keep the United States of America close to You.

May the light of Your kingdom be found in noble deeds performed today by Your people across this Nation. May they produce a rich harvest of equal justice for all to share.

By Your spirit, renew the Members of Congress as Your instruments of security and peace. Be with them now and forever. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. JONES) come forward and lead the House in the Pledge of Allegiance.

Mr. JONES of North Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 2486. An act to authorize the National Oceanic and Atmospheric Administration, through the United States Weather Research Program, to conduct research and development, training, and outreach activities relating to inland flood forecasting improvement, and for other purposes.

H.R. 4967. An act to establish new nonimmigrant classes for border commuter students.

H.R. 5542. An act to consolidate all black lung benefit responsibility under a single official, and for other purposes.

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 2003, and for other purposes.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2621. An act to amend title 18, United States Code, with respect to consumer product protection.

H.R. 3394. An act to authorize funding for computer and network security research and development and research fellowship programs, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1233. An act to provide penalties for certain unauthorized writing with respect to consumer products.

S. 2667. An act to amend the Peace Corps Act to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government, and for other purposes.

## APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH NOVEMBER 13, 2002

The SPEAKER laid before the House the following communication:

WASHINGTON, DC
*October 17, 2002.*

I hereby appoint the Honorable FRANK R. WOLF or, if not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through November 13, 2002.

J. DENNIS HASTERT,
*Speaker of the House of Representatives.*

The SPEAKER. Without objection, the appointment is approved.

There was no objection.

## ADJOURNMENT TO MONDAY, OCTOBER 21, 2002

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**NOTICE**

Effective January 1, 2003, the subscription price of the Congressional Record will be $434 per year or $217 for six months. Individual issues may be purchased for $6.00 per copy. Subscriptions in microfiche format will be $141 per year with single copies priced at $1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*



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SPECIAL ORDERS

The SPEAKER. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## OUR PUBLIC DEPOTS ARE IMPORTANT FOR THE DEFENSE OF AMERICA

The SPEAKER. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, I rise today to talk about a very important issue. Driving back to DC., from North Carolina on Tuesday, I was listening to the radio. Paul Harvey made a statement, ''Blackhawk down in Alabama.'' Certainly that got my attention, as it would anyone.

What he was talking about is the fact that the workers down at Sikorsky had gone on strike. These are the people that are responsible for preparing and keeping our 105 helicopters, Blackhawks, up in the air and ready to carry our troops to defend our Nation.

This got my attention because I have a depot in my district. It is down at Cherry Point. I want my colleagues in the House to know that these public depots are extremely important to the national security of this Nation. A public depot provides maintenance, engineering, logistics, and support to the United States military. Public depots are staffed by Federal employees and provide a strike-free workforce to repair and maintain the equipment that our men and women need to defend this Nation.

For an example, in my district, we have a naval aviation depot at Cherry Point. It employs over 3,500 people in the upkeep and maintenance of numerous aviation platforms, most of which are used by the Navy and Marine Corps. However, they also perform work on other platforms for the Special Operations Command, the Army, and the Air Force.

We actually have in this Congress a Depot Caucus. It is made up of Democrats and Republicans who truly understand the importance of having these public depots. The men and women that work at these depots, they are so important to the national security of this Nation that a few years ago when the commandant of the Marine Corps at the time, General Krulak, appeared before the Committee on Armed Services and the question was asked, How important are the public depots to the Marine Corps, his statement, Mr. Speaker, was this: he said that the public depot is absolutely critical to the 911 force of this country.

The reason I come to the floor today is because those of us, again, on both sides of the political aisle who are part of the Depot Caucus, we had the same situation with the Clinton administration that we had with the Bush administration. Many of the people in these administrations do not appreciate the fine work that the public employees are doing at these depots, and we continually battle to make sure that there is a partnership so that the public depots can remain strong, not only for the present, but also for the future.

Let me read just a couple of sentences from this article about Sikorsky Workers Strike, Call Contract Proposal Unfair. It says: ''Unionized workers at an Alabama plant that builds and repairs Blackhawk helicopters for the military went on strike on Monday, calling the company's contract offer unacceptable.

''About 105 helicopter mechanics represented by the Teamsters union chanted and picketed outside Sikorsky Support Services, Inc., after contract negotiations broke down after a month.''

The reason I wanted to come to the floor again, Mr. Speaker, today is because our Nation is at war. It has not been declared as a war, but we have men and women in Afghanistan and other parts of the world, and they are fighting each and every day. Many are being killed.

Those at the public depots are the kind of employees that, by Federal law, cannot strike; so what they do whenever they are called upon, they go overseas, like during Desert Storm. Many from my district of North Carolina, the Third District, where Cherry Point is located, these people went over to make sure that the equipment that our fighting forces needed was in top-notch shape. So we must as a Congress remember that the public depots are absolutely critical to the national security of this Nation.

Just a couple of other points and then I will close, Mr. Speaker. I think that too many times everybody says, we want to privatize this, we want to privatize that. But when we come to the national security of this Nation, again, the commandant of the Marine Corps at that time, General Krulak, made the statement that if we did not have the public depots, we would jeopardize the 911 force of this country.

Mr. Speaker, I hope in this next Congress we will continue to work together to ensure that our public depots remain strong and are given what they need to be certain that they can maintain the equipment that our men and women in uniform need so desperately to defend the national security of this country.

I will close by reading the last paragraph, and then I will include this article for the RECORD.

''The company recently announced it had landed a $1.5 billion contract to build 80 H–60 Blackhawk helicopters for the Army and 82 H–60 utility helicopters for the Navy.''

Again, as I close, I just want to say that our public workers at the public depots, they do not strike under any circumstances. They are always there to maintain what our military needs so they can continue to defend the national security of this Nation.

Mr. Speaker, I will say that we must remember our men and women in uniform. I ask God to please bless our men and women in uniform, and I ask God to please bless America.

The article referred to is as follows:

[From the Salt Lake Tribune, Oct. 15, 2002]

SIKORSKY WORKERS STRIKE, CALL CONTRACT PROPOSAL UNFAIR

TROY, AL.—Unionized workers at an Alabama plant that builds and repairs Blackhawk helicopters for the military went on strike on Monday, calling the company's contract offer unacceptable.

About 105 helicopter mechanics represented by the Teamsters union chanted and picketed outside Sikorsky Support Services Inc. after contract negotiations broke down after a month.

Union negotiators said the company's contract offer weakened workers' health benefits. But Ed Steadham, a spokesman at the company's headquarters in Stratford, Conn., said he was disappointed the contract was rejected.

Sikorsky has offered a 10 percent pay raise over three years and improved pension benefits, Steadham said.

''The company believes it offered a competitive package of pay and benefits,'' he said in a statement.

Union spokesman Rocco Calo said the company wants to triple inpatient hospitalization co-payments for workers and increase annual deductible fees.

Sikorsky Support Services is a wholly owned subsidiary of Sikorsky Aircraft Corp.

The company recently announced it had landed a $1.5 billion contract to build 80 H–60 Blackhawk helicopters for the Army and 82 H–60 utility helicopters for the Navy.

## THE STATUS OF AMERICA AND RANCOROUS CAMPAIGNING

The SPEAKER pro tempore (Mr. CULBERSON). Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, I rise this morning with great concern. As my colleague from North Carolina has just referred to, we are a Nation at war. We are faced with acts of terrorism around the world at home and abroad. We have unprecedented random acts of violence, and we have the worst economy that this country has seen in 50 years.

We have got political campaigns going on all over this Nation. When I have had the opportunity to see some of these campaigns in action, and we see the political advertisements that are on television and the various and sundry activities that are taking place, mostly it is negative. Mostly, it is attacking each other, the Republicans and the Democrats going after each other and declaring in some way or other what a horrible person the other one might be.

□ 1015

I have to say today, Mr. Speaker, that the issues that face us today are not partisan. We should be focused and concentrating on some very serious issues, but they are not partisan issues.

It is time for this Congress and this country to come together, unified, and deal with these very serious problems that we face.

It is not a partisan issue for senior citizens in Arkansas in the First Congressional District to not be able to afford their medicine that they need to stay healthy, stay alive, and have a decent life. It is not a partisan issue that this country continues to allow the prescription drug manufacturers to rob our senior citizens. It is not a partisan issue that our farmers are more economically distressed than they have been since the Great Depression. Our farmers do a wonderful job. We have a farm program that is just really not adequate. But never in the history of this country has it been more important to have the ability to produce the food and fiber that we need in our own land.

Our manufacturers are distressed because of foreign competition because the value of the dollar, just like it affects the farmers, makes them not competitive in the international marketplace. Our health care system, because of the failure of this Congress to rescind cuts for Medicare reimbursements to our hospitals and doctors, is threatened. We have rural hospitals and rural providers of all kinds that do not know whether they are going to be able to continue to provide Medicare services or not because the reimbursement rates are so low.

We are faced with having to make a decision to reduce the amount of money that is going to be spent on Federal highways very soon if this economy does not improve dramatically. These are not partisan issues. If you do not have a road to get there on, it does not matter whether you are a Democrat or a Republican.

The First Congressional District of Arkansas benefits more from good highways than almost any place in the country. And yet we have to struggle to get the money to accomplish the task that we have at hand, and that is to complete good four-lane highways across the First Congressional District.

We know that our education system is going to be underfunded because of cuts that have been made in the budget and expected cuts that will be made in appropriations. Our debt has grown out of control and we continue to borrow from our children and grandchildren and pass the burden on to them rather than come together, Democrats and Republicans on the floor of this House, and come to a consensus agreement on how we should deal with these serious issues.

We know how to fight a war. We will figure out and we are figuring out how to deal with terrorism, and we will get those jobs done, and we should get those jobs done; and we should spare no resources to accomplish that task. But for the domestic economy, for the things that affect Americans and Arkansans and the citizens of the First Congressional District of Arkansas, we should be working on a plan today; and right now no one is working on a plan to deal with this great economic distress that we face. We know it continues to get worse.

We have begged. We have begged both sides. I belong to the Blue Dog Coalition; and we have encouraged both sides, come together, let us develop a plan. Let us do what is good for America and get the job done.

## PASS PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore (Mr. CULBERSON). Under a previous order of the House, the gentleman from Kentucky (Mr. FLETCHER) is recognized for 5 minutes.

Mr. FLETCHER. Mr. Speaker, as we have passed a continuing resolution to take us until at least November 22, I would like to talk about some unfinished business, as we have passed legislation over to the Senate and the Senate has yet to act upon that legislation. One of the important pieces of legislation that they have not acted upon is the prescription drug plan.

We worked very hard, our leadership, the Republican leadership, worked very hard to pass a prescription drug plan that would lower the cost of prescription drugs immediately. It would devote about $350 billion to prescription drug coverage as well as enhancing Medicare and ensuring that providers would continue to be accessible to patients. It also was a voluntary coverage.

It also guaranteed choice, that seniors would have at least two plans; and, again, it was a guaranteed benefit under Medicare. It would provide immediate savings, and the Congressional Budget Office estimated that the savings would be up to 44 percent for seniors.

I know in my State of Kentucky we have about 50 percent of the seniors would have fallen within the range of 175 percent of the poverty level or below, which means that about half of our seniors in Kentucky would have received supplemental help on their premiums, which means that those at 150 percent of the poverty level and below would have virtually paid no out-of-pocket expenses for their prescription drugs. These are the people that are having to decide between food and their prescription drugs, and it would have been a tremendous help to them.

Yet, as we passed the plan over, the Senate has not acted on the prescription drug plan. Let me say this, it is very unfortunate as we have passed here the resolution to make sure we continue to deal with the war on terrorism, we have passed a number of other pieces of legislation dealing with the economy, with health care, with energy policy, that we find out on many of those issues and bills that we have passed over, the Senate has not acted upon those bills. Let me just say this, the Democrat leadership, as we have seen and I believe, are playing politics as we approach an election here and have left the seniors without the prescription drug coverage that they need.

I am very pleased, Mr. Speaker, that we worked very hard to make sure that the bill for prescription drugs was a very balanced bill, a very reasonable bill, and a very doable bill. And as we passed that over to the Senate, again, they have not acted on that bill.

I would hope as we come back after the November 5 elections that this very important issue would be taken up, that we would be able to provide our seniors across America with the prescription drug bill that would provide the care that is needed. Again, I think it is very important as we look at how medicine has changed over the last number of years, going from acute care to just treating disease, to prevention and chronic disease management, the need for prescription drugs grows continually. As we have more and new and better prescription treatments for patients to prevent disease and to manage chronic diseases, I think it is only equitable and fair that we include those in a modern Medicare program.

Mr. Speaker, once again, as we close out until after the election, at the call of the Speaker, I find it very disappointing that the Democrats have not, through their leadership, taken up the prescription drug plan that we have passed here and passed that to provide coverage for the American people. Instead, they have put politics above the American people.

## CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY OCTOBER 10, 2002 AT PAGE H7885

The incorrect versions of the following concurrent resolutions were inadvertently printed. The correct engrossed versions are as follows:

H. CON. RES. 486

Whereas over 30,300 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas the mortality rate for pancreatic cancer is 99 percent, the highest of any cancer;

Whereas pancreatic cancer is the 4th most common cause of cancer death for men and women in the United States;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastasis disease is only 3 to 6 months;

Whereas pancreatic cancer does not discriminate by age, gender, or race, and only 4 percent of patients survive beyond 5 years;

Whereas the Pancreatic Cancer Action Network (PanCAN), the only national advocacy organization for pancreatic cancer patients, facilitates awareness, patient support, professional education, and advocacy for pancreatic cancer research funding, with a view to ultimately developing a cure for pancreatic cancer; and

Whereas the Pancreatic Cancer Action Network has requested that the Congress designate November as Pancreatic Cancer

Awareness Month in order to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That the Congress supports the goals and ideals of Pancreatic Cancer Awareness Month.

Amend the title so as to read: ''A concurrent resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month''.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BERRY, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FLETCHER, for 5 minutes, today.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2667. An Act to amend the Peace Corps Act to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government, and for other purposes; to the Committee on International Relations.

## ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3295. An act to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes.

H.R. 5010. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

H.R. 5011. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 2003, and for other purposes.

## ADJOURNMENT

Mr. FLETCHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 23 minutes a.m.), under its previous order, the House adjourned until Monday, October 21, 2002, at 11 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9681. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — HOME Investment Partnerships Program [Docket No. FR-4111-F-03] (RIN: 2501-AC30) received October 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9682. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 02F-0042] received October 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9683. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities [FRL-7385-9] (RIN: 2060-AG87) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9684. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Partial Withdrawal of Approval of 34 Clean Air Act Part 70 Operating Permits Programs in California; Announcement of a Part 71 Federal Operating Permits Programs [CA085-WDL; FRL-7393-6] received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9685. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Researcher Identifcation Cards (RIN: 3095-AB14) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9686. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administrative's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 011218304-1304-01; I.D. 092402C] received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9687. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200B, -300, -400, -400D, and -400F Series Airplanes [Docket No. 2001-NM-22-AD; Amendment 39-12892; AD 2002-19-12] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9688. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S76A, B, and C Helicopters [Docket No. 2002-SW-40-AD; Amendment 39-12896; AD 2002-15-51] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9689. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Model TB 21 Airplanes [Docket No. 2002-CE-16-AD; Amendment 39-12899; AD-2002-20-04] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9690. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 2001-NM-251-AD; Amendment 39-12903; AD 2002-20-07] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9691. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Breeze Eastern Aerospace Rescue Hoists [Docket No. 98-ANE-37-AD; Amendment 39-12901; AD 2002-20-05] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9692. A letter from the Paralegal Specialist, FAA, Department of Trasportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes Powered by Pratt & Whitney JT9D Series Engines [Docket No. 2001-NM-268-AD; Amendment 39-12891; AD 2002-19-11] (RIN: 2120-AA64) received October 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. BERKLEY:

H.R. 5694. A bill to allow for the augmentation of electric power production at hydroelectric facilities located on certain Federal lands by making other Federal lands available for renewable energy production, and for other purposes; to the Committee on Resources, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-McDONALD:

H.R. 5695. A bill to support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-McDONALD:

H. Con. Res. 513. Concurrent resolution supporting the goals and ideals of National Mammography Day; to the Committee on Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1255: Ms. DELAURO.

H.R. 1520: Mr. SHAW, Mr. BASS, and Mr. PORTMAN.

H.R. 1733: Mr. SERRANO and Mrs. CHRISTENSEN.

H.R. 2005: Mr. CROWLEY and Ms. DELAURO.

H.R. 2641: Mr. CROWLEY.

H.R. 3676: Ms. BERKLEY and Mr. BLUMENAUER.

H.R. 4933: Ms. NORTON, Mr. FROST, Mr. OWENS, Mr. GORDON, and Ms. LOFGREN.

H.R. 5088: Mr. LARSEN of Washington.

H.R. 5250: Mr. CANTOR.

H.R. 5287: Mr. FRANK.

H.R. 5462: Mr. SMITH of New Jersey.

H. Res. 581: Mr. CAPUANO, Mr. GEPHARDT, and Mr. LYNCH.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, THURSDAY, OCTOBER 17, 2002 No. 137

# Senate

The Senate met at 11 a.m. and was called to order by the Honorable BENJAMIN E. NELSON, a Senator from the State of Nebraska.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, RADM Barry C. Black, Chief of Chaplains, U.S. Navy.

PRAYER

The guest Chaplain, RADM Barry C. Black, offered the following prayer:

Let us pray.

Almighty and most merciful God, who commanded us to love one another, give us also Your grace to obey this mandate. Lord, shape our lives with forbearance. Direct our paths so that we may find courageous options at complex crossroads.

Lord, from dullness of conscience, from feeble sense of duty, from thoughtless disregard of others, from a low ideal of the obligations of our position, and from all half-heartedness in our work, save us we pray.

Guide us, teach us, and strengthen us for the challenges ahead. Shower us with Your wisdom and do for us more than we can ask or imagine, according to Your glorious power. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN E. NELSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, October 17, 2002.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN E. NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. NELSON of Nebraska thereupon assumed the chair as Acting President pro tempore.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

## SCHEDULE

Mr. REID. Mr. President, it is my understanding Senator GRASSLEY is on his way to use some of the time that is designated for the minority from now until noon. From noon to 1 o'clock is under the control of Senator DASCHLE or his designee. We will have some speakers during that period of time.

During the rest of the day, we are going to see what we can do. There may be some conference reports we can approve. There may be other business that can be conducted; that is, as we wind down in anticipation of a lame-duck session, about which everybody is excited.

The majority leader asked me to announce there will be no rollcall votes today.

Senator GRASSLEY has arrived, as I announced he would. I yield the floor.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the time until 12 noon shall be under the control of the Republican leader or his designee.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I yield myself such time as I may consume.

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Effective January 1, 2003, the subscription price of the Congressional Record will be $434 per year or $217 for six months. Individual issues may be purchased for $6.00 per copy. Subscriptions in microfiche format will be $141 per year with single copies priced at $1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## FINISHING THE PEOPLE'S BUSINESS: COMPLETION OF BIPARTISAN TAX RELIEF

Mr. GRASSLEY. Mr. President, I wish to brief my colleagues on Democratic gridlock in the Senate, and the only reason I feel comfortable using that word is that in 1993, I remember the headlines in the papers referred to ''Republican gridlock'' in the Senate when certain provisions and portions of President Clinton's program were not being acted upon, at least the way the newspapers believed they should be, in the Senate. It seems to me we have a similar situation now, but I do not see the newspapers writing about Democratic gridlock in the Senate.

I wish to address my colleagues on a few provisions on the Senate calendar that are not being enacted, and these are the ones which I feel some expertise in talking about because they come from the Senate Finance Committee and deal with the legislative tax agenda.

I am ranking Republican on the Finance Committee, and I am pleased to report that the committee has completed action on a number of bipartisan tax relief measures. The items I am going to discuss happen to have cleared the committee unanimously, which ought to say something about why they should be acted upon on the floor of the Senate, and I raise the question then: Why are they being held up?

I will refer to two of many pieces of legislation about which I could talk.

The first is a charitable tax reform bill known by the acronym CARE. By the way, this bill was introduced as a bipartisan bill. Senator LIEBERMAN on the Democratic side and Senator SANTORUM on the Republican side worked closely with the White House because it is very high on the President's agenda.

The second item I am going to refer to is one that is Enron related.

Starting about a year ago, until about 3 months ago, Enron was voiced by everybody in the Senate as reason for doing certain actions—corporate governance, pension reform, 401(k) reform, et cetera. For some reason, we do not hear anything about it now, particularly from the other side of the aisle, because there is some legislation on the agenda that is Enron related that reforms the pension statute that would help protect future Enron employees from losing their retirement nest egg.

Again, both of these items—the charitable tax reform bill and the pension reform bill—were passed out of our committee unanimously. That is quite a reputation for a bill to have, considering how difficult it is to get even a majority view sometimes on the Senate Finance Committee.

I wish to briefly describe the merits of this legislation. The charitable tax reform act is part of the President's compassionate, conservative initiative. The CARE Act has been carried forward on a bipartisan basis under the very energetic leadership of Democratic Senator LIEBERMAN and Republican Senator SANTORUM. Others, including our own leaders of the Democratic and Republican Parties, Senator DASCHLE and Senator LOTT, have pledged their efforts to pass this bill. The House passed this bill over a year ago, and did it on a bipartisan vote. Several months ago, the Senate Finance Committee reported this bill to the full Senate.

Most of the focus on the bill has been on provisions that reduce taxes. For instance, those who take the standard deduction—and that is about 70 percent of our taxpayers—will for the first time under this legislation be encouraged to contribute more to charities, and the incentive for doing that is the deductibility of these small contributions from their income taxes regardless of the fact that they take the standard deduction.

As we know, people who tend to take the standard deduction are in the middle or lower income tax brackets. So the key provision of this bill provides a broad-based tax benefit to lower income taxpayers.

This provision and others are obviously meant to, and will, enhance resources for charities to do their good work. This empowers people who are taxpayers to help charities, to empower the private sector of our economy to do more in humanitarian ways, and to have the resources to do what these organizations are already inclined to do.

Even though this is a tax reduction measure, because obviously there is some lost revenue when these deductions are taken, we have offsets in this bill so there is not a net reduction in revenue to the Federal Treasury. The Finance Committee, on a bipartisan basis as well, decided this should be done so that it was not subject to a point of order requiring 60 votes, or that we would be fiscally irresponsible in putting this tax benefit for charities into the individual tax law.

I say to my fellow Senators, unlike a lot of spending legislation, the appropriations bills that have come before this body recently, this proposal does not add to the deficit. The Finance Committee found two important tax policy initiatives to offset this bill. All of these are related to corporate or individuals doing things to avoid taxes that may, in fact, be legal but are not necessarily moral or ethical. So we use these income-raising measures to offset the revenue loss in the Charitable Contribution Act.

The first offset shuts down what are called corporate expatriations, also known as inversions. Let me explain to my colleagues that what we are talking about is corporations that over a long period of time have paid their taxes into the Federal Treasury exactly the way they were intended to be paid but there has been a recent trend of some corporations setting up a shell corporation in a place such as Bermuda for the sole purpose of avoiding taxes.

We do not have any problems with people using our tax laws the way they were intended to meet international competition, but we are very chagrined at the act of people setting up a shell corporation for the sole purpose of avoiding taxes.

On the one hand, we have corporations that have traditionally abided by the laws and not tried to finesse those laws to their own benefit. They basically stayed here and they paid. Then on the other hand, there is the whole trend of corporate tax filings to avoid paying taxes. They basically have dashed from the country, and they have stashed the cash somewhere else to avoid taxation. That is what is called an inversion.

Passing the CARE Act will use the inversions as an offset so the money that would not be paid by corporations because they dashed and stashed the cash will still come to the Federal Treasury and will, in fact, offset revenue loss through the Charitable Tax Reform Act.

I started talking about these inversions in January. I made my intention very clear then, and ever since, to shut down shell corporations being set up in Bermuda for the sole purpose of avoiding legitimate taxation. For me, it is critical that we act on inversions before we shut down this place this fall. Now is our chance on the CARE Act.

We have people holding up this bill. They have to understand that they are responsible for holding up action on inversions. There are no two ways about it. They are not willing to shut down the immoral and unethical trend of corporate accounting by setting up shell corporations, going overseas to avoid taxation.

We have another important offset in this CARE Act. It is also an important bipartisan Finance Committee initiative. It deals with tax shelters. This bipartisan proposal—and it was drafted in concert with the Treasury Department—is a result of over 3 years of work. It is a result of careful consultation with key professional organizations such as the American Bar Association, the New York State Bar Association, the American Institute of Certified Public Accountants, and the Tax Executive Institute. This proposal was developed methodically and puts a premium on enhanced disclosures of tax shelter transactions. It also imposes tough penalties on those who undertake abusive tax shelter transactions.

So as in the case of inversions, those who are right now blocking the Senate, under this Democrat gridlock, from considering the CARE Act are also blocking action to shut down tax shelters.

I am pleased my colleagues on the Republican side are ready to proceed. Unfortunately, it is being blocked from

the other side of the aisle. I am hopeful we will see cooperation from the Democratic side and get a chance to debate this bill, but time is running out. If we do not act on the Charitable Reform Act, called the CARE Act, including shelters being shut down and including expatriations from being stopped, it will be clear where responsibility lies. It lies with those who are blocking the bill now.

A second piece of tax legislation that is caught in this Democratic gridlock is the pension reform bill. The pension reform bill is because of Enron-like corporate mismanagement, corporate greed, corporate fraud, corporate felons doing what they should not be doing, and that is mismanaging the money entrusted to them by stockholders and bondholders.

What happens when there is this sort of corporate mismanagement? Thousands of Enron employees see their 401(k)s decimated. I know Enron is basically a Texas corporation, but there were 150 Enron employees in my State of Iowa who found that to have happened to their 401(k)s. How did it happen under their 401(k)s? Because under corporate laws there are corporate rules that do not allow a 401(k) holder to actually control their own account; for instance, having to be 55 years of age before someone can get rid of their stock or control their stock. Through this legislation, we want to protect people from Enron-like occurrences in the future. We do that through the legislation we call the pension reform bill, with the acronym NESTEG. That was considered by the Finance Committee over the spring and the summer subject to hundreds of hours of bipartisan staff discussion.

That is how we get bills out of the Senate Finance Committee, through consensus. Every Member of the committee and even Members not on the committee with interests in this issue had input. It took several weeks. The discussions bore fruit. The chairman's markup with some amendments passed out of committee without opposition. This was all as a result of Members of this body saying Enron problems had to be solved. A lot of the people on the other side of the aisle were trying to fault President Bush's administration. They have not succeeded in doing that.

That is intellectual dishonesty. If you look at a lot of the corporate mismanagement problems and follow the calendar back to when the first decisions were being made to do some of these things, they go well back into the Clinton administration.

Our constituents, my 150 Enron employees, do not care who is to blame—Clinton, Bush, or whether nobody is to blame—except the corporate mismanager. The point is, they expect us to do something about it. A lot of this discussion was started on the other side of the aisle that brought us where we are now. There does not seem to be any interest on the part of the Democrat majority moving the pension reform and 401(k) bills that are so necessary to make sure future Enron-decimated 401(k)'s do not occur.

I described how this bill was voted out of the Senate Finance Committee. There was another committee, the Health, Education, Labor and Pensions Committee, known as the HELP Committee, chaired ably by Senator KENNEDY, also working on some legislation in this direction. Chairman KENNEDY took a little different route. He decided, for whatever reason, to refuse to engage Republicans on his committee, and the result was a raucous markup and a party-line vote. As I have said so many times, contrasting the work of the Senate Finance Committee, which was very bipartisan, from the work of the HELP Committee, which was more partisan, we cannot get anything done in a Senate that is divided 50 Democrats, 49 Republicans, and 1 independent on a partisan plan. If you try to do that, the whole product is doomed. That was and is the fate of the HELP Committee bill on pension reform that came out of committee on a partisan vote.

I digress for a minute. We are all legislators. Our job is to legislate. It is our responsibility, especially in these times, to use our legislative resources to actually accomplish something for the American people. However, I am the ranking minority Member on the Senate Finance Committee. Republicans are in a minority in this bed. The Democratic leadership runs the Senate. Like a point guard in basketball or a quarterback in football, the Democratic leadership has the ball. They call the plays. Unfortunately, serious legislating is not a game. When the Democratic leadership puts legislating the people's business ahead of partisan interests, they will get a product out.

By the way, to be fair, that applies to Republican leadership, as well.

Two examples come to mind. One is the bipartisan tax relief legislation of last year. The Republican leadership cleared the way for the bipartisan Finance Committee package, cleared the floor, became law June 7, 2001.

Another example is the Sarbanes-Oxley corporation accountability bill. The Democratic leadership let Senators SARBANES and ENZI craft a bipartisan compromise that cleared the Senate floor and became law.

On the other hand, if the Democratic leadership wants to score political points and send a bill into the Senate ditch, that is their choice. Do not work with the other side, do not recognize that 49 of 100 Members of the Senate; somehow they do not exist. Do not respect 100 Senators. Do not respect Republican input on issues at hand. Just try to program your caucus poll-driven agenda down the throats of 100 Members.

In the words of the distinguished majority leader, politicize it. The path is clear on pensions. The Democratic leadership is facing a fork in the road. The left fork is to play the partisan card. Pursuing that path means bringing up a bill that is designed to be controversial. It means bringing up a bill like the bill that came out of the Health, Education, Labor and Pensions Committee on a partisan vote. Then there is the right fork, bring up the Finance Committee bill, perhaps even with some bipartisan measures from the Health, Education, Labor, and Pensions Committee. Frankly, Senators BAUCUS, GREGG, KENNEDY, and myself made good progress. There is a bipartisan basis for proceeding. If the Democratic leadership follows this fork in the road, we can get a bill through the Senate, the very sort of thing people on the other side of the aisle have been clamoring for since last fall and for sure since January.

Where are we? The Enron bankruptcy occurred about a year ago. Enron employees' retirement accounts have been devastated. People across the country rightly demand action. Shortly after the new year, the President proposed a multipoint plan to reform retirement plans. I don't know how many times I have heard since the President made that statement last spring from the other side of the aisle that the White House needs to be engaged. The White House engaged the Congress is the way I look at it. I did not hear much talk about doing anything about pension retirement plans until after the President said we ought to be working on it. The House acted very quickly in April on pension reform. But the full Senate has not acted. We cannot send the President a bill until the Senate acts. Choosing a partisan course means the Senate has default. That is very regrettable.

Let me be clear. Republicans stand ready to work on this priority, and as we have already done, as indicated by the bill coming out of our committee on a unanimous vote, in a bipartisan manner, and even doing that in conjunction with committees that have tried to do the same thing in a partisan way.

I ask unanimous consent to have printed in the RECORD a copy of a letter dated August 30 this year from the Finance Committee Republicans to Senator DASCHLE, on pension reform.

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

U.S. SENATE,
COMMITTEE ON FINANCE,
*Washington, DC, August 30, 2002.*

Hon. TOM DASCHLE,
*Majority Leader, U.S. Senate,*
*Washington, DC.*

DEAR MR. LEADER: We understand that you intend to bring pension protection legislation to the floor soon after the Senate reconvenes in September. As you know, both the Finance Committee and the HELP Committee have produced differing versions of pension protection legislation. Although both committees have acted, only one committee has acted in a bipartisan fashion and produced a bipartisan product: the Finance Committee. The Finance Committee's bill, S. 1971, was reported out unanimously. By

contrast, the HELP Committee reported a partisan product, S. 1992 on a party-line vote of 11–10.

We do not believe that a partisan approach is the way to proceed on such important legislation that will affect the retirement savings of tens of millions of Americans.

In the spirit of bipartisanship, therefore, we respectfully request that you call up the Finance Committee bill to serve as the underlying bill for the Senate's debate on American's retirement security. This good-faith gesture would expedite the Senate's action. Furthermore it would solve concerns due to the limited scope of S. 1992, which was due to HELP Committee's restricted jurisdiction in the retirement security area.

Using the Finance reported bill would facilitate, not preclude, the full Senate's involvement in the retirement security debate. It would send an important signal of bipartisanship to American workers and retirees who will be keenly watching this debate and would reassure them that we are working together in their best interests. And, as you said in your press conference with Senator Kennedy, ''this isn't about political points.'' We agree with you, Senator Daschle. This shouldn't be about political points. It should be about good public policy and good pension policy for all Americans.

Sincerely,

Chuck Grassley, Don Nickles, Craig Thomas, Orrin Hatch, Jon Kyl, Fred Thompson, Frank H. Murkowski, Phil Gramm, Olympia Snowe.

Mr. GRASSLEY. I implore the Democratic leadership to get in gear. The American people deserve action on this charitable tax reform action called the CARE Act. We should not forbear on curtailing tax shelters and corporate expatriations, which all may be legal, but in a time during the war on terrorism for a corporation to flee the country to Bermuda and not do anything more than set up a shell corporation is unethical and immoral—tax shelters, where the people who write the tax shelters sell them on the basis of how much money you will save the corporation in taxes, and where the people who write them do not even have to defend them. That seems to me to be professionally unethical as well. In other words, sell your product to a corporation and then let them hold the bag.

We are losing a lot of revenue that can be used for charitable purposes under the CARE Act. Workers rightly expect a debate and action on a bipartisan retirement security package. Let's do the right thing. Let's do the people's business. Let's undo the gridlock on these important bills. Let's bring up the CARE Act. Let's bring up the NESTEG Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I came to talk about another subject, but I think what my distinguished neighbor and colleague, the ranking member of the Finance Committee, said is very important and bears repeating.

Yesterday we passed, 92 to 2, an election reform bill. I think that bill proves what Senator GRASSLEY just said. That was a bipartisan bill.

Senator DODD, the chairman of the committee, worked very closely with Senator MCCONNELL, the ranking member, and with me. We worked for about 18 months. It was not easy. But it was always done in a bipartisan fashion and we got the bill done.

The distinguished ranking member of the Finance Committee has pointed out other measures in the Finance Committee where they could work together. Sometimes they do—and then sometimes they bring legislation to the floor, report it out on a bipartisan basis, that the majority leader will not bring up.

If we had really wanted a prescription drug Medicare reform bill, we could have relied on the work of the bipartisan group on the Finance Committee. If we had wanted an energy bill, we should have relied on the bipartisan Energy Committee, with interest and expertise in the area, to report out a bill. It was taken away, for political purposes, from the Energy Committee by the majority leader. As a result, we got nowhere.

As I understand it, the Banking Committee reported out a good, strong, bipartisan terrorism risk reinsurance bill to provide terrorism insurance, a backup by the Federal Government so buildings and construction could get the insurance they needed to obtain financing to carry forward with some $16 billion of construction in this country. That bipartisan bill was not the one that was brought to the floor. That is the reason we have gridlock.

When those people tried to bring up measures purely for partisan advantage, they did not get very far. That is why this Senate is known by everybody who watches it as the most dysfunctional Senate that anybody has seen in recent history. We have not even brought up a budget. I have labored long and hard on the Budget Committee, and we felt the product that came out on a party line, which proposed cutting defense spending and raising taxes in a time where we are at war and coming out of a recession, was not a good thing to do. It has not even been brought up. We could have come to a bipartisan agreement on a Budget Act that would have allowed us to move forward on appropriations.

We have inflicted ourselves with the wound of not being effective because, unfortunately, the majority leader has chosen to go with more political and nonbipartisan measures coming to the floor.

## NURSING HOMES

Mr. BOND. Mr. President, I rise today to comment on a series of articles running this week in the St. Louis Post-Dispatch. The series began last Sunday with the headline ''Nation's Nursing Homes are Quietly Killing Thousands'' and anyone with a conscience should pause to consider its opening sentences:

Thousands of America's elderly mothers, fathers and grandparents are being killed each year in the nation's homes—frail victims of premature and preventable deaths. This quiet pandemic is rarely detected by government inspectors, investigated by law enforcement, appraised by medical examiners or prosecuted by anyone. These deaths are not at the hands of crazed ''angels of death.'' Most are caused by fatal neglect traced to caregivers upon whom residents depend for food and liquid and for turning them in their beds to prevent the formation of life-threatening sores. . . .

In short, elderly nursing home residents are dying in our country today due to failures to provide the most basic and fundamental elements of care. The Post-Dispatch reports statistics from the National Center on Health Statistics, which show that starvation, dehydration or bedsores were the cause of death for 4,138 nursing home residents in 1999, including 138 such deaths in Missouri.

However, these appalling statistics may only be the tip of the iceberg. The Post-Dispatch reported that investigators and researchers, who have taken the time to take a closer look and compare patient medical records with their death certificates, conclude that the number of preventable deaths due to malnutrition, dehydration and bedsores is most likely considerably higher. Our colleague, Senator BREAUX, believes that the number of avoidable deaths could number in the tens of thousands and research shows that anywhere between 500,000 to 5 million cases of abuse and neglect of our elders occur each year.

Personally, I know that Missouri has a terrible problem with some bad apple nursing homes. I know this because plenty of good folks back home have told me about their own horrific experiences with abuse and neglect of their loved ones. Furthermore, the General Accounting Office in recent years has amply documented decades of death and neglect due to the poor quality of care in too many of our Nation's nursing homes. In 1999, the GAO estimated that residents of one in four nursing homes in Missouri suffered actual harm from the care they received. Hearing these staggering stories and statistical figures was a wake-up call. I submit to my colleagues that no one here today can say ''not in my backyard''—abuse, neglect and homicide in nursing homes in truly a national problem.

In my opinion, neglecting an elderly, fragile individual is no different than neglecting a child. Both are defenseless, both lack a vibrant voice, both are vulnerable and both suffer at the hands of those who are nothing more than cowards and criminals. Abuse of the elderly should be treated no differently than abuse of children.

Many of us on the floor today have taken strong stances with regard to corporate accountability. However, sending corporate titans up the river for cooking the books while excusing nursing home operators and others with fines and a slap on the wrist just doesn't square with me. Surely the lives of innocent folks who are not just suffering, but dying due to neglect

should be just as precious under the law as anybody's pension fund. We need to send a crystal clear message that these individuals are criminals who should be wearing orange jump-suits instead of pin-stripes. A criminal is a criminal and, unfortunately, the ''criminal'' actions of some nursing home operators have tarnished the reputations of nursing homes generally and unfairly.

There is much that we need to accomplish to improve the plight of those elderly men and women who reside in nursing homes. The unnecessary human toll directly related to the failures in the nursing home industry is nothing short of shameful. There will be no miracle fix to this problem and there is no one obstacle to overcome that will improve the situation. First and foremost, we need to recognize that a revolution is really the only alternative. The powers that be in this area, namely the Department of Health and Human Services and the Centers for Medicare and Medicaid, as well as the corporate honchos in the nursing home industry need to recognize and acknowledge the need for revolutionary change. We as legislators need to summon the will and courage to spur that revolution.

Last month, I became an original cosponsor of the Elder Justice Act of 2002. This bill is the first comprehensive federal effort to address the issue of elder abuse. It is an attempt to combine law enforcement and public health to study, detect, treat, prosecute and prevent elder abuse, neglect and exploitation. It is a successful approach that has been applied to combat child abuse and violence against women. This bill creates Federal leadership and resources to assist families, communities and states in the fight against elder abuse; coordinates Federal, State and local elder abuse prevention efforts; establishes new programs to assist victims; provides grants for education and training of law enforcement; and facilitates criminal background checks for elder care employees.

The tragic toll of nursing home deaths in Missouri is so compelling, that I have also sought new ways to approach this seemingly intractable problem. I met with HHS Secretary Tommy Thompson this past summer and discussed with him new bedside technology that can easily and accurately record individual information about nursing home residents and the care they receive. We discussed the success of a program in Missouri called QIPMO—Quality Improvement Program for Missouri, a patient care monitoring system that provides reports on the quality of care delivered by all Missouri nursing homes. This award-winning program is a cooperative project between the Sinclair School of Nursing and the Missouri Department of Health and Senior Services. I urged Secretary Thompson to consider adapting QIPMO's free on-site clinical consultation and technical assistance as an integral piece of a new federal technology demonstration and evaluation program. If enhanced with cutting-edge technology, I believe QIPMO may be a viable platform to help HHS lead nursing homes and state regulators to greatly improve on-site monitoring and clinical care. We urgently need a technogical revolution in nursing home care that can save lives and spare our elders of unnecessary suffering. A groundbreaking technology demonstration and evaluation program has the potential to erect an early warning system to alert care-givers to life-threatening problems before they become widespread or have tragic consequences. I thank Secretary Thompson for working with me and for offering his enthusiastic support and commitment to ensure that the demonstration and evaluation program happens.

I think all of us realize that at some point in our lives we may have to take a parent, grandparent, or elderly relative, or even a good friend to a nursing home. Some of us may wind up there ourselves. We know from experience that there are a lot of good nursing homes and there are a lot of homes in Missouri where we are very proud of the care the people receive. On the other hand, there are a few tragically bad apples that need to be picked out so when you take a family member, a loved one to a nursing home, you don't have to be worried that person will die of starvation or dehydration or bed sores. What a horrible way to go.

The article points out the need for additional staffing. Many nursing homes are short staffed. That is a problem that needs to be confronted. In some instances, when they have the Medicaid reimbursements, they are not adequate. If the money is not getting there—if it is going to care but there is not enough of it, that is one thing. There are other abuses that have been pointed out in these articles, where too much money that should go to care of patients is being siphoned off to family members who run other businesses on the side.

This is an area where continued vigilance, first from State enforcement agencies, and then the Department of Health and Human Services, is warranted. When one reads the stories and the record of the tragedy that has occurred, and it has been documented in this series, I believe all my colleagues are going to want to do something to assure that we separate the good nursing homes from the bad; and properly punish and chastise and charge those who are bad apples.

I ask unanimous consent additional material to which I referred be printed in the RECORD.

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

[From the St. Louis Post-Dispatch, Oct. 17, 2002]

SPECIAL REPORT: NEGLECTED TO DEATH—PREVENTABLE DEATHS IN NURSING HOMES

Nursing home patients are dying from causes like malnutrition, dehydration and bedsores—causes that could be prevented with proper care. But such cases are rarely investigated or prosecuted, and advocates say the suffering won't end without an outcry for reform.

CONGRESS RENEWS AN OLD BATTLE FOR NURSING HOME REFORM

The senior member of Congress wrapped his gnarled hands around the microphone sitting on the green felt-covered witness table and asked his distinguished colleagues: ''What have the elderly in this country done to make their government and their neighbors so willing to have them staved, neglected and uncared for?''

*Day 1—Nursing homes are killing thousands*

Nation's Nursing Home Are Quietly Killing Thousands (10/12/2002)—Patients are dying of causes that are preventable with proper care—and such cases are rarely investigated or prosecuted. Advocates say the suffering won't end without an outcry for reform.

Survivors of Lost Loved Ones Tell Stories of Broken Trust (10/12/2002)—They are victims of poor care in nursing homes, a cross section cut from the fabric of America—mothers and fathers, war heroes and homemakers, black and white.

*Day 2—Inadequate staffing results in patient neglect*

Woefully Inadequate Staffing Is at the Root of Patient Neglect. (10/14/2002)—Nursing homes don't have enough people to provide even basic care, and the job often falls to low-paid, low-skilled workers. And when quality employees do come along, they often don't stick around.

Inadequate Medicaid Payments Squeeze Homes' Level of Care (10/14/2002)—Some tie low staffing to drive for profits; reimbursements fall short, industry counters.

Operator Has Toiled To Rescue Troubled Home in University City (10/14/2002)—The State called on Sharo Shirshekan to save the newly named U–City Forest Manor. His orders were to bring the homes' budget under control and correct chronic care problems. At one point facing closure, he persuaded the state to give him a chance—and now he has given the home just that.

*Day 3—Neglect can continue even after death*

Many Nursing Home Patients Are Neglected Even After Death (10/14/2002)—Police and prosecutors are reluctant to pursue criminal cases, partly because they are difficult to prove. And with little involvement from medical examiners, most misdeeds are buried with the dead.

Fraud Units Employ the Element of Surprise in Protecting Elderly (10/14/2002)—Throughout the country, small groups of federal and state investigators are protecting the vulnerable elderly from wrongful deaths in nursing homes by using midnight raids and a Civil War-era law.

Army of Advocates Keeps Up the Pressure for Reform (10/14/2002)—Violette King is buzzing around her home office in Godfrey searching through photos and cluttered files detailing nursing home abuse when a ringing telephone interrupts.

*Day 4—Regulators are losing the fight against neglect*

Ombudsmen often feel powerless in efforts to blow the whistle (10/15/2002)—In 1972, Congress passed a law that legislators believed would help end deadly care in America's nursing homes. It mandated that each state set up an ombudsman program to identify and investigate complaints in hopes of preventing the neglect and abuse that were harming the elderly in the facilities paid to care for them.

Regulators Are Losing War Against Neglect, If They're fighting at All (10/15/2002)—

Missouri officials acknowledge failings in their ability to protect residents. Their counterparts in Illinois see no significant problems despite complaints from inspectors.

*Day 5—Legislative efforts try to make things better*

Inadequate Laws Are Blamed for Lack of Prosecution in 4 Heat-Related Deaths (10/16/2002)—When four elderly women baked to death from soaring temperatures in a University City Nursing home in April last year, public officials expressed outrage and vowed to take swift action against those responsible.

Nursing Home Industry Wields Clout in State Capitals (10/16/2002)—More than 40 percent of the nearly $2.6 million the nursing home industry contributed nationwide in state elections in 2000 flowed into Missouri and Illinois.

Mr. BOND. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that I be allowed to speak for as much time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## THE CYBER SECURITY RESEARCH AND DEVELOPMENT ACT

Mr. ALLEN. Mr. President, I rise today to thank my colleagues for their unanimous support for S. 2182, the Cyber Security Research and Development Act. I share the concerns and worries of Senator BOND and Senator GRASSLEY on many pieces of legislation and important matters that have not been passed due to various obstructions and problems. However, I am here to say we actually have done something very constructive which will soon be helping our country, and that is the passage of the Cyber Security Research and Development Act.

An extraordinary amount of hard work that went into this legislation. I thank my colleague from Oregon, Senator WYDEN, for his leadership and continued work in pushing this important measure through the legislative process.

Our bill, S. 2182, addresses the important issue of cyber and computer security. It is a truly historic piece of legislation because, for the first time, it assures and solidifies the Federal Government's commitment to basic, fundamental, long-term research in computer security as well as much needed graduate and postgraduate doctoral fellowships in computer security.

America must act now to protect our security on many fronts. As our reliance on technology and the Internet has grown over the past decade, our vulnerability to attacks on the Nation's critical infrastructure and network systems has also grown exponentially. The high degree of interdependence between information systems exposes America's network infrastructure to both benign and destructive disruptions.

Such cyber-attacks can take several forms, including the defacement of Web sites, denial of service, virus infection throughout the computer network, and the unauthorized intrusions and sabotage of systems and networks resulting in critical infrastructure outages and corruption of vital data. These are just some examples of the problems that could arise and have previously arisen.

In fact, we have seen past attacks, such as the Code Red virus, that show the types of dangers and potential disruption cyber-attacks can have on our Nation's infrastructure. The cyber-threats before this country are significant and are, unfortunately, only getting more complicated and sophisticated as time goes on.

A survey last year by the Computer Security Institute and the FBI found that 85 percent of 538 respondents experienced computer intrusions. Carnegie Mellon University's Computer Emergency Response Team (CERT) Coordination Center, which serves as a reporting center for Internet security problems, received 2,437 vulnerability reports in calendar year 2001, almost six times the number that were reported in 1999, just 2 years previously. Similarly, the number of specific incidents reported to CERT exploded from 9,589 in 1999 to 52,658 in 2001. Again, in 1999, about 9,500, to 52,000-plus incidents reported just 2 years later.

What is alarming is that CERT estimates that these statistics may represent only 20 percent of the incidents that have actually occurred.

A recent public opinion survey indicates that over 70 percent of Americans are concerned about computer security and 74 percent are concerned about terrorists using the Internet to launch a cyber-attack against our country's infrastructure. One survey shows that half—half—of all information technology professionals believe a major attack will be launched against the Federal Government in the next 12 months. Indeed, cyber-security is essential to both homeland security and national security. The Internet's security and reliability support commerce and information transfer of vital data in our economy, they support our critical infrastructures and, obviously, systems that protect our national defense. At a time when uncertainty threatens the confidence of our Nation's preparedness, the Federal Government needs to make the information and cyber-security issue a top priority.

Currently, federally funded research on cyber-security is less than $60 million a year. Experts believe that fewer than 100 U.S. researchers have the experience and expertise to conduct cutting-edge research in cyber-security. In this past academic year, there were fewer than 30 U.S. citizens enrolled in Ph.D. cyber-security programs. Our legislation will encourage the kind of research and programs that will motivate students to pursue Ph.D. degrees in cyber-security because students will have the opportunity to receive research grants with the National Science Foundation.

The Cyber Security Research and Development Act will play a major role in fostering greater research in methods to prevent future cyber-attacks and design more secure networks. Our legislation will harness and link the intellectual power of the National Science Foundation, the National Institute of Science and Technology, our Nation's universities, and the most creative minds in the private sector to develop new and improved computer cryptography and authentication, firewalls, computer forensics, intrusion detection, wireless security, and systems management.

In addition, our bill is designed to draw more college undergraduate and graduate students into the field of cyber-security research.

It establishes programs to use internships, research opportunities, and better equipment to engage students in this field. America is a leader in the computer hardware and software development fields. To preserve America's technological edge, we must continue to have new students involved in computer science study and research.

S. 2182 highlights the role the Federal Government will play in helping prepare and prevent against cyber-attacks, but only if we can ensure the cutting edge research and technology funded in this legislation is made commercially available. Clearly, there is an urgent need for the private sector, academic, and individual users, as well as the Federal and State governments, to deploy innovative security measures.

I am confident the Federal investment for long-term projects outlined in this legislation will yield significant results to enhance the security and reliability of cyberspace.

I am glad to see the Senate, in a rare moment in these last few weeks and months, has come together and passed this important legislation. Again, I thank my colleague from Oregon, Senator WYDEN, for his leadership. I have enjoyed working with him on successful passage of this positive and constructive legislation that will improve the security of Americans.

I am also grateful to the ranking member of the Judiciary Committee, Senator ORRIN HATCH of Utah, who thoughtfully suggested we add an assurance that the grants provided in this legislation will go to individuals who are in full compliance with all immigration laws.

I thank all my colleagues. It was a good team effort. In the future, our Internet and our cyber-security will be stronger for it.

I ask unanimous consent to print the following letter in the RECORD.

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

BUSINESS SOFTWARE ALLIANCE
*October 17, 2002.*

Sen. RON WYDEN,
*Chairman,*
Sen. GEORGE ALLEN,
*Ranking Member,*
*Subcommittee on Science, Technology & Space, Committee on Commerce, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN WYDEN AND RANKING MEMBER ALLEN: We are writing to express our support of the Business Software Alliance (BSA) and the Information Technology Association of America (ITAA) for S. 2182, the Cyber Security Research and Development Act, and to urge quick Senate passage of the bill.

Our associations represent the world's leading research-based software and hardware developers and manufacturers. As builders of many of the products, networks and systems that power the world's information infrastructures, and of the leading security tools used to protect them, our members are extremely committed to cyber security.

S. 2182 authorizes federal expenditures on fundamental basic, long-term research into computer security, as well as much-needed graduate and post-doctoral fellowships in computer security. The bill complements the hundreds of millions of dollars spent each year by the information technology industry on cyber security R&D. Government-funded research, undertaken in close partnership with industry, is a critical component of an effective government strategy to advance cyber security, and we commend your efforts to further the Federal Government's work in this area.

We also appreciate the efforts you and your staffs have undertaken to address concerns that were raised by industry earlier in this process with regard to provisions of the legislation pertaining to Federal computer systems. Your receptivity to these concerns has resulted, in our view, in a stronger bill, and we commend you for your efforts in this regard.

We are pleased to offer you our support of this legislation and to encourage its swift passage by the full Senate.

Sincerely,

ROBERT W. HOLLEYMAN II,
*President and CEO, Business Software Alliance (BSA).*

HARRIS N. MILLER,
*President, Information Technology Association of America (ITAA).*

The PRESIDING OFFICER (Mr. CORZINE). Who yields time?

The Senator from Hawaii.

## THE ECONOMY

Mr. AKAKA. Mr. President, I rise today to express my concern over the current state of the economy. Too many working Americans are confronted with difficult financial situations due to the slowdown in the economy. I continue to believe in economic education and financial literacy as a major part of the solution for people to improve their unique situations. However, such efforts cannot truly succeed without sound fiscal policies to keep our economy strong. Many American families are having difficulties making ends meet. Over two million jobs have been lost since January 2001. The unemployment rate for September was 5.6 percent, an increase from the 3.9 percent unemployment rate in September and October of 2000. Home foreclosures are occurring at the fastest rate in thirty years and others are falling behind on their payments. Health care costs have increased rapidly. As a result, many are paying substantially more for their insurance coverage. Rising prescription drug costs have made it costly to obtain necessary medication, particularly for seniors.

I agree with the Majority Leader in his prescription for the sick economy. Unemployment insurance must be extended to help those who are still struggling to find work in these tough economic times. An estimated 1.5 million people exhausted their Federal extended unemployment benefits by the end of September. The total for the end of the year is expected to rise to 2.2 million individuals.

The minimum wage needs to be increased. Since establishing the minimum wage requirement in 1938, we have had only 19 increases in the minimum wage. The latest occurred in September 1997. The earnings of average Americans have grown little, and the overall distribution of income has become increasingly unequal. The real value of the minimum wage has fallen by 11 percent since the last increase. Currently, a minimum wage employee working full time earns about $4,000 below the poverty line for a family of three. We need to increase the minimum wage to help those millions of Americans earning the minimum wage who are rapidly becoming a permanent underclass in our society.

The savings of Americans have been ravaged in the last few years. The reduction in the value of retirement accounts is particularly troubling because Americans will have a harder time achieving the goal of a comfortable retirement. Over $210 billion in 401(k) and other defined contribution plans was lost in 2001. Individual Retirement Accounts lost over $230 billion in 2001.

Enron, WorldCom, Tyco, and other criminally managed companies have shaken the markets after the accounting scandals and disclosure of corporate misdeeds. We need the Securities and Exchange Commission to be aggressive in its pursuit of fraud and corporate malfeasance.

Without trust, our markets and economy cannot effectively function. The Sarbanes corporate accountability legislation that passed this summer will help provide additional safeguards for investors. With the recent addition of the new Securities and Exchange Commissioners, I look forward to the development of the Public Company Accounting Oversight Board. It is my hope that the organization will become a friend and advocate for the investor—not the accounting industry. The corporate accountability bill must be strongly enforced. In addition, pension protection legislation needs to be enacted to empower workers to make it easier for them to sell company stock and to make their investments more secure.

It is troubling that revenues have declined when there are so many domestic and defense needs. The 10-year, $1.35 trillion tax cut, which was enacted in June 2001, has contributed to a rapid surge in the size of the Federal budget deficit. The FY 2002 budget deficit is now estimated to be $157 billion, according to the Congressional Budget Office's monthly budget review. Gone are the years of budget surpluses. Although some of this can be attributed to necessary spending for national security in the wake of September 11, 2001, we cannot ignore the overall impact of last year's tax cut package. We must reexamine the tax cuts that have yet to take effect. The tax cuts were enacted at a time when the economy appeared stronger, there was a Federal budget surplus, and the tragic events of September 11 had not yet occurred. Now, fiscal responsibility requires all options to be on the table, such as postponing or canceling specific upper income tax cuts. I know that some of my colleagues share my concerns, and I look forward to working with them on this issue.

The American people will pay a large price for the tax cuts that generally are for the wealthiest Americans. When fully implemented, the tax cuts will give more tax breaks to the top one percent of taxpayers than to the combined total of the bottom 80 percent. It will be extremely difficult to pay down the public debt, which at the end of FY 2002 was estimated to be $3.6 trillion. It also will be difficult to provide a meaningful Medicare prescription drug benefit for seniors, and to adequately fund education and other vital programs and services.

Unfortunately, there are those who want to further compound our fiscal crisis by making the tax cuts permanent. Responsible fiscal policy is needed, or possible adverse effects, such as increasing interest rates, may further weaken the economy. Prior to the enactment of the tax cuts, the public debt was expected to be eliminated by 2009. This is no longer true. Future generations of taxpayers will be stuck paying the bill for these current tax cuts, and the picture would look even worse if the cuts are made permanent.

As a former classroom teacher and principal, I would like to say another word about education, which is one of the most important responsibilities we have regarding our children and our nation's future. The No Child Left Behind Act became law in January of this year. This sweeping reform of the Elementary and Secondary Education Act places before our schools dramatic mandates that they improve student performance or face tough consequences. The FY 2003 budget request, rather than including the funding needed to properly implement changes in the Act, requested the smallest increase in education spending in seven years. Furthermore, the budget request

included education cuts of $1.76 billion, which would eliminate 40 programs and cut an additional 16. I am thankful to my colleagues on the Senate Appropriations Committee for restoring much of this funding. Going forward, we must continue to use fiscal restraint, but we must balance this with the need to invest in critical priorities.

I look forward to working with my colleagues on initiatives to encourage job growth, provide assistance for workers who have lost their jobs, and help alleviate the economic strain that has impacted most Americans. I urge all of my colleagues to add their energies to these efforts.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, my understanding is that the Senator from Nevada is going to propound a unanimous consent request. I will yield to him for that purpose and ask unanimous consent that I be recognized immediately thereafter.

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

The Senator from Nevada is recognized.

## UNANIMOUS CONSENT REQUEST—S. 2538

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 385, S. 2538, a bill to provide for an increase in the Federal minimum wage; that the bill be read the third time and passed, and that the motion to reconsider be laid upon the table.

Mr. GREGG. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I do this following the statement of the Senator from Hawaii, who has certainly laid out a timetable and a reason for doing the minimum wage bill. Senator KENNEDY was on the floor yesterday and did a magnificent job in explaining the need for it. I am sorry that my friends objected.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, are we in morning business at the present time?

The PRESIDING OFFICER. Yes.

Mr. DORGAN. I ask unanimous consent to speak for as much time as I may consume.

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

## UNFINISHED BUSINESS

Mr. DORGAN. Mr. President, I mentioned yesterday that the two most powerful words in the Senate are ''I object.'' They have been used repeatedly in recent months, and especially in recent days, as we have tried toward the end of this Senate session to pass legislation that really does need doing. We are discovering that we have a number of people in the Senate who just don't want to move forward on some of these issues.

I think the American people wonder, from time to time, whether this Government is very relevant in their lives. I think prior to September 11, 2001, people wondered. Then, when the terrorist attacks occurred, I think people understood that on homeland security and a range of other issues, they do rely on the Government to do certain things to protect them.

We have come to a point now where there is so much unfinished business, so much left undone, as we near the end of this session of the Congress. I think the American people have a right to ask some pretty tough questions about who is doing what and who is objecting to what. Most families sit around the supper table—or the dinner table in some parts of the country—and talk about their lives. What they talk about are not statistics or abstractions; they talk about the things that are important in the lives of their families. They wonder, do we have good jobs? Do our jobs have good security? Are we paid a fair wage? Do grandpa and grandma have access to good health care? Do our kids go to good schools? Do we live in a safe neighborhood?

These are the issues that people care about in our country, and families want something done about them. One of these critical issues is health care. We tried to pass a Patients' Bill of Rights in this Congress and could not get it done. The Patients' Bill of Rights is pretty simple, actually. It is, with the growth of the managed care industry, trying to give a voice to consumers so they have a say in their own health care.

For example, a woman falls off a cliff in the Shenandoah Mountains and is taken into a hospital on a gurney, in a coma. She is very seriously injured, with broken bones and internal injuries. She ultimately recovers after a long convalescence. She is told by her managed care organization that they will not cover her emergency room treatment because she did not have prior approval to access the emergency room. Now, this woman was carried into the hospital on a gurney while in a coma, yet the managed care organization said she should have gotten prior approval for emergency room treatment.

So we tried to pass a piece of legislation that gives patients a voice in their own care, legislation that says patients have a right to know all of their medical options for treatment, not just the cheapest; patients have a right to emergency care when they have an emergency; patients have a right to see the doctor they need for the medical help they require. Pretty straightforward. We could not get it through. We could not get it through a conference committee and to the President for signature. Why? Because too many people in the Congress said: Let us stand with the insurance companies and the managed care organizations on this subject.

We also face urgent issues dealing with Medicare and Medicaid. Yesterday, we were on the floor of the Senate talking about that. Everybody in this Chamber knows we have to do something to provide fair Medicare reimbursement for physicians, hospitals, nursing homes, and other providers.

We now come to the end of this legislative session, and we know the Medicaid reimbursement for our nursing homes on October 1 was cut. That cut is going to be accentuated with an even deeper cut in 2004, beyond the fiscal year 2003. We know we have to do something to deal with that situation. We know it has to be done, and yet some act as if there is no urgency at all, this will be just fine.

It is not just fine to have a cut in the quality of care of nursing homes in this country. That is exactly what is going to happen. And it is not just fine if the Medicare reimbursement is not adequate to keep rural hospitals open and keep some of the hospitals in inner cities—that are stretched so thin and whose reimbursement was cut so deeply during the Balanced Budget Act—open. It is not just fine to say: Let that go.

We are talking about the quality of health care delivered in hospitals through Medicare, delivered in nursing homes through Medicaid. It is not fine with me when we try to fix this at the end of the session, not having received the cooperation to get it done during the session, and people stand up and say: I object.

What is their plan? What do they propose? Just diminished health care, diminished quality of care in our hospitals and nursing homes? Is that something the American people believe they want? Is that something families say: We aspire to nursing homes that provide diminished care because we would not meet our obligation under Medicaid? We aspire to have hospitals close their doors because we will not own up to our requirements under Medicare? I do not think that is what the American people want or expect of this Congress.

Senators BAUCUS and GRASSLEY have introduced legislation, S. 3018. It is bipartisan. It addresses these issues—Medicaid, Medicare, hospitals, nursing homes, physician reimbursements.

The provider reimbursement we know we have to do, and what happens? The two most powerful words in the Chamber once again: ''I object,'' they say. ''I object.''

It is the easiest act in the world to do, but we are faced with very significant challenges in health care, Medicaid, and Medicare, and everyone in this Chamber knows we have to fix it.

Here we are on a Thursday at a time when the Congress should have been adjourned, trying to finish some of these last items, and we have people on

the floor of the Senate singing the third verse of the same old tired tune: I object; I object.

I have told my colleagues often about Mark Twain who, when asked if he would engage in a debate, very quickly said yes.

''But we have not told you the subject.''

He said: ''It doesn't matter, as long as I can take the negative side. The negative side will require no preparation.''

He is right. The question is: What are we building here? What are we doing here? What do we aspire for the American people to create here? A better country, a stronger country.

We have spent a great deal of time talking about national security in this Chamber. That is deadly serious business. I would never suggest that ought to be a subject on which we should not spend a great deal of time. It is deadly serious business to talk about our Nation's national security.

It is also important, in my judgment, to spend some time talking about this country's economic security because our capability to defend ourselves, our capability to spend the money to deal with national security challenges and issues relates directly to this country's economy, our ability to create an economic engine that produces growth and opportunity, that provides improvement for the lives of the American people, produces the tax revenues that allow us to have a standing army and have a military capability of dealing with national security issues.

Yet we are in a situation these days where it is as if nobody wants to talk much about economic security. We cannot find the administration's team. We had an economic forum last Friday. We invited the Administration to participate. We said: Won't you come and sit with us and talk about the economy? Let's talk about what kind of challenges exist.

There is no Republican or Democratic way to go broke. There is no Republican or Democratic way to lose a job. It is not partisan when one comes home and says: Honey, I have worked for this company for 18 years, but they told me today my job is over; it wasn't my fault; the company is cutting back because the economy is not good. There is no Republican or Democratic way to filter that through to your family for a man or a woman who has been in the workforce.

There is no Republican or Democratic way for us to fix this either. We have to fix it by trying to get the best ideas of what both parties have to offer and by sitting down and talking about the issues. We have a fiscal policy which we put in place 18 months ago, before the recession, before the war on terror, before September 11, before the corporate scandals. That fiscal policy is not working.

Huge projected budget surpluses have turned to very large projected budget deficits. More people are out of work. Confidence is down. People are worried about the future. Yet the economic team at the White House does not want to show up and talk about the economy. They will not come to an economic forum to talk about what is working and what is not, what is wrong and what is not, about how we fix this economy. They want to have nothing to do with that.

I do not think we ought to be ignoring economic security issues. That is at the heart of what we ought to be talking about these days.

We are trying very hard to say to our colleagues in the Senate on the Republican side: Join us; join us; forget the ''I object'' language; let's join together.

How about saying: Include me. We would say: Absolutely. Yes, let's include everybody here. Let's get the best of what both have to offer this country.

It appears to me the refrain now for the rest of the session is: I object. I object.

I come from farm country, and our farmers have suffered a disastrous drought, not just in the southern part of my State but in a very wide region of this country.

One of my colleagues made a point that I think is interesting: We ought to give droughts a name. We do not ever call them anything. At least with hurricanes we name them. Then pretty soon, Hurricane Andrew starts moving around and people talk about Hurricane Andrew. We need to start naming droughts as well. It is a natural disaster. It is something farmers cannot help. They did not create it. They cannot control it. Yet they plant the seeds in the spring and come out to harvest it, and it is a moonscape. There is nothing there. Nothing grew, and they lost everything they had because they put it all in the ground in the spring hoping they would harvest a crop in the fall, and there is no crop. That is a disaster.

We passed a disaster bill with 79 votes in the Senate—79 votes, Republicans and Democrats.

It is October 17 and no disaster bill. Why? The White House does not want one. The House of Representatives will not do one.

According to today's news clips, a House Republican source said that Republican members seeking more money for drought relief, or for any number of projects, were simply told no and encouraged to be good Republicans and to wait until next year. They are taking the circus tent down.

I do not know, if after 79 Senators have voted for drought relief, recognizing there is a very big problem, if somehow there is a curtain that prevents information from coming into the other body to tell the Speaker of the House we have a big problem in this country, if he somehow missed the evening news week after week, somehow missed the story that there was a protracted, devastating drought in this country—I do not know how we would tell him on October 17 if there is a problem.

You had better believe there is a problem. Why no disaster relief after the Senate passed it on a bipartisan basis, 79 votes in favor of it? Why? Why no disaster relief? Because ''I object,'' they say; ''I object.'' They object at the White House; they object in the U.S. House; they object.

There are so many issues that it is almost hard to know where to start. I want to describe one other issue, if I may. There is a young man named Jonathan Adelstein. Jonathan Adelstein is a nominee to the Federal Communications Commission. The FCC has a number of Republican seats and a number of Democratic seats. That is the way the seats are apportioned. This is a Democratic seat. It was vacated a year ago last month. For 13 months, this seat at the Federal Communications Commission has been open.

Senator DASCHLE went to the White House, described the nominee. The White House announced its intent to nominate him on February 8. They sent it to the Senate in July. On July 16, the Commerce Committee held a hearing, reported out of the Commerce Committee in July. Now the FCC is poised to make very serious and difficult decisions on a wide range of issues that will have a profound impact on this country's telecommunications policies, especially on rural States.

This seat is vacant. Know why? Because we have people that are singing the same song: I object. I object to bringing his nomination to the floor of the Senate, they say. There is a hold on this nomination, and that seat on the Federal Communications Commission that is so critical to the interests of rural States in this country is now vacant.

If this Senate does not confirm this nomination before we adjourn sine die, then there is something fundamentally wrong with the way this body works. This is not a normal case of, for example, a judgeship that may or may not be controversial.

The Federal Communications Commission has Republican seats and Democratic seats. The nominees on each side, if they are qualified—and Mr. Adelstein is eminently qualified—ought to be confirmed by the Senate. It is nonsense to hold up this nominee.

The chairman of the FCC, Mr. Powell, and others are poised to make very big decisions. I worry very much there is no one inside that circle who has rural America, smaller States, rural States, family farms, and small towns as their interest. These decisions will have a profound impact on the future of my State and others, and yet this nomination is awaiting action by the Senate, held up by some unnamed Senator who says, in effect, in a cloakroom, behind the cloak of secrecy, ''I object.''

So much for the Federal Communications Commission nomination. This is another issue that Congress is being blocked from taking care of.

A couple of days ago, my colleague from Nevada brought our attention to legislation the Senate has already passed and which is now in conference. He brought to the attention of the Senators the importance of something called concurrent receipt.

Concurrent receipt sounds like a two-dollar word and probably does not affect anybody in this Chamber. It may not affect anybody listening to me at the moment. I do not know. But it is important because there is an obscure Federal law that says the following: If you served this country in the Armed Forces and retired, and you spent 20 years, for example, in uniform serving this country of ours and you earned a retirement, and along the way you may have fought in a battle somewhere and been severely wounded and are entitled to disability payments, this obscure Federal law says, oh, by the way, you cannot have both the retirement you earned and the disability payments you deserve as a result of your disability. You cannot have concurrent receipt of those two payments. One will offset the other and you will lose your retirement or you will lose your disability payment.

I put a statement in the RECORD the other day about some North Dakota National Guardsmen. These are the kind of people who are being affected by this foolish provision in Federal law that we need to change, and which the Senate is on record of wanting to change.

Sixty years ago, on October 10, 1942, two thousand men from North Dakota embarked for war. They were from the 164th Infantry Regiment of the National Guard. They were people from small towns and family farms. They came from almost every city, village, and county in our State. They were ordered to the West Coast the day after Pearl Harbor, and arrived in the South Pacific in the spring of 1942.

On the island of Guadalcanal, these North Dakota National Guardsmen were called to action. The United States Marines had begun the first offensive action against Japan on Guadalcanal, and by autumn of that year it was a precarious deadlock. At that point, these National Guardsmen arrived October 13. By noon, they had their first casualty from a bombing run by Japanese planes. As Japanese ground patrols tested the U.S. positions, the 164th Infantry advanced. They were the first unit of the U.S. Army to go on the offensive against the Japanese in World War II.

On October 24 and 25, there was an intense Japanese attack, the largest battle fought on Guadalcanal. The ''Citizen Soldiers,'' as they were called, were called forward to reinforce the Marines. Despite the blackness of night, these National Guardsmen traveled with their heavy packs, in the rain, over narrow trails slippery with mud, following their Marine escorts to the front line, holding on to the backpacks of the man in front of them to avoid being lost.

Fighting side by side with the Marines, the 164th Infantry poured relentless fire through the night into continuous waves of oncoming Japanese. At dusk of the next day, the Japanese attacked again. The situation was so precarious, they said, that cooks, messengers, and clerks manned positions and waited for the worst. Even the musicians from the band were pressed into service as litter bearers. Every member of the 164th had a role in the fiercest battle of that campaign.

At the end of that night, by dawn, it was clear the enemy had suffered a disastrous defeat. In front of the 164th Infantry were 1,700 dead Japanese. The North Dakota unit, meanwhile, suffered 26 killed and 52 wounded. The commanding officer of the Marines sent them a special message for coming to the aid of the United States Marines. LTC Robert Hall received the Navy Cross for his leadership of the battalion in this action.

The men of that regiment won a Navy Cross, 5 Distinguished Service Crosses, 40 Silver Stars, more than 300 Purple Hearts, and many Soldier's Medals and Legions of Merit. Its boast was it would leave no one behind, and indeed it had no men missing in action, although they had lost many.

These survivors are now old men in North Dakota, living again in our villages, small towns, and family farms. Some of them are being told that, if they were wounded in this battle of Guadalcanal and they continued their service in the United States military and have a retirement and a disability coming, they cannot receive both. They might have earned their retirement and they might have taken a devastating wound in their body that took years of convalescence, but they cannot receive disability and retirement. That is terribly unfair, in my judgment.

The Senate is already on record trying to correct this, and we are now hearing once again that the refrain of ''I object'' exists in the conference on the Defense Authorization Bill that can fix the problem.

I hope that the conference will overcome those objections and do the right thing.

Finally, the issue of corporate responsibility. I began talking about the economy and economic security. Let me talk for a moment about corporate responsibility. We have a great deal of unfinished business with this issue. We passed a corporate responsibility bill in the Senate, and it is a good bill. It falls a little short of what is needed, but it is a good bill and a step in the right direction.

It was fascinating to me to see what happened. We pushed the bill under the leadership of Senator SARBANES. The Republicans pushed back and said: We do not want a bill. We do not want your bill. We do not want to do it your way.

Finally, the President agreed, the Republicans agreed, and we passed the legislation. For 3 days before we passed that bill in the Senate, I was trying to offer an amendment and it was blocked by the Republicans. My amendment was very simple. It said if someone is running an American corporation and they are running that company into bankruptcy and are getting bonus payments and incentive pay as they run that company into the ground, we ought to be able to recapture that and require disgorgement of that money.

A study was done and it shows of the 25 largest corporations that went into bankruptcy in the last several years, 208 executives took $3.3 billion out of those corporations as they went into bankruptcy. Let me say that again. Of the 25 largest bankruptcies, 208 executives took $3.3 billion in compensation as those companies were run into the ground.

I don't need five reasons. There is not even one good reason we ought to allow one to keep bonus and incentive pay as they take a public corporation into the ground. There is no incentive for bonus that is justifiable for someone presiding over bankruptcy. We should have passed that amendment. We will someday. I will continue to offer it as part of our unfinished business.

Another area of unfinished business is that we have a Securities and Exchange Commission without a leader who will lead. Mr. Pitt is the wrong man in the wrong place at the wrong time. Senator MCCAIN was the first to call for his resignation this summer. Larry Cudlow, Republican television personality on the Cudlow Kramer show, has called for his resignation, others have followed. The fact is, at this point we don't need a kinder and gentler SEC. We don't need a Securities and Exchange Commission that will bend in the wind of the political system to determine who should head an accounting reform board the American people could look up to and trust. What we need is a Securities and Exchange Commission chairman who does not care about the politics, who only cares about being a fair, tough, aggressive regulator. We need a chairman who will make sure we do not have additional Enrons and Tycos, who ensures that we do not have additional circumstances where the people at the bottom lose their shirts, the employees lose their jobs, and the people at the top walk off with pockets of gold to live in gated communities and count their money while everyone else is left in the wreckage.

We need a head of the SEC who can inspire confidence in the American people that effective regulation will prevent accounting firms, law firms, or corporations from cooking the books and enriching the people at the top at the same time they are costing the people at the bottom their jobs and costing investors their life savings.

I chaired hearings on the Enron issue in the Senate. One of my constituents in North Dakota is far removed from Houston, TX, but he worked for Enron, for a pipeline company. He wrote a letter and said: Mr. Senator, I had my life

savings in my 401(k) plan invested in Enron. I am the first to admit it was pretty dumb to do it, but I did it because I worked for this company for many years and believed in the company. Mr. Lay and other executives told us employees that if we invested in their company, our futures would be better and brighter. They told us that it was a future of growth.

And I did. I put my 401(k) into Enron stocks. It was my life savings for me and my family. I had $330,000 in my 401(k). It is now worth $1,700. His question for me was: What do I do to provide for my family's security and retirement?

Mr. REID. What were those numbers?

Mr. DORGAN. This man put $330,000 into a 401(k) account and invested in Enron stock, a move that he felt would give he and his family security in retirement. He wrote a letter saying that 401(k) account is not worth $330,000 anymore; it is $1,700.

It breaks your heart.

Mr. NELSON of Florida. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. NELSON of Florida. You will recall during the Enron hearings that the Senator from North Dakota chaired, one of the witnesses, a former Enron employee from the Orlando, FL, area, where Enron has one of its subsidiaries, the Florida Gas Company. We remember the very sad story of that lady. Her life savings was in the pension plan of the company, $750,000, and because they would not let her get into that retirement account to sell it—while, by the way, the corporate executives were selling their stock—the value of that retirement fund for that Enron employee from Florida plummeted to $20,000. She lost her entire life savings.

Mr. DORGAN. I say to the Senator from Florida, that Enron employee was locked out, as were the other employees. They could not sell, could not get rid of it even as the stock value was plunging. They lost their fortunes, and the folks at the top had all the flexibility in the world to sell their own stock.

The board of directors called what they found inside this corporation ''appalling''. More than anything, I am angry, really angry at the way the big shots treated themselves, like hogs at the trough, and the way they let everybody else dangle in the wind. The people at the bottom lost everything they had, including their jobs, in most cases, with the big shots never expressing remorse or regret.

There is something fundamentally wrong about what has happened. Part of this we fixed in the corporate responsibility bill. However, there is, as of yet, much unfinished business to address.

Mr. REID. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. REID. A constituent of yours from North Dakota started out with $330,000 in his retirement account and wound up with $1,700. The Senator spoke on the floor before about Ken Lay at Enron and others. How much money did they take, separate and apart from whatever they made by selling their stock, just a reward for their malfeasance in running the corporation, does the Senator know?

Mr. DORGAN. Mr. Lay left with somewhere close to $300 million. All the folks at the top were very generous to themselves.

Mr. REID. Did he get a pension of half a million a year for life, that is $450,000 a year, for life?

Mr. DORGAN. It is pretty clear that at these corporations, Tyco or others, the folks at the top took very good care of themselves. As the folks at the bottom were losing their investments or jobs, the folks at the top were counting their money. That is what makes me so angry about all of this.

Let me come back to where I started. I started talking about our agenda at the end of this session, and what we ought to have completed but is not yet done. When families began talking about their lot in life, they talk about simple things important to the lives of their families. Do I have good health care? Do grandpa and grandma have access to a good doctor? Do I live in a safe neighborhood? Do I have a decent job? Does my job pay well? Does it have security? Those are the things important in people's lives.

I talked about what we have tried to do in this session of Congress, only to confront a mountain of objection from those who don't want to get it done. To so many things, ''I object,'' they say. These are people who never want to do anything the first time. I talked about the Patients' Bill of Rights which we never got done this Congress. We had a big debate and got it through the Senate and yet it is still not done. Why? Because ''I object,'' they say. Those who stand on behalf of the insurance industry and the managed care organizations are saying, ''I object.''

I held a hearing in the State of Nevada with Senator REID. I will never, ever, forget that hearing, and nor will he, I expect. This is about managed care and why it is desperately necessary to get a Patients' Bill of Rights done. A woman stood at this hearing and she had brought to the hearing a color picture of her son that she had turned into a very large poster. Her son's name was Chris. He was 16 years old. As she began to speak at this hearing, she held that picture of Chris above her head.

She said: My son was 16 years old when he was diagnosed with cancer. She said: My son was denied the treatment he needed when he needed it to give him a shot at winning this battle with cancer. She said: Before my son died, he looked up at me from his bed and said, ''Mom, how can they do this to me? How can they do this to a kid?'' She was crying and crying as she spoke about her son.

Her point was very simple. No 16-year-old boy in this country, ever, under any circumstances, ought to have to fight cancer and their managed care organization at the same time. That, by God, is an unfair fight. Everybody in this country knows it. We ought to do something about it.

Do you think this is something that happens in just one circumstance? It is not. I have had hearings in New York, in Nevada, in Minnesota, in Chicago, and at every hearing we hear exactly the same thing. Men, women, and children are told: You go ahead and fight your disease. But then they must fight the managed care organization to get payment for the treatment. Or maybe they must fight to get the treatment that they won't get unless they win a fight with the managed care organization, a fight that too many people, too often, lose.

It is not a fair fight. It is why we have decided to simply say that there are basic rights people ought to have when they deal with their managed care organizations. Every patient has a right to know all of their options for medical treatment—not just the cheapest. It is very simple.

My point is that we have a lot of unfinished business. The Patients' Bill of Rights is just one thing we haven't gotten done. I have described four or five more things today.

I regret that we are here at the end of this session, talking about the unfinished business. But the fact is, we have people in this Chamber who have become professional objectors. I object, I object, they say. It doesn't matter what the subject is—I object.

This country has a very serious problem with its economy. As I said earlier, it is appropriate for us to have been talking about national security because that is a deadly serious issue. But it is also imperative we talk about economic security because that is an issue that is important in the life of every family and every American person as well.

I would say to the President: You have had substantial cooperation from those of us in this caucus, here in this Chamber, on national security issues. Give us a little cooperation as well on economic security issues. Bring Air Force One back here to Washington, DC. Don't spend the next 3 weeks out on the road campaigning. Spend a little time here with us, talking about economic security, and fixing what is wrong with this economy.

Eighteen months ago when the President proposed his fiscal policy, we were told that we were going to have budget surpluses as far as the eye could see. No problem, they said, we are going to have budget surpluses forever.

Some of us felt that maybe it was our role to be a bit conservative then, and ask: What if something happens? Can you really see 6 months out, or 12 months or 2 years or 3 years out? Can you really see that far ahead and anticipate what might be? What if something happens? We think it is pretty unwise to commit ourselves to a fiscal

policy that says let's have a $1.7 trillion tax cut over 10 years, anticipating everything is going to be really strong and positive for our economy.

What happened is 5 months later we discovered we were in a recession. We discovered that terrorists hit New York City and the Pentagon, hijacking four airplanes. We discovered we are at war against terrorism. We discovered the most outrageous set of corporate scandals in this country's history. All these things converged at the same intersection, at the same time, all undermining the confidence of the American people in the future of this economy.

You can say what you want about this economy. It is not an economy where there are dials and gauges and levers in the engine room of this ship of state, where all we have do is walk down there and adjust them to make the ship move right along without a problem. That is not the way the economy works.

I know there are people in the Fed, in monetary policy, and people in fiscal policy, who really have an inflated sense of self-importance about their role in the economy. This economy is only about and all about people's confidence. People are either confident about the future or they are not. If they are confident about the future, our economy expands because they do the things that manifest that confidence: They buy cars, houses, take trips, they do the things that expand the economy. If they lack confidence, they do exactly the opposite and that causes contraction.

The American people are very concerned about this economy. It would serve this country well, in my judgment, if the President would join us, all of us, and sit down and talk seriously about what we need to do to put this economy back on track, make this economy strong again, make this economy grow again and produce jobs and expand once again, and turn these budget deficits into budget surpluses and invest in the things that provide better lives for the American people: Health care, education—the things we know work to improve life for the American people. That is what we ask of this President.

Let me conclude by saying there is not a Republican or Democratic way to fix all of this. There is only the opportunity for people to sit down and reason together and compromise and find the best of a series of good ideas. But you cannot do that when there is a one-lyric song or one-chorus song here in this Chamber that says to everything, every proposal, every suggestion: I object, I object, I object. That does not serve this country's interest at this point in time.

This October 17, this country faces real challenges. It is time for all of us to take a deep breath, to ask the President to take a little time off the campaign trail to join us, and to work together to see if there is not a better way to deal with national security, improving the economy, and addressing the concerns of people across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I compliment the Senator from North Dakota for his brilliant statement. I also say not only should the President stop his campaign travels—or, if he wants to do them, they should be paid for by political parties and not by taxpayers. That is the concern I have with these travels.

Mr. President, I ask unanimous consent the Senator from Florida be recognized for up to 20 minutes. I know Senator GRAMM wishes to speak. His staff would now have an idea, as to when the Senator from Florida will be finished.

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

The Senator from Florida.

## NASA

Mr. NELSON of Florida. Mr. President, I am going to speak about the management of one of the most exciting little agencies in the Federal Government, NASA, the National Aeronautics and Space Administration.

The Senator from North Dakota has just put his finger on a number of problems with regard to our national economy, a subject that I addressed yesterday. I compliment him for his comments, his insight into the multiplicity of problems that are facing our country at this time. There is much to be done.

I would like to focus today on a particular part of the Federal Government, of which I have some credentials to offer some suggestions. If we don't pay attention to the direction the National Aeronautics and Space Administration is headed, we are going to get off on a wrong track and there are going to be some mistakes made. They can be mistakes everyone in this country would regret.

I shared with the administrator of NASA my hope for his success. He came through our Commerce Committee. We had both private and public meetings. We had a lengthy hearing for his confirmation. We will continue to have hearings.

I have suggested to the administrator that it appears the White House and the Office of Management and Budget are going to be unwilling to offer to NASA a budget that would increase its buying power. Its basically $15 billion budget in current-year spending is basically the same as it was 10 years ago. This is a little agency that has achieved so much and its achievements are the embodiment of the hopes and dreams of Americans as we fulfill our role as adventurers and explorers—a characteristic of the American people that we never want to give up. If we do, we will be a second-rate nation.

This country was founded by explorers. This country was expanded by explorers and adventurers. Then the frontier was westward. Now the frontier is upward. And here on Earth the frontier is inward.

We never want to give up that adventure because we will not fulfill the destiny that is resident in the hearts of all Americans, that we want to be adventurers and explorers.

But, in this Senator's opinion, NASA is not going to be able to fulfill that role and achieve that destiny if we keep starving NASA. NASA cannot do that in the year 2003 on a budget that was the same budget in fiscal year 1991—12 years ago. So if the White House and the Office of Management and Budget continue to starve NASA of its funds, there has to be some kind of relief.

I have suggested to the administrator a $5 billion item in the national budget over the next 5 years that is for the development of technologies of a follow-on to the space shuttle.

The space shuttle originally was going to be extending its lifetime to about the year 2007. Then it was extended to 2012. Now the word out of NASA is that the present fleet of four orbiters is going to continue so that we will have assured access to space for humankind through the year 2020.

It is a reliable vehicle. We have the best space team in the world. We have the finest launch team in the world at the Kennedy Space Center. But we can't continue to operate safely with the continued starving of NASA funds by the administration.

I have suggested to the Administrator that one aspect he should look at as a program is development of new technologies for a new kind of vehicle, a reusable vehicle, that would be scheduled to go after the year 2020.

That is also an item that is of considerable interest to the Department of Defense. The DOD, being flush with money, could fund that, with NASA having the management of that research, which it does so well and, therefore, give some relief in the NASA budget so that what was left over could be applied to what was necessary; that is, safety upgrades on the space shuttle.

So there is no question that we are doing everything possible to have that space transportation system be as safe as possible even though we know it is risky business. When you defy the laws of gravity, when you go at mach 25, when you circle the globe in 90 minutes, when you come through 3,000 degrees Fahrenheit of searing heat on reentry, it is risky business. So we cannot afford to do anything less than upgrade all of the things that we have in the pipeline for the shuttle safety upgrades.

At the same time, our Nation is in the midst of building the largest engineering accomplishment of all time. We are building a space station. It is a multinational effort. By the time it is completed, it will weigh 1 million pounds, it will have an acre of solar

panels, it will measure the length of a football field, it will have a pressurized volume equal to two jumbo jets, and it will orbit at 220 nautical miles above the Earth.

We already have an international space station in orbit. What is up there already is an extraordinary accomplishment. It is the largest cooperative scientific program in history. It is drawing on the resources and the scientific expertise of our own Nation along with the expertise of 15 other countries.

This project is an exciting gateway to the new frontiers in human space exploration—meeting the deep-seated need of humans throughout history to explore the unknown, to understand their world and their universe, and to apply that knowledge to the benefit of all here on Earth. The International Space Station will sustain U.S. leadership in exploration in and the use of outer space which has inspired a generation of Americans and people throughout the world.

I suddenly had a flashback. I was a lieutenant in the Army. I was on leave at the time we were launching to go to the Moon. I was in Eastern Europe approaching Belgrade, Yugoslavia. I went to the U.S. Embassy right at the time of launch, and I asked them if they had for this Army lieutenant the opportunity to watch it on television. They did not. I said: What would you recommend? They said: It will be carried live by the BBC on radio. Go outside of Belgrade to that series of hills and stick up the antenna of your shortwave radio and tune into the BBC.

My fellow companions—those two young Americans with me, my best friends today—and I went out there. And the BBC cut into NASA Control at the time of launch of Apollo 11. There were three Americans in Yugoslavia out there cheering as that rocket rose into the heavens.

That is the kind of excitement that has been generated across the Earth by the stunning accomplishments of America's space program. Now we are on the cusp of having another stunning accomplishment of breakthroughs in scientific exploration on the International Space Station. That station will provide a stunning opportunity to enhance U.S. economic competitiveness by creating new commercial enterprises while serving as a virtual classroom in space to advance scientific education for teachers and students alike.

Most importantly, the station will be a unique world-class laboratory by providing an international platform for advances in science and technology. In this laboratory of the heavens, we will conduct research in tissue growth, looking at the causes of cancers and potential medical treatments. Our Nation's biochemists will investigate new drugs and develop a whole new understanding of the building blocks of life.

Using the microgravity environment of space—that is near zero G—our industries will be able to develop new advanced materials that may lead to stronger, lighter metals and more powerful computer chips.

The station will also house experiments in combustion science that could lead to reduced emissions from powerplants and automobiles, saving consumers billions of dollars. But that is only if we complete the space station.

Last year, we found that the international program had real cost overruns and management problems. There is no question that we absolutely have to complete the project because it is an investment in our future and the legacy we will leave to our children's children. Why else are we building it, other than to make a difference in their lives?

Yet this administration chose to fund some of the station's cost overruns without adding more money to NASA's budget, and requiring cuts to many other critical programs, including the delay of the safety upgrades on the space shuttle which gives us the access to and from the International Space Station.

Instead of funding the space station sufficiently to fulfill its potential, this administration proposed curtailing the space station program to a skeletal configuration called ''Core Complete.'' Instead of maintaining a full-time crew of six or seven astronauts to be on board the station at all times, Core Complete, the skeletal completion would provide for only three crew members.

You cannot do science on the space station with just three crew members because it takes more than two crew members to tend to the care and the feeding of the station, and that leaves less than one person to conduct the research on board.

So I have been quite afraid that these cuts would endanger the future of the International Space Station. Apparently, there are other people who feel that way, too, because there is a report just released and it concludes this is exactly what has happened: The future of the station itself is now in jeopardy. That is according to that report. In March, the administration charged an independent task force, made up of Nobel laureates and world-class scientists and engineers, to review, assess, and help define NASA's biological and physical research priorities.

Just over a month ago, this group, known as the Research Maximization and Prioritization Task Force, or ReMaP, completed their review of the space station's science programs. The results were not good.

This distinguished group concluded that the Core Complete configuration and the shuttle flight rate mandated by this administration would severely restrict the station's research productivity—a finding confirmed by NASA's own analyses.

A year and a half has now passed since this administration destroyed the space station's research budget, by cutting the crew size on the International Space Station from seven to three, and eliminating the U.S. crew rescue vehicle and the crew's living space known as the ''habitation module.''

In addition, the study, the ReMaP study, concluded that if enhancements beyond the Core Complete are not anticipated, then NASA should ''cease to characterize the Space Station as a science-driven program.'' Listen to this conclusion: We should ''cease to characterize the Space Station as a science-driven program.''

What happened to the world-class laboratory? Where is our international science and technology platform? What about tissue growth research, and curing cancer, and all the other innovative medical treatments?

What about the new drugs and the building blocks of life? How are we going to develop advanced materials and more powerful computer chips? What happened to environmental research in combustion science and reducing our emissions and energy use?

With only a skeletal space station, gone are these and many other potential discoveries that we have been awaiting.

NASA has a proven track record in supporting scientific research that makes a difference here on Earth. Let me give you a couple examples.

I want to give some other examples of where NASA has such a proven track record in supporting scientific research.

For example: a laminar air flow technique. It is used in NASA clean rooms for contamination-free assembly of space equipment. It is now being used—get this—at tollbooths on bridges and turnpikes to decrease the toll collector's inhalation of exhaust fumes. Straight out of NASA.

I will give you another example: an advanced ultrasound skin damage assessment instrument. Using NASA ultrasound technology, it enables immediate assessment of burn damage depth, improving patient treatment, and it may save many lives in serious burn cases.

I will give you another example: a remotely operated, emergency response robot. It was first developed by NASA. It reduces human injury levels by performing hazardous tasks that would otherwise be handled by humans.

Another example: a custom-made suit, derived from space suits. It circulates coolant through tubes to lower a patient's body temperature, producing dramatic improvement of symptoms of multiple sclerosis, cerebral palsy, spina bifida, and other conditions.

Here is another: a self-righting life raft, originally developed for the Apollo program, which was to the moon, where we landed the astronauts back in the water. It fully inflates in 12 seconds, and it protects lives during extremely adverse weather conditions with self-righting and gravity compensation features.

How about this one? A new digital imaging breast biopsy system images breast tissue more clearly and more efficiently. This nonsurgical system—using technology originally developed by NASA for the Hubble Space Telescope—is less traumatic and greatly reduces the pain, scarring, radiation exposure, time, and money associated with surgical biopsies.

And finally, a flywheel energy storage system. It is derived from two NASA-sponsored energy storage studies. It is a chemical-free, mechanical battery that harnesses the energy of a rapidly spinning wheel, and it stores it as electricity with 50 times the capacity of a lead-acid battery. This system is especially useful in electric vehicles, something that we are trying to perfect to help us ween ourselves from our dependence on foreign oil.

And these are just a few examples.

But I say again about this administration's plan for the space station: The Core Complete or the skeletal structure—not fleshed out—simply taunts the research community, telling them that an orbiting laboratory is there but fails to provide them with real and significant opportunity to use it.

The tag line NASA uses for the International Space Station program says: ''It's about life on Earth.'' That is the tag line. But is there going to be life in space?

This Core Complete concept of the NASA administration falls so short of expectations that our Nation's leading scientists refuse to call it a science program.

And under the administration's plan, our ever-shrinking space station will waste both time and money over the long run while failing to realize the unique potential of this international research facility.

This administration—I am talking about OMB; I am talking about the White House, and I am talking about the administration in NASA—needs to stop pretending that Core Complete is a viable or a desirable goal for our country or our space-faring international partners.

It is neither. Core Complete is the minimum configuration needed for the U.S. to say it has completed a space station, but that is just it—it is the minimum. We can fix this by returning to the original plan. Let's go back to building a fully capable research laboratory. Let's go back to a crew size capable of maintaining the station and conducting a robust research agenda. Let's realize the full potential of this laboratory of the heavens. We must realize the station's full potential. Let's expand the crew size and broaden our research capabilities on board.

Let's develop a crew rescue vehicle so that we don't have to rely on the Soviet vehicle that can only take three, so that we can get seven astronauts on board to do the research, so in the case of a catastrophic failure that we have a rescue vehicle, a lifeboat that can evacuate the seven crew members. And let's recommit to furthering humankind's understanding of the building blocks of life, recommit to developing advanced materials, reducing fuel emissions, and finding a cure for cancer.

To this administration, I respectfully say, but I very strongly say, we best recommit this Nation to building a fully capable International Space Station. We have delayed long enough. The Nation awaits. There is not an American, there is not a school child whose eyes do not light up when told of the adventures and the successes of America's space program. We need to continue with a great vision.

Right now, we can continue by building out the space station so it can fulfill its scientific research mission.

I see my colleague from Montana. I had the privilege of going in the summer to Montana, and lo and behold, Tribal Industries in his State of Montana, built and conducted by the tribes on tribal lands, were doing great things that are direct spinoffs from America's space program. They had some interest in having me out there to talk to them about some of the successes of the space program. It is just another example of how all of these space accomplishments have spun off into businesses, this Senator, who has had such a great privilege of being a part of the space program, found when I went to the northern part of Montana, near Flat Iron Lake, near Big Fork.

I yield the floor.

The PRESIDING OFFICER (Mr. EDWARDS

Mr. BAUCUS. Mr. President, I thank my good friend from Florida. The tribe he is referring to is the Salish Kooteenai Tribe in northwestern Montana. That tribe, along with a couple others in Montana, is proudly doing great work with defense contracts and NASA contracts. The Senator is exactly right. This is a program that is almost all-encompassing for almost the entire country. There are so many different States. We are particularly proud in Montana because of the Native Americans who work at it. It is good work. It is top quality work. I appreciate the Senator coming to Montana, visiting the Salish Kooteenai, seeing their good work. I am sure it adds more meaning and context to the Senator's experience in the space program and even new meaning to the Senator's experience of the space program. We are happy to be able to help in that regard.

## DROUGHT

Mr. BAUCUS. Mr. President, I rise to address a natural disaster that is occurring in America. That is the unrelenting drought.

For my State of Montana and many States this year, particularly in Colorado and other Western States, it has brought economic hardship to our agricultural producers and to our rural communities.

In 1996, before the drought began, Montana wheat producers made $847 million from their wheat sales, close to $1 billion. In 2001, 4 years into the drought, Montana producers made just $317 million from wheat sales. That is a 62-percent decline.

Let me add a new context to that figure. Agriculture is more than 50 percent of my State's economy. It is truly the backbone of our State. I ask those who oppose natural disaster assistance one question: How is a State like Montana supposed to survive a loss of that magnitude, 62 percent, without assistance, when half the economy is agriculture? The most efficient, the most effective, the most successful businesses in the world could not absorb that kind of a loss.

That 62-percent decline in sales for Montana wheat farmers—and I might add, the same devastating effect is felt by livestock producers because of lack of pasture and feed—is through absolutely no fault of those producers. These farmers haven't been cooking the books. They haven't been taking exorbitant bonuses at the expense of shareholders. No, our Nation's farmers and ranchers are hard working, dedicated, good, honest people, trying to make a living, trying to make ends meet. They need our help.

The drought is no longer touching only the pockets of our country. The drought has become an epidemic. It has affected a majority of our Nation. According to the United States Department of Agriculture, 1,470 counties in 45 States have been designated drought disaster regions in 2002.

As you can tell from this map, dated October 1 of this year, there isn't one State west of the Mississippi that has been receiving the rain they need. Just look west of the Mississippi, and clearly, by the dark brown and the reds, you can see the center of America is experiencing deep drought.

Drought is affecting States up and down the east coast as well, as we can see from this map. That is just part of it. That is just this year. In most regions of the country, certainly in the West, we are now in our fourth or fifth year. It is cumulative. It adds up. This map alone doesn't tell the whole story.

On October 3 of this year, President Bush provided FEMA Federal disaster funds and resources for people victimized by Hurricane Lili. Those people, those small businesses, those rural communities have been devastated by an unpredictable and uncontrollable natural phenomenon—a hurricane. They deserve our assistance, and we, very generously and proudly, support that assistance the President provided for those parts of the country devastated by hurricanes.

But where is the assistance for people suffering from drought?

In reality, the only real difference between a hurricane and a drought is that a majority of people don't understand the impact of 4 consecutive years of drought the same way they understand the impact of a hurricane.

Drought is a silent killer. It is not on TV. It is not headlined in the news. It is a silent killer that slowly builds up and accumulates. The pictures of drought on CNN are not as immediate and terrifying as are the photographs of hurricanes. But the effects can be just as serious for the people in both events. They can both lose their homes and livelihoods.

Our agricultural producers are holding their breath. They are waiting for natural disaster assistance because if they don't receive our help, many will not make it. In Montana, and in other States across the country, small businesses are closing their doors and families are losing their futures because of the drought. It is happening. School districts no longer have enough children to conduct classes, so they have to consolidate schools, forcing kids to travel hours by bus. Why are they losing children? Because of the effect of the drought. Parts of my State are just drying up.

Those people, small businesses, and rural communities have been devastated by unpredictable and uncontrollable natural phenomenon. On September 3 of this year, the Wall Street Journal printed this:

> The U.S. may be looking at its most expensive drought in its history, inflicting economic damage far beyond the farm belt.

Think of that, Mr. President. A quote by the Wall Street Journal that the U.S. may be looking at the most expensive drought in our Nation's history, inflicting economic damage far beyond the farm belt.

I will share a few stories that have been shared with me over the last couple of weeks. In north-central Montana, the bread basket of my State, a producer and his family have been living off of their farm for several generations. After 4 years of valiant fighting against the drought, they have been forced to give up. The question is, What do they do now?

Because of the drought, they have no crop and cannot pay off their outstanding operating loans. Don't forget, that is how farmers do business. They get operating loans before they get their crop. If they get no crop, they cannot pay off the loans. More than 3 months ago, this family put their farm, their machinery, everything they have dedicated a lifetime to, up for sale. They have yet to receive a single offer in more than 90 days.

A producer in the same region had five hired hands just 5 years ago. Now he has none. Due to the cost of feed and the condition of his pastures, he has had to cut down his herd to one-fourth of what he used to own. Over the last 3 years, he has lost several hundred thousand dollars because the drought has killed his crops and he cannot afford cattle feed.

He and his family rely on the income from his wife. But to make a bad situation worse, his wife's job is now in jeopardy because of the negative impact of the drought on her employer. She is not sure she can keep her job.

Dale Schuler, past president of Montana Grain Growers Association, and a farmer in Choteau County, had this to say, and I know Dale. He is a rock-solid man. He has been farming for years:

> Nearly 2,000 square miles of crop in my area of central Montana went unharvested in 2001. That is an area equal to the size of the State of Rhode Island. Farmers and our families haven't had the means to repay our operating loans, let alone buy inputs to plant the crop for the coming here.
>
> Don't forget, agriculture is 50 percent of the economy in Montana. There is a decline in income over several years of 62 percent. Continuing his quote:
>
> Choteau County is the largest farming county in Montana, and yet our last farm equipment dealer had no choice but to close his doors, our local co-op closed its tire shop, one farm fuel supplier quit, and the fertilizer dealers and grain elevators are laying off workers. I believe that we are about to see a mass exodus from Montana that has not been seen since the Great Depression of the 1930s.

That is no small statement, Mr. President.

Another farmer from Choteau County, Darin Arganbright, pointed out that enrollment in local schools has decreased by 50 percent in the past few years. Young families are not able to stay in the area because of the lack of work and the lack of opportunity.

It is not only agriculture that is gone; businesses in the community are being devastated.

According to the New York Times, an article of May 3 of this year:

> In eastern Montana, more than a thousand wheat farmers have called it quits rather than trying to coax another crop out of the ground that has received less rain over the last 12 months than many deserts get in a year.

That is the fourth year of drought. That is not 1 year; that is 4. I remind colleagues that Federal crop insurance is perverse because, with each year the coverage decreases while premiums increase compared to the prior year. It is a negative vicious cycle.

Don Wilhite, director of the National Drought Mitigation Center, describes drought in the following manner:

> Drought is the Rodney Dangerfield of natural disasters. In most cases, it causes the most significant losses, but it is harder to convince policymakers and others to deal with it.

That is what is happening, Mr. President. The White House is turning a deaf ear to this. They put their blinders on. The majority party in the other body is doing the same thing, putting blinders on, closing their ears, not paying attention.

Producers pray every day that they can hang on until the U.S. Congress—all of us elected to represent the people—works together to pass agricultural disaster assistance. Our producers are praying that we act now so their children have the opportunity to continue what they and generations before them have fought so hard to sustain.

We cannot and must not continue to ignore the impact of drought and the effect it has on our agricultural producers and our rural communities. Agricultural producers are every bit as deserving of assistance for their suffering from the drought as a small business owner from Louisiana suffering from the hurricane.

In a speech to the Cattle Industry Annual Convention and Trade Show in Denver in February, President Bush emphasized the need for a strong rural economy:

> Our farm economy, our ranchers and farmers provide an incredible part of the Nation's economic vitality.

That is what he said in February. The President continued by saying if the agricultural economy is not vital, the Nation's economy will suffer. Those are the President's own words.

I could not agree more with the President. The Nation's economy is directly tied to our agricultural economy. Unless we take action, the drought will have a permanent impact on our agricultural producers, on our small rural towns, and on our national economy.

I urge my colleagues in the House and the Senate, and the President, to work together to pass natural disaster assistance before it is too late—and in many cases, for thousands of families who have pulled up stakes, it is already too late. I ask the President to live up to the words he spoke in February. If the agricultural economy is vital to the national economy—and it is—then it is vital that we pass agricultural disaster assistance immediately.

Our agricultural producers have never let us down—never. They do not let us down. They continue to fill our tables with safe and abundant supplies of food. Now it is time for us to work together to provide them with immediate assistance so they can continue to fill their own tables.

Mr. President, I thank my colleagues, and I urge my colleagues to pay close attention to my remarks because we have a problem. We have to work this out together. I thank my colleague from Pennsylvania. I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER pertaining to the submission of S. Res. 347 are printed in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I understand we are in morning business. I ask unanimous consent to proceed for 15 minutes.

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

MINIMUM WAGE

Mr. KENNEDY. Mr. President, earlier today my friend and colleague, the Senator from Nevada, our deputy leader, made a unanimous consent request that we consider legislation to provide a three-step process to increase in the minimum wage by $1.50. The reason this request has been made is because over the period of these last 2 years, those of us on this side have made an extraordinary attempt to try and follow the regular order, the regular process, and have this legislation considered in the Senate. Effectively, we have been blocked all the way.

In the final hours of this session, it appears we probably will be back for a lame duck session, but we want to make sure those who are affected by this legislation and, importantly, those who are not but those who are strong supporters of fairness and decency when it comes to the minimum wage, understand what is happening in the Senate. The bottom line is, the Republican leadership is blocking an increase in the minimum wage.

I want to take a few moments this afternoon to review once again why this request was so urgent, why it was basically an emergency request and what the results would be with the objection that has been made by the leaders of the Republican Party.

First of all, if we look over the period of the years going back to 1968, and we look at what the real value of the minimum wage would be, this is the real value. This is comparing oranges and oranges in this case. The real value today would be $8.14. That is what it was in 1968. Today it is $5.15. By the end of this year, using constant figures, it will effectively be $4.70—$8.14 in 1968; $4.70 now in terms of real purchasing power.

We have seen how over the period of these years there has been a gradual decline, but it really was not until 1980 that we had an administration that refused to consider what other administrations, Republicans and Democrats alike, considered, and that is a fair increase in the minimum wage.

Then we had the battles. We had two different times we had small increases. In order to even get it considered, we had to reduce the increase and cut out a third year for the increase in the minimum wage. The last time we had to add close to $30 billion in tax breaks in order to effectively have an increase in the minimum wage.

The minimum wage has been increased some 9 times. Eight times it was increased without a tax reduction, but not the last times. That was the condition by which our Republican friends would agree to even consider an extension. Now, without any kind of extension, we are falling back to $4.70.

The petition that was presented by Senator REID would have provided, over a 3-year period, an increase of $1.50. The objection today is unacceptable.

Let us look at how the minimum wage is related to the issue of poverty in America. Going back again to the period of 1968 and during the several years during that period, the minimum wage was the poverty wage. What we have seen in recent years is how the minimum wage now has fallen so far below the poverty wage, it would have to be increased by about $3.50 an hour to even get up to the poverty line, which is the basic line that has been defined as the income which is necessary to provide the basics of surviving in the United States of America. Yet, we are expecting men and women to take these jobs, which they do, and pay them these totally inadequate wages.

Mr. REID. Will the Senator yield for a question?

Mr. KENNEDY. I will be glad to yield.

Mr. REID. I was in the Chamber yesterday when the Senator made his terrific speech on this very important issue. I say to my friend from Massachusetts, is it not true that many people, probably people listening to this debate, think the minimum wage is for kids flipping hamburgers at McDonald's?

Does the Senator know that 60 percent of the people who draw minimum wage are women and for 40 percent of those women that is the only money they have to support their families? Is the Senator aware of that?

Mr. KENNEDY. The Senator is absolutely correct. The Senator's question anticipates one of the traditional arguments that have been suggested on the other side of the aisle that these are really teenagers who are getting this minimum wage.

To the contrary, as the Senator has pointed out, actually 68 percent of those who receive it are adults. For half of those, the minimum wage job is the sole source of income for those families. A good percentage of those, I would say to the Senator, have two or three minimum wage jobs. That is what we have seen.

We have heard opposition to this issue. We recognize, as I pointed out on other occasions, what this issue is really all about. We are talking about men and women who clean out the great buildings across our Nation, who work late at night, work hard, do very tough, difficult and dreary work, but nonetheless they maintain their dignity and their spirit. These are individuals who work in child care settings as assistants to child care providers. We are willing to entrust our most sacred individuals, our children, to minimum wage workers who are assistant teachers working in the classroom. Our most sacred trusts are our children, our parents, and grandparents.

Those who are working with the teachers in the classroom very often are the minimum wage workers. Those who are working in the child care centers are most likely the minimum wage workers. Those who are working in the nursing homes to help take care of our parents and grandparents who built this country, fought in its wars, lifted the Nation out of the Depression, sacrificed immensely for their children, are minimum wage workers. Those are the ones we are talking about. So often when we talk about the minimum wage, we are talking about the graphs depicting cents per hour and the rest. But these are real individuals who are providing important services in our country and to our people, and they are being shortchanged.

As I have said before, it is a women's issue because the great majority of the minimum wage workers are women. It is a civil rights issue because great numbers of people who are working for the minimum wage are men and women of color. It is a children's issue because how their parents are being paid and compensated is going to reflect on how those children are going to grow up. It is a family issue.

We hear so much about family issues in the Senate. This is a family issue. When a parent has to work one or two minimum wage jobs, the time they are away from the home, the other parent often working in a similar kind of a situation, trying to make ends meet, the lack of time for them to come together to give these children the kinds of values and upbringing that they should have works to the disadvantage of these children.

Beyond all that, it is a fairness issue. People understand in this country that men and women who are willing to work 40 hours a week, 52 weeks of the year, should be treated fairly. We are talking about people working hard, long, difficult hours who ought to be treated fairly.

Americans understand this issue of fairness. But our Republican friends do not. They have opposed increases in the minimum wage every single time, at least during the time I have been here in the last 40 years.

I remember one of those debates. In August of 1960, they were opposed to the last measure that came before this body at that time, and they were opposed to the minimum wage at that time, too. This has been over a long period of time.

Mr. President, I remind our friends and the viewing public, we have taken the time to raise our own salaries, four different times over the last 6 years, some $16,000. But we are refusing to even let this issue be debated and come to a vote. That is wrong. It is unfair. It is unjust. The Democrats stand for those working families; for fairness and decency. They stand for the children of those minimum wage workers. They stand with the minimum-wage workers, men and women of dignity who are only asking to be treated fairly. We stand with them.

We continue to ask why our Republican leaders in the Senate and the House of Representatives and in the White House refuse the opportunity to even debate this issue and refuse the opportunity to consider it and pass it. I regret that. We will continue to express this issue because that is the

only way we have ever been able to get this done in the past. We expect that will be the only way to get it done in the future. We will press it across the countryside.

We ask our fellow Americans. This issue is one that concerns them. I don't know a single member of our side who would not support an increase in the minimum wage. I hope they will understand that when they go to the polls.

## THE MEDICAL DEVICE USE FEE AND MODERNIZATION ACT OF 2002

Mr. KENNEDY. Mr. President, I bring to the attention of the membership the bill H.R. 5651, the Medical Device User Fee and Modernization Act of 2002. It has now passed the House of Representatives. We have been working on this legislation for 10 years. It has been a divisive issue, both the issue and as a public policy issue. We finally have virtual support from the Members in the House of Representatives, the committees of jurisdiction, and also the Members here. There may be Members who have questions. We are prepared to answer those.

I indicate this is a public health matter of enormous importance and consequence. If Members are going to object, they are going to have to come to the floor of the Senate and express those objections and reasons. We will not tolerate someone holding up this bill in hopes that they can get it carried back to the House. We have worked too long. We have worked too hard. This is an enormously important health issue. We will not tolerate it. I will not tolerate it. Those members of our committee will not tolerate it.

I want to make it very clear, if they ever expect any kind of cooperation on any other health matters, they had better understand the importance and significance of this measure—if they ever expect any cooperation on any health matters down the road.

I thank the Chair.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Indiana.

## THE ECONOMY

Mr. BAYH. Mr. President, I begin by thanking our colleague from Massachusetts for his impassioned advocacy of this important issue. It is a cause that both the Chair and I support wholeheartedly. The Senator from Massachusetts has been a tireless advocate of raising the minimum wage for many years. It is my privilege to join with him. This is an issue whose time has come. It needs to be done, and we need a sense of urgency for those on the other side of the aisle and this administration. I thank my colleague once again.

Mr. President, let me share some thoughts about the importance of extending coverage for the unemployed in our country. Given the weakness of our economy, I think this is a critically important issue that will help millions of our fellow citizens who are suffering unemployment through no fault of their own. It is also an important component of a coherent economic strategy to get America working again.

As you and others know all too well, the economy is weak, people are out of work, we need leadership to get the economy moving, people back to employment, and to help those who have suffered unemployment, putting money back into people's pockets to put it back into the economy to create jobs and growth. Extending unemployment benefits is an important part of that strategy, an idea whose time has come, a lot like raising the minimum wage.

The economy is not doing well. Unemployment has risen. Long-term unemployment in September was 1.6 million working men and women. Household income for the typical family has fallen for the first time in a decade. Home foreclosures have reached a 30-year high. Poverty rates across America rose last year. Regrettably, the economy seems unlikely to reverse its sluggish course anytime soon. Manufacturing has slowed. Retail sales are weak. Capital investment has declined. Foreign demand for American goods and services is stalled.

As a result, job creation actually declined last year. Many Americans are hard hit, and others are worried they will be next. Mr. President, 1.1 million Americans had exhausted their unemployment benefits as of August. This figure is expected to double to 2.2 million hard-working Americans as soon as December—regrettably, just in time for the Christmas season.

In my own home State of Indiana, we have not been unaffected. Twenty-one thousand hard-working Hoosiers have exhausted unemployment benefits as of August. This figure will more than double to 45,000 by December. There is no State in the Union that is unaffected by this unfortunate state of affairs. These Americans need a helping hand. I want to emphasize that it is not only the compassionate thing to do, but it is the economically sensible thing to do as well, because not only are we helping individuals who are in need, we are also helping the economy get back on its feet and thereby helping all Americans, be they employed or unemployed.

We need stimulus for job growth and economic expansion. These benefits will be used for consumer spending. Economists have long recognized that helping those who are unemployed leads directly to added demand in the economy. Labor Department statistics, in fact, indicate that there is a significant multiplier effect. For every $1 that goes into unemployment benefits, a full $2.15 is added to the gross domestic product. By any definition, $1 into $2.15 of increase to the gross domestic product is a good investment for the American people.

Consumers are stressed right now. They have high levels of debt. They have tapped into their home equity at rates that could be unsustainable. The tax cut of last year has run its course. There are other reasons to believe consumers may be cutting back on their purchases. Adding about $17 billion to consumption through extending unemployment benefits will help the consumers maintain their course, allowing the economy to hang in there until capital investment comes back and demand from abroad picks up.

What is more, we can afford this at this time. It is fiscally sustainable and responsible. There is more than $27 billion currently in the unemployment trust fund, more than sufficient to cover the costs extending unemployment benefits, as I and others are proposing. So this will not mean an increase in the annual deficit or in America's debt. We can do what is right for individuals, what is right for the economy, and do so in a fiscally responsible way.

I ask that we adopt this measure. It will extend unemployment benefits eligibility by 13 additional weeks for every State across the Union. It will add an additional 7 weeks for those States with the highest rates of unemployment and adjust the trigger mechanism to expand eligibility to make sure that the reality of unemployment across the Nation is reflected in the law.

Also, I ask for a new sense of urgency from this administration when it comes to promoting economic growth. The last time I was privileged to speak to my colleagues on the floor it was to call for support of the President's initiative and resolution with regard to Iraq. We generated substantial bipartisan support for that resolution. I ask the administration and our colleagues on the other side of the aisle to bring that same sense of urgency and bipartisan cooperation to the cause of improving our domestic economy. After all, in the long run it is the foundation upon which our national security is built.

There is precedent for these steps. The President's own father took these steps back in the early 1990s, expanding unemployment eligibility by the same number of weeks, including the same mechanism for determining eligibility. That proposal at that time passed by 94 to 2. It was the right thing to do to get the economy moving in the early 1990s. It is the right thing today. It received overwhelming bipartisan support at that time. It will receive, if we can get a vote, overwhelming bipartisan support today. It was advocated by the first President Bush. It is a cause this President Bush should also embrace to promote economic growth.

I ask we move forward with this initiative and that the President demonstrate he is truly the compassionate conservative that he campaigned to be.

Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 619, S. 3009, a bill to provide for a 13-week

extension of unemployment compensation; that the bill be read three times, passed, and the motion to reconsider be laid upon the table without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I think some people are playing political games. I understand some people are interested in passing a unanimous consent agreement on unemployment compensation. I heard the request. It was to provide a 13-week extension of unemployment compensation. That is not what this bill does. I don't know how many times I have to say it on the floor. The bill provides for a 26-week extension, not a 13-week, a 26-week extension. There is a big difference.

I believe I heard the sponsors say it changes the trigger—it does change the trigger. It is not a clean extension because it changes the trigger so that more States are eligible for long-term extension. This bill has a 26-week Federal unemployment compensation extension on top of the State 26 weeks, and an additional 7 weeks for those States that have the highest unemployment compensation. That would be a total of 52 weeks—59 weeks, in some States; 52 weeks for all States, 59 weeks for some States.

It also has a section that says we should not count people who might be employed. It is a crummy bill. I have stated again my willingness to try to work with colleagues to pass a clean extension which would cost about $7 billion instead of $17 billion.

While we are here, there are a couple of bills I would like to pass. So I am going to be asking unanimous consent, I tell my colleagues on the Democrat side—it is my intention to propose a couple of unanimous consent requests as well.

One will be to permanently eliminate the tax on Social Security. This is a tax that passed in 1993. It was part of President Clinton's tax package. It passed by one vote in the Senate, and passed by one vote in the House. It is still the law of the land. We still tax senior citizens' Social Security benefits.

I have heard a lot of people say they wanted to eliminate it. The House passed a bill to eliminate it in 2000. Unfortunately, we have not been able to do that. Senator TIM HUTCHINSON from Arkansas has introduced legislation this Congress to do that. It has several cosponsors.

So, Mr. President, I want to notify my friends and colleagues on the Democratic side of the aisle that I intend to propound a unanimous consent request so they have a chance to respond as I have been responding on several requests.

I am going to propound a unanimous consent request to make part of the tax bill we passed in 2001 dealing with marriage penalty relief permanent. Unfortunately, much of the tax bill that we passed in 2001 is temporary. That bill helped lessen the burden, since we found ourselves in a recession and part of that was marriage penalty relief. That provision sunsets. It stops in the year 2009 or 2010. We should make that permanent. The House has passed legislation, H.R. 4019. They passed it with an overwhelming vote, by a vote of 271 to 142. They passed it on June 13. Unfortunately, the Senate has not found time to take that legislation up. All we have to do is pass that House bill, it goes straight to the President, and he will sign it so it can become law. So I am going to propound a unanimous consent request to pass that bill.

I see my friend, the assistant Democrat leader. I will now make both of these requests.

Mr. President, I ask unanimous consent that H.R. 4019, a bill to provide that the marriage penalty relief provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be made permanent, be discharged from the Senate Committee on Finance and the Senate proceed to its immediate consideration, the bill be read a third time, passed, and the motion to reconsider be laid on the table and any statements thereupon be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. REID. On behalf of a number of Senators, I object.

The PRESIDING OFFICER. Objection is heard.

SEVERAL SENATORS addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma retains the floor.

Mr. NICKLES. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of Calendar No. 308, H.R. 3529, that all after the enacting clause be stricken, the text of S. 237, a bill by Senator HUTCHINSON, a bill to repeal the 1993 income tax increase on Social Security benefits, be printed in lieu thereof, the bill be read a third time and passed, the motion to reconsider be laid upon the table, any statements thereupon be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. There is objection?

Mr. REID. On behalf of a number of Senators, I object.

The PRESIDING OFFICER. Objection is heard.

SEVERAL SENATORS addressed the Chair.

Mr. NICKLES. I thank my friend and colleague from Nevada. I told him that two people can play these games. I would very much like to see the marriage penalty relief package that we passed in 2001 be made permanent. I would also like to see us repeal that portion at least, if not—I would like to see us, frankly, repeal the entire—President Clinton's tax package of 1993, but certainly repeal the tax on Social Security benefits. We tried to do that. Objection was heard.

The Senate has over and over again found itself, unable in the last year and a half, to pass permanent tax relief for American citizens, not for marriage penalty relief, and not even for seniors who are paying high taxes on their Social Security benefits. I find that regrettable.

Maybe there will be a change in the makeup of the Senate in a couple of weeks and legislation such as the two I just requested consent to pass—maybe we can pass those under regular order. I hope that will be the case.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

## DROUGHT RELIEF

Mr. CONRAD. Mr. President, I was surprised to get up this morning and read the Washington Post and see that the Speaker of the House, Mr. HASTERT, said the House could pass drought relief legislation after the election, " . . . if there is a problem."

Where has the Speaker been? If there is a problem?

Tell that to the farmers of North Dakota. This is a photo of what it looks like in southwestern North Dakota. That is a moonscape. Nothing is growing. There is no question, I would say to the Speaker of the House of Representatives, about whether or not there is a problem. There is a deep problem. This is a disastrous year.

Let me read just one letter from a farmer in North Dakota. He says:

> DEAR SENATOR CONRAD:
>
> I am a 40 year old man with a wife and 4 children. I am a third generation farmer. We enjoy farming very much but it's getting very hard to keep on going.

He continues:

> When we have had good crops in the past there was no price. Now in 2002 we have no crop, no grass, no hay, and no rain, which all leads to no money.
>
> I know it is hard for city people to understand the difficulties of farming, but it has become very hard to keep a good attitude when you are always under financial pressure. Without any disaster aid this fall, a lot of good farmers will be forced to sell, or will simply just quit.

He went on to say:

> I hope and pray that you can persuade the Members of the House how serious it is out here in rural North Dakota.

I do not know of anything that could tell the story more clearly than this picture. This isn't just a small part of southwestern North Dakota. This is mile upon mile of southwestern North Dakota. This is a drought as bad or worse than the 1930s.

This has to be responded to. For the Speaker to say yesterday that the House could pass drought legislation "if there's a problem" misses the point entirely. There is a problem. It is more than a problem. It is a crisis. And it is not just in North Dakota.

How can the Speaker of the House have missed this? In Montana, in South

Dakota, in Nebraska, in Kansas, in Minnesota, in Wyoming, and other parts of the country as well, they have suffered different kinds of disasters. My neighboring State of Minnesota has suffered the worst flooding in their history—and the administration has said, Well, look to the farm bill. Yet the administration knows there are no disaster provisions in the farm bill. They prevented it. The Speaker prevented it. I was one of the conferees on the farm bill. When we went to conference with the Senate bill that included disaster assistance, the House conferees said that there were only two things they were not at liberty to discuss in the conference. No. 1, they said we can't talk about opening trade with Cuba; and No. 2, we cannot talk about disaster assistance. The House conferees told us that those two issues had to go to the Speaker of the House of Representatives.

The Speaker said no. The President has said no. Always before when any part of the country suffered a disaster, we have moved to respond—always. Whether it was earthquakes in California, mud slides in that same State, hurricanes in the State of the occupant of the Chair, whether it was drought in farm country, or flooding any place in the Nation—always before we have moved to help. This year, there is no assistance for those suffering natural disasters. That is wrong.

In my State, there is a calamity. It is not just my State. It is State after State.

For the Speaker to say yesterday that disaster aid may be considered later this fall ''if there's a problem'' shows that he is terribly out of touch with what is happening across this great Nation. These are natural disasters that deserve a response and that require a response, and we ought to be providing help. For those who say look to the farm bill, there is no disaster assistance in the farm bill. In fact, there are savings under the farm bill to pay for the disaster assistance.

Some may ask, How is that? Very simply, because of these disasters, there is less production. That means prices are higher. That means the farm bill will cost less. The Congressional Budget Office has told me and has told all of our colleagues there will be about $6 billion in savings in the farm bill this year because of these natural disasters. That also happens to be the size of the disaster relief package. So we have an opportunity here to be fiscally responsible. We are proposing to spend the same amount of money on disaster assistance that is being saved in the farm bill because of these disasters. Because there is less production, prices are higher than anticipated. That means the farm bill will cost less by nearly $6 billion. That is money that could be available for disaster assistance and should be.

Let me conclude with this chart that shows what this is going to mean.

Net farm income is going to decline this year by 21 percent across the country largely because of these natural disasters. Yet there is no response from Washington. We passed disaster assistance here in the U.S. Senate. We passed it as part of the farm bill. We passed it on an amendment on the Interior appropriations bill with 79 votes—an overwhelming bipartisan agreement that we should provide disaster assistance. But the House has said no. The President has said no.

To have the Speaker of the House say yesterday that they may consider aid in a lame duck session ''if there's a problem'' is incredible. Where has the Speaker of the House been to say ''if there's a problem''?

This is a disaster. This is a crisis. There ought to be a response.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

## ORDER OF PROCEDURE

Mr. REID. Mr. President, the majority leader has been wanting to come to the floor for some time. We are both happy that there has been a lot of participation on the floor this morning. They were fine speeches.

There is no need for me to maintain the floor until he shows up. I ask my two friends, the Senator from Texas and the Senator from Utah, if they would allow him to take the floor when he appears, which should be momentarily. In the meantime, if they would agree to that, I ask unanimous consent that the Senator from Texas be recognized for up to 15 minutes.

Mr. GRAMM. Mr. President, will the Senator yield?

Mr. REID. Yes. I am happy to yield.

Mr. GRAMM. Mr. President, I think it is perfectly reasonable for the majority leader to have the right to the floor.

Reserving the right to object—if the Chair would be generous in giving me an opportunity to explain why—when the majority leader finishes his unanimous consent request and his statement, I would like to have 10 minutes to respond.

Mr. REID. Mr. President, the leader wanted to make sure that the Senator from Texas was on the floor when he made his unanimous consent request, which I am almost certain he will be. He wanted the Senator from Texas to be notified when he was going to be here.

He is now here.

He wanted the Senator from Texas to be here, and we are glad he is here.

I ask unanimous consent that following the statement of the majority leader and the statement of the Senator from Texas, the Senator from Utah be recognized for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The majority leader.

## UNANIMOUS CONSENT REQUESTS—H.R. 5005

Mr. DASCHLE. Mr. President, everyone knows we are attempting to resolve many of the unfinished pieces of legislative business that ought to be addressed prior to the time we depart for the election day break. As everyone knows, we will be coming back. It will be my hope that we can address a number of the issues involving conference reports. Of course, we will have to address appropriations when we come back.

One of those issues that has been the subject of a great deal of debate and consideration on the Senate floor has been the issue of homeland security and the creation of the new Department.

It is no secret that Democrats have been frustrated in the effort to bring the debate to a close. We have had five cloture votes. We have not reached cloture on each of those five occasions because of Republican opposition.

My original thought was perhaps that opposition was because of legitimate language concerns or issues involving the creation of the Department. I now doubt whether that really is the motivation. I think there are many on the Republican side who simply oppose the creation of the Department of Homeland Security. The new Department was a Democratic idea originally. The President and our Republican colleagues objected and opposed it unanimously when we passed it out of committee last summer.

The President finally reversed his position, and the administration's bill was written by four people with no consultation with Congress. They sent the bill up as somewhat of a surprise to us all.

The bill they wrote seeks to exploit the issue of homeland security in order to advance a preexisting ideological agenda. It is an ultraconservative agenda that is antiworker and obviously anti-union. More importantly, it has nothing to do with homeland security.

This bill would return us to an era when patronage and political cronyism ran the Federal workforce—and that is wrong. We say to the President and our Republican colleagues, public servants are not the problem. Terrorists are the problem.

The administration's position is an insult to every public servant, every firefighter, and every first responder who risked their lives and, in many cases, gave their lives on September 11.

When those union firefighters rushed into the World Trade Center and the Pentagon on that fateful day last September 11, nobody asked: Are you a member of a union? That is why the police and firefighters oppose the Republican plan. That is why the National Association of Police Organizations wrote to every Senator.

I will quote from their letter.

On September 11, 2001, the union affiliations of law enforcement officers did not

keep them from responding to that tragic event, giving aid to those in need and in many cases, giving their own lives. Every New York Police Department and New York/New Jersey Port Authority officer who died that day was a union member, working under a collective bargaining agreement. The Administration's claim that the new Department will need ''management flexibility'' to perform its role properly ignores the heroic efforts of those whom they now wish to label as an organizational liability.

I ask unanimous consent that this letter be printed in the RECORD.

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

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.,
*Washington, DC, August 5, 2002.*

DEAR SENATOR: On behalf of the National Association of Police Organizations (NAPO), representing 220,000 rank-and-file police officers from across the United States, I would like to request your support for the collective bargaining and civil service rights of employees of the proposed Homeland Security Department. S. 2452, the ''National Homeland Security and Combating Terrorism Act of 2002,'' rightly recognizes, unlike H.R. 5005, that collective bargaining rights are not a hindrance to the formation of the Homeland Security Department nor to the overall protection of our nation.

On September 11, 2001, the union affiliations of law enforcement officers did not keep them from responding to that tragic event, giving aid to those in need and in many cases, giving their own lives. Every NYPD and NY/NJ Port Authority officer who died that day was a union member, working under a collective bargaining agreement. The Administration's claim that the new Department will need ''management flexibility'' to perform its role properly ignores the heroic efforts of those whom they now wish to label as an organizational liability. S. 2452 further allows the Homeland Security Secretary to bring in talent outside of civil service rules when truly necessary for our nation's defense and provides other changes to better facilitate hiring, retention and promotions.

Congress has long recognized the benefits of a mutual working relationship between labor and management and, over the years, has extended collective bargaining rights to public employees including letter carriers, postal clerks, public transit employees and congressional employees. When the Senate considers S. 2452 this September, NAPO requests that you support the Senate Homeland Security legislation, specifically Section 187, as passed by the Senate Governmental Affairs Committee. This bill properly recognizes and protects the genuine efforts of those unionized employees who might otherwise lose their deserved civil service and collective bargaining rights.

NAPO looks forward to working with the Senate to safeguard these rights and ensure their longevity. If you have any questions, please feel free to contact me, or NAPO's Legislative Assistant, Lucian H. Deaton, at (202) 842–4420.

Sincerely,

WILLIAM J. JOHNSON,
*Executive Director.*

Mr. DASCHLE. Since this debate began, Democrats have worked in good faith for a compromise. We have compromised and compromised and compromised. The bipartisan Nelson-Breaux-Chafee compromise is a long way from the Lieberman bill. It preserves the President's authority to take away the union rights of homeland security employees as long as he states there is a need, and it accedes to the President's demand that we waive civil service protections for Department employees.

In fact, when it comes to new flexibility to hire, fire, and redeploy workers, there is absolutely no difference between the Gramm amendment and the Nelson compromise. The difference with our approach and the Gramm approach is simple: We require the Department to consult—to consult—with employee representatives as they develop a new personnel system, and if an agreement between management and employees cannot be reached, then management's proposal can be imposed by a Federal panel comprised entirely of the President's appointees.

You can't get any more reasonable than that. Yet to prevent a vote on this bipartisan compromise, the Republicans, as I have noted, have blocked cloture not once or twice but now on five occasions—three times on the Lieberman bill and twice on their own bill.

They filibustered because they said they wanted an up-or-down vote on their bill. We offered them that. They filibustered again because they said the vote on the Gramm bill had to come first.

So today we are offering Republicans exactly what they claim they want. If they object again, it will be even more clear what is really going on.

This is a Republican filibuster, plain and simple.

Democrats want to finish this bill. We support homeland security. We always have. We introduced it. But the other side would rather have an issue. They are filibustering this bill because they want to use this issue against Democrats in the next 2 weeks before the elections.

They would rather use this as an issue to run scurrilous ads, such as the one they are now running—or were running—to compare a war hero such as Max Cleland to Osama bin Laden and Saddam Hussein. That is what is going on here, and, Mr. President, it is unconscionable. They would rather play that nasty brand of politics than pass this bill. I hope they will reconsider and accept this unanimous consent request. Therefore, Mr. President, I will now propound it.

I ask unanimous consent that when the Senate resumes consideration of H.R. 5005, the homeland defense bill, the motion to recommit be withdrawn and the Nelson amendment No. 4740 to the Gramm-Miller amendment be withdrawn; that there be a 1-hour time limit on the Gramm amendment, and at the conclusion or yielding back of time, the Senate vote on the Gramm-Miller amendment; that immediately upon the disposition of that amendment, if it is agreed to, Senator NELSON of Nebraska be recognized to offer an amendment, the text of which will be identical to amendment No. 4740; that it shall be in order notwithstanding the fact that it is to amended text; that there be a time limitation of 1 hour on his amendment, and that at the conclusion or yielding back of the time, the Senate vote on the Nelson amendment, with the preceding all occurring without any further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. If you read this unanimous consent request, three things strike you, I think.

Mr. DASCHLE. Mr. President, regular order.

Mr. GRAMM. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. GRAMM. Mr. President, I want to respond to our dear majority leader. I am coming to the end of my Senate career, and I do not want to end it by getting into fussing and fighting with anybody. Let me first respond by explaining what is wrong with this unanimous consent request and why it does not move the ball forward in protecting Americans. I then want to propose several alternatives, any one of which would move the ball forward. Then I want to respond to some of the comments the majority leader made.

First of all, under this unanimous consent request, we do not bring homeland security back up. If you read the unanimous consent request, you see that it says, ''Mr. President, I ask unanimous consent that when the Senate resumes. . . .''

Well, who controls when the Senate resumes consideration of homeland security? The majority leader. So this unanimous consent request does not even bring the issue back before the Senate. Everybody knows today is the last day of the session.

Secondly, what this unanimous consent request says is, we will vote on Gramm-Miller and, if it is successful, we will turn around and vote on an amendment that completely reverses Gramm-Miller, and we will do that within an hour. And then the debate is not over. The majority leader has the power to continue the debate, stop the debate, or pull the bill down. We are no closer to passage of a bill after these two votes occur than we are before the two votes occur.

This unanimous consent request has nothing to do with moving the ball forward on homeland security. It has everything to do with deception because, under this request, there is not even a second vote unless Gramm-Miller passes. Then, if it passes, we turn right around, within 1 hour, and vote to reverse the vote, letting those who are in hotly contested elections have the incredible possibility, in 1 day, within 1 hour, to be on three sides of a two-sided issue. It would allow people to

vote for Gramm-Miller and, since it is the President's compromise, with the President, and then turn around, an hour later, and to completely gut it and to go back to where we are now with the bill that is before the Senate.

So we don't go to it now. We have no control over when or if we ever go to it in this Congress. We can vote yes and no, back to back, within an hour, so people can be on both sides of the issue. Senator DASCHLE referred to Max Cleland. He could vote for Gramm-Miller and turn around in an hour and completely gut Gramm-Miller, and be on three sides of a two-sided issue.

Now, there are alternatives that would be acceptable, and I am going to propound several of them shortly. But let me first address some of the issues the majority leader addressed.

First of all, there is this idea that we don't want a homeland security bill. Everybody wants a homeland security bill. I have never suggested the Democrats don't want a homeland security bill. They love homeland security. Their problem is, they love public employee labor unions more.

Their problem is that this isn't like Iraq. Saddam Hussein has no powerful political allies in America. So we had some differences of opinion, but we were able to work them out. We were able to go forward on a bipartisan basis. We can't work this out because the public employee labor unions are the largest contributors to Democrat candidates. And as a result, you can't be for letting the President have the tools he needs on national security and be with the public employee labor unions. We have to choose, and we have been unable to make that choice. There have been some good-faith efforts to bridge the gap, but we have been unsuccessful.

In terms of what has happened, the President sent a bill up on June 6. The House adopted a bipartisan measure on a huge, bipartisan, lopsided vote of 295 to 132. Democrats and Republicans voted together to give the President the power he asked for—which is some flexibility in 6 out of the 71 titles of the Civil Service Act—to allow him the ability to put the right person in the right place at the right time.

This idea that this would bring back cronyism and discrimination is totally invalid. The Gramm-Miller amendment and the bill adopted in the House required that the President not act in arbitrary and capricious ways, not discriminate, and strictly limited his decisions to merit and performance. So that is not really an issue as to what we are talking about.

This is the calendar. The calendar points out that the Senate has yet to act. Every time we have come close to reaching a bipartisan agreement, we basically have run into the hurdle that there is strong opposition to those who would like to change the system as it relates to homeland security. So we have the incredible specter that we have come to the end of the session. The President over and over again has compromised.

The Gramm-Miller amendment, according to Senator LIEBERMAN, contains 95 percent of the changes he sought in the President's bill. If 95 percent is not compromise, what is compromise?

Finally, on the point of compromise, to stand up and suggest that the Nelson amendment and the Gramm-Miller amendment are identical simply does not bear up under scrutiny. Under the Nelson amendment, the President would lose national security powers he had on September 11. How many Americans would feel comfortable knowing that the Congress is trying to weaken the President's ability to respond to terrorism in the name of homeland security? I think it would come as a shock to most people to realize that is the case. But nobody denies it is the case.

In fact, when we offered the Gramm-Miller amendment, I put a little provision at the end of it, sort of as bait, that said: Nothing in this bill shall be construed as taking power away from the President to protect America that he had on September 11. So when the Nelson amendment was offered, guess what the last provision of it was. It struck that language.

I don't think anybody is deceived. I don't think they are going to be deceived by a unanimous consent request that does not bring up homeland security, that does not move us toward final passage, and that allows Members to vote yes and no on the same day 1 hour apart.

There are ways we can move the ball forward. I want to address those.

Let me also say, the majority leader brought up MAX CLELAND. The issue here is, are you with the President on homeland security or are you against him? That is what the issue is. The plain truth is, everybody knows we are one vote short of passing the homeland security bill—one vote short. If we had one more vote, we could pass this bill and we could start the process of protecting America. But we do not have that vote.

Whose vote is it? Well, it is any one person who is not with the President's program as he has compromised on it. Senator MILLER is with it. He is a sponsor of it. He is a lead sponsor of it. The plain truth is, we are one vote short.

I assure you, if I were running against anybody in America and they were opposed to the President's compromise on homeland security, I would consider it to be a legitimate issue. If that is not a legitimate issue, there is not a legitimate issue in America. The fact that we are adjourning this Congress instead of staying here today and tomorrow and from now until we get the job done is totally and absolutely irresponsible.

Having said all that, let me propose some unanimous consent requests myself.

First, let me take the Daschle unanimous consent and change it slightly. Let's bring the bill up right now. Let's not leave it to the majority leader as to whether it would be brought up. Let's bring it up and let's have a vote on the Gramm-Miller amendment.

Mr. President, I ask unanimous consent that the Senate resume consideration of H.R. 5005, the homeland defense bill; that the motion to recommit be withdrawn, and the Nelson amendment No. 4740 to the Gramm-Miller amendment be withdrawn; that there be an hour time limitation on the Gramm-Miller amendment; and at the conclusion or yielding back of the time, the Senate vote on the Gramm-Miller amendment.

Mr. REID. Mr. President, reserving the right to object, my friend from Texas, my good friend—and I will miss him a lot next year—reminds me of a time when my brother, who is 10 years older than me, got a job. He had this nice, white uniform with a bow tie, working for Standard Stations. And it was a big deal for the Reid family. He was placed to work in Ash Fork, AZ, not a great metropolis, but compared to where I was raised, it was a big city. My brother asked his little brother to spend a week with him in Ash Fork. I had never been anyplace, so I looked forward to that.

What I didn't know was that my brother had a girlfriend in Ash Fork. He spent most of his time with the girlfriend. I spent most of my time, not with my brother but with his girlfriend's brother.

Her brother was a year or so older than I, but we played games. I never beat him in anything, the reason being, he kept changing the rules in the middle of the game. So no matter what I did, I couldn't win.

That is kind of how I feel about homeland security. No matter what we do, you folks won't take yes for an answer. It is always something different. So it reminds me of my experience in Ash Fork.

I say to my friend, who has a Ph.D. in economics, is a college professor, and is very smart, this calendar you have given us is an illusion. The numbers you have there are just a fantasy. The fact is, we have tried to do everything we could to pass this. I am happy to hear the Senator say he wants to continue working on this. But the unanimous consent request he has propounded gives him everything and gives us nothing.

We have said—in fact, the majority leader said—we agreed to give you what you asked for. We would have a vote on your proposition first, vote on that first, and then we would vote on ours second. You say that is not good, even though I asked for it earlier. The reason I guess it is not good is that we might pass our amendment. And if we do, it knocks out a few pages of a 100-page bill.

With great respect for my friend from Texas, with whom I have served in the House and Senate and will miss next year, without reservation or qualification, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, I love my colleague from Nevada. He is such a sweet man. His heart is so good. His views on things sometimes are not so good. But as long as we have people around like him, the place works pretty well.

Let me respond to his remarks, and I will try another unanimous consent request on it.

What I have propounded is exactly what Senator MILLER and the President and I have asked; that is, to have an up-or-down vote on our amendment. My colleague from Nevada would like to do it so that people can vote yes and no within an hour and so that people can, in essence, be in a position where they might deceive the public, yet we are no closer to passage than we were before we started. I just don't think that makes any sense. I am not claiming that deception is the intent, but I do believe that would be the result. Let me try another approach.

I ask unanimous consent that the Nelson amendment be adopted, with one amendment, and that amendment is that nothing in this bill shall be construed as taking away a national security power and a power to protect America that the President had on September 11, and that after the Nelson amendment is adopted with this provision added to it, the Gramm-Miller amendment be in order; that it be debated for 3 hours, and that there be an up-or-down vote on that amendment, and at the conclusion of that amendment, whether it is successful or not, we have a vote on final passage.

Mr. REID. Reserving the right to object, Mr. President, I ask unanimous consent that a statement by Mark Hall, a U.S. Border Patrol agent, be printed in the RECORD. It is two and a half pages.

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

STATEMENT BY MARK HALL, PRESIDENT, AFGE LOCAL 2499, U.S. BORDER PATROL, JULY 31, 2002

Good Morning. My name is Mark Hall. For the past 18 years I have worked as a U.S. border patrol agent, 15 of them based in Detroit, Michigan. I am also President of AFGE Local 2499. I have dedicated my life to defending the national security of this country and do not understand how my role as union leader is incompatible with my oath to protect and defend the Constitution of the U.S.

I believe that the two hats I wear as I patrol the Northern Border of the U.S. are entirely consistent. In fact, if not for the fact that I am a union member, I might not be a border patrol agent today. In the months after the terrorists attacked the World Trade Center and Pentagon on September 11 of last year, I became increasingly concerned about the vulnerability of our northern border and our agency's inadequate response to that threat.

Despite public assurances from the Immigration and Naturalization Service and the Department of Justice that we were responding to this threat, few agents were being posted at our station in Detroit or any other along the Northern Border that I was aware of.

I spoke with my local management about the problem and was told, essentially, to keep quiet. Having taken an oath to defend the Constitution—not the INS—I decided it was my responsibility to speak out about the danger we faced along our border with Canada. I, along with another agent and former marine, Bob Lindemann, talked to a newspaper and television program about our concerns. As a result of this decision my sector chief tried to fire us immediately, and failing that, settled on a 90-day suspension, one-year demotion, and reassignment.

The Office of Special Counsel which investigated the Agency's action uncovered internal emails from the sector chief stating ''the President of the local union deemed it necessary to independently question our readiness in a public forum'', adding that managers must take a ''stance which bears no tolerance for dissent and to view resistance from the rank and file as insubordinate''.

It was only through the combined protections of my union, and the whistleblower protection law that the proposed disciplinary actions were indeed, I would never have spoken out if I hadn't had my union behind me because whistleblower protections alone would not have been enough. I want to take this opportunity to thank my union and the lawmakers responsible for the whistle-blower law for helping me when I needed it. Without such help, I would not be a border patrol agent today.

The President uses the words ''national security'' and ''flexibility'' to describe his goals in creating this new agency, but his hard line and his veto threat show it's about something far more serious—politics.

No one imposed union representation on agents of the Border Patrol—we voted for that representation democratically. And now the President has decided to override our vote and eliminate our only means of holding the managers and political appointees who run the agency accountable to the American people.

Our union is not just about economic issues—Congress sets our pay levels so that they're in line with other law enforcement officers. Our union is also about protecting the chance for the employees to speak out when we see mismanagement, fraud, and security breaches. Our union is part of the system of checks and balances we have in our democracy.

The other thing the President is insisting on is the right to do away with fair and open competition among our citizens for the privileged to work for the U.S. government. He wants to take away the laws that give us a civil service system that is outside politics, patronage, and cronyism. He says ''trust me,'' I'll write new rules that will be just as good. But if he gets his way, there'll be no union to speak out when the political good ol' boy system takes the place of these laws.

Congress just passed a corporate accountability law because it turned out that when top managers have all the power to do as they please they tend to abuse that power. There was no accountability. Well, in the federal government, and certainly in the border patrol, there is accountability when the workers who lay their lives on the line every day have a union contract backing them up when they question managers who are misappropriating funds, or discriminating in hiring or firing, or failing to put resources where the threats are greatest.

The American people better hope that the President is true to his word when he says that he can be trusted to keep objective standards for qualifying for a job as a U.S. Border Patrol agent. If being a union supporter or belonging to the wrong political party disqualify an otherwise fit job candidate, you can be sure that homeland security will suffer.

Our union has been accused of standing in the way of homeland security. The President says our contract and the civil service laws tie the hands of managers who may need to reassign agents for special assignments or for emergencies. Nothing could be further from the truth.

I have been shot at twice, hit, kicked, spit-on, and bitten in the course of carrying out my duties. I have spent months away from my family on detail—as much a four months in a year away from home. I have received dozens of commendations for outstanding service to the Border Patrol. I joined the union 17 years ago, and there has never been one instance when my union membership caused me to compromise the security of this nation. In fact, our union has helped me and my fellow officers make this nation a better and safer place. I thank you for the opportunity to be here today, and I will be happy to answer any questions.

Mr. GRAMM. I could not hear the Senator.

Mr. REID. I said I have a statement from a Border Patrol agent. It is a two-and-a-half page letter.

Mr. GRAMM. I have no objection.

Mr. REID. I will read one short sentence in the letter.

The PRESIDING OFFICER. The request of the Senator from Texas is pending.

Mr. REID. It says:

The President uses the words ''national security'' and ''flexibility'' to describe the goals in creating this new agency, but his hard line and his veto threat show it's about something far more serious—politics.

That is what this is about, changing the rules of the game.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, let me try one more.

I ask unanimous consent that H.R. 5005, the homeland defense bill, be brought before the Senate; that each side have three amendments and that they have an opportunity, going back and forth, to offer those amendments; that the Gramm-Miller amendment be the pending amendment; that when each side has had an opportunity to debate and vote on their three amendments, that there be a vote on final passage of the bill.

Mr. REID. Reserving the right to object, you see, the reason my friend from Texas is wrong about this unanimous consent agreement is we don't need it. If we voted on the two pending amendments, the Gramm amendment and the one we want to go forward with, the Breaux amendment and the Nelson amendment, of course—there is still room for other amendments. It doesn't cut off debate.

If cloture were invoked, there are other germane amendments we would have. This is all part of the illusion being created here. They don't want a bill.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, let me conclude by simply saying this. What normally happens under these circumstances is this: We are not going to

pass a homeland security bill and Americans are going to the polls; they are basically going to make a decision. They might decide that Senator DASCHLE is right, that the President doesn't care anything about national security, that he is out to bust the unions, and that we really don't need to change business as usual in Washington as it relates to homeland security. I think that is a possibility. People might reach that conclusion.

But I think there is an alternative possibility. I think people are going to reach a conclusion that when it came down to making a hard decision that meant changing business as usual in Washington, that required us to change a system for national security reasons and the protection of the life and health of our people, that meant going against the way things have been done here for 50 or 60 years, that the Democrats are unwilling to make that change and the President wanted to make the change.

I just remind my colleagues that when Senator DASCHLE was talking about the President's efforts at union busting, we have had three major commissions that have looked at our current Government system—the civil service system—in areas of national security and terrorism. The two major ones are the Volcker Commission and the Rudman Commission. Paul Volcker was a Democrat-appointed head of the Federal Reserve Bank and one of the most respected people in America. Warren Rudman is one of our former colleagues and was one of our most respected Republican members. Both of them headed up blue ribbon commissions to look at our ability to respond to threats to our national security, and both of those commissions concluded unanimously that we needed to change the current civil service system as it related to the ability to promote on merit and the ability to put the right person in the right place at the right time. That is what the President has asked for.

So like so many issues in the greatest democracy in history, this is one where you have to choose. The President cannot succeed because he is one vote short. I don't believe the Democrats could pass their bill because I think some of their own members would not vote for it on final passage, and none of our members are going to vote for a bill that the President said he will veto.

So we have an impasse, and it comes down to a choice. It is not a choice that Senator REID is going to make, or one that I am going to make. It is a choice the people back home are going to make. They have heard each side with its own focus, twist, spin, or whatever the conventional wisdom is. But, ultimately, it is the judgment of the American people that we are going to stand by, and I am willing to stand by it.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Utah is recognized.

## FAREWELL TO A FRIEND

Mr. HATCH. Mr. President, I rise to honor the achievements of my good friend and colleague, Senator PHIL GRAMM.

After serving with him for 18 years, it is difficult to remember that our Texas colleague began his career as a Democrat.

After listening to him here today, I can see he is ending his career by going out with a bang. PHIL GRAMM is one of the most effective Senators who has ever sat in this body. In fact, even though he started out as a Democrat, he actually became one of the most effective conservatives in this body and a fixture on economic issues and a man who deserves much of the credit for changing the attitude of Congress about budget and fiscal responsibility.

I know I am not the only Member of this body who is deeply grateful for the Gramm-Rudman-Hollings deficit-control legislation that Senator GRAMM poured his heart into creating and sustaining over so many years.

Another landmark bill that bears his name and is changing the course of the nation for good is the Gramm-Leach-Bliley Financial Services Modernization Act of 1999.

He brought his classroom skills to bear on more than one occasion, patiently explaining basic economics to his fellow Senators, again and again and again.

I, for one, am grateful for the opportunity to have been one of his students.

Senator GRAMM is also one of the Senate's most honest and forthright members, never hesitant to tell you exactly what he is thinking.

On more than one occasion, the senior Senator from Texas has approached me about bills on which we disagreed and said, in his distinct drawl, ''ORRIN, you were one of the reasons I came to the Senate—to help you fight all those ridiculous liberal ideas. So I have to ask, what are you doing with this bill?''

And we all came to respect Senator GRAMM when he joined the GOP ranks.

The story is now legend, but compelling nonetheless.

He was serving in the other body when he decided he no longer felt comfortable as a Democrat.

Instead of simply announcing he was switching parties, he resigned his seat in 1983 and ran again in a special election as a Republican. He has served here ever since with, I think, the respect of both sides of the aisle.

He thus eliminated any question that his decision was motivated by anything other than a realization that his beliefs no longer fit within the Democratic Party.

Senator GRAMM'S dedication to the principles of a free society, his belief that free markets and limited government allow people to realize their full potential, his reminders that good intentions are no substitute for good policy—these have shown through in ample body of Senate achievement he will leave behind.

Senator PHIL GRAMM'S career is proof that good ideas can have a real impact on our country, as long as those ideas are combined with a mountain of hard work.

Mr. President, I am sad to see my good friend leaving this body.

I wish we could convince my friend to stay.

I personally am going to miss him. I can only wish him the very best as he begins his new life outside of Senate. I am sure of one thing: wherever PHIL GRAMM goes or whatever he does, he is going to be a success. PHIL GRAMM is one of the brightest people who ever served in both Houses of Congress, and he is certainly one of the best people, as far as I am concerned.

## THE ECONOMY

Mr. HATCH. Mr. President, I wish to change the subject because I think it is important before we leave this Congress that I say a few words. We have all seen the news reports suggesting our friends on the other side of the aisle want desperately to turn the focus of the national debate back to the economy. I am glad to do so, but let it be a full and fair debate. I hope we can talk about the recession we have been through, the recovery that is now under way, what we have already done to grow the economy and, most importantly, what we Members of the Senate from both political parties propose to do about the economy in the future.

Let us start by considering the shocks that have hit the economy since the last year of the Clinton Presidency.

In the summer and fall of 2000, the dot-com bubble burst and high-tech spending fell precipitously, triggering a slowdown that was worsened by the horrendous terrorist attacks that shook our entire economy last year on September 11 and afterwards.

Then about a year ago this week, we began discovering a few large companies have been massively deceiving their investors, deepening the malaise.

Finally, to top off all this bad news, oil prices have hovered around the danger level of $30 a barrel because of war clouds in the Middle East.

This chart shows that how our slump began during the summer of 2000. While it would not be fair to blame all these problems entirely on the Clinton administration, in my view, it is clear that the beginnings of this slowdown—what some have called the ''Clinton hangover''—occurred well before President Clinton took the oath of office.

This is not just a partisan position or partisan judgment.

As President Clinton's top economic adviser, Nobel Laureate Joe Stiglitz, recently said:

The economy was slipping into recession even before Bush took office, and the corporate scandals that are rocking America began much earlier.

That is what happened in the year 2000 right on up to our time today. One can see the red mark shows it began during the Clinton administration and continued for the first year of the Bush administration.

While these problems did not begin on President Bush's watch, we are committed to working with the President to solve our economy's current problems.

In of all the blows our economy suffered, consumer spending held up very well. New car and new home sales have stayed at record levels over the last year, and while times have been tough for some retailers, overall consumer spending has kept right on growing. Why? Because of last year's tax cuts.

Which part of the tax cuts helped the most? Was it the rate cuts or rebate checks that kept spending growing steadily? Let's think about that for a moment. Was it the rate cuts or was it the rebate checks? Some Democrats complained that last year's tax cut did not have enough rebates; it did not have enough immediate stimulus, they said.

Guess what? The numbers are in, and it turned out while rebate checks sure help families sleep better at night, they do not stimulate much spending. When the manna falls from Heaven, they do not just eat it, they store as much of it as they can. So when the rebates came, people did not spend most of the checks; only about a third of it. They saved most of the money, or they used it to pay down their debt.

Those are good things to do, but I do not think we should be under any illusions that most of these rebate checks are spent at the local Wal-Mart.

By contrast, the permanent rate cuts let people know the Government was going to let them keep more of their own money, not just this year, but for years to come. When people know their take-home pay is going up and that it is going to stay up, they feel more comfortable about spending today, tomorrow, and into the future.

The lesson is clear: Tax rebates help spending a little bit, for a month or two, but a permanent income tax cut gives people a green light to spend because it helps them over a long term. A permanent income tax cut may not be glamorous, but it does work, and if we want to speed up consumer spending, the most effective way to do it is by speeding up the tax cuts.

Even though consumer spending has held up, there are just not nearly enough good-paying jobs out there right now, and we all know it. I am seeing this in Utah where our State's economy has been hit harder than most by the current downturn.

In fact, just today, Delta Airlines, which has a hub in Salt Lake City, announced thousands of layoffs. My heart goes out to these families impacted by these layoffs.

Utah has a highly educated work force, and we have more high-tech and more tourism jobs than most States do. We saw Utah's unemployment rate rise from about 3 percent to almost 6 percent before coming back down toward 5 percent, a number that is still far too high. The way to bring back these lost jobs is to bring back investment spending.

Businesses just have not been buying as much equipment as they used to, especially high-tech equipment. Investment spending started falling back in 2000, and while it has been recovering over the last few months, it is nowhere near the levels of 1999.

Early this year, Congress saw that business spending had nosedived, and we took action. We enacted a temporary bonus depreciation provision giving companies a tax incentive to buy equipment sooner rather than later. This powerful tax incentive is based on legislation that I championed.

Unfortunately, large corporate bureaucracies cannot turn on a dime, and many businesses had already worked out their spending plans before we managed to pass bonus depreciation, but it will help in the future.

Since many companies only plan their equipment budgets once a year, we can expect to see business purchases come back up early next year, and that will be, in part, because of this provision. With that revival, the weakest pillar of spending will be strengthened.

Some on the other side of the aisle have proposed speeding up and increasing the amount of bonus depreciation, and I think that is a great proposal. In fact, my original bonus depreciation proposal looks quite a lot like some of the Democratic depreciation proposals being discussed.

In another major economic accomplishment this year, Congress joined with the President to enact two more pieces of strong pro-growth legislation: trade promotion authority and corporate accountability legislation.

I worked together with Members of both Houses and both parties on the conference report because, as chairman of the Trade Subcommittee of the Finance Committee, I served on the conference for this bill. This report gave the President the much-needed authority to negotiate free trade agreements.

As the President finalizes free trade agreements, first with Chile and Singapore, and then expanding across the world, we are going to reap real benefits from trade promotion authority. I can remember all of the fighting on the floor over whether we were going to do that or not. We know we should have done it, and we finally did.

The American people will benefit from lower prices for Americans buying goods, services, and machinery; wider overseas markets for farm products, high-tech equipment and services; and higher wages for American workers, especially for workers in exporting industries.

The corporate accountability bill passed this year is also going to help make sure stockholders are in charge of the corporation, not insiders with something to hide. It is going to make sure auditors serve the interests of the shareholders. But as I predicted on the Senate floor back in July, we now find ourselves locked in a fruitless debate, indeed a dangerous debate, over who can be the toughest on the public accounting profession.

Republicans have an agenda for economic recovery and economic security. We know what we want. We can pass this agenda this week if we can get the majority to agree.

I have already mentioned last year's tax rate cuts. Speeding up the date the remaining tax cuts take effect and making them permanent will have a powerful impact for good on the economy.

We also want terrorism insurance to create good-paying construction jobs.

Terrorism insurance has been delayed by the trial lawyer lobby, which insists on being able to sue businesses who are the victims of terrorism. I suspect that in the end they are probably going to win, even though that is a disastrous way of continuing to do business. As a result, we are going to find people who are totally innocent sued for punitive damages in the future.

We want an energy bill that will reduce our dependence on foreign oil, push gas prices down, and encourage conservation, all at the same time.

I joined with a number of my colleagues to sponsor a landmark provision, the CLEAR Act, in the energy bill that would change the transportation vehicle marketplace by giving tax incentives to cleaner-running alternative fuel and hybrid electric cars and trucks.

Unfortunately, the energy bill is stuck in conference, partly because some conferees apparently will not accept an extra 10 million acres of permanent Alaska wilderness in exchange for oil exploration that would leave a footprint no larger than Dulles International Airport. That 10 million acres would become wilderness. It is clear that they are not really serious about having a good energy bill or reducing our dependence on Middle Eastern oil. If these decisions were motivated by love for the environment rather than by ideology, we would already have an energy bill and Alaska would have 10 million more acres of permanent wilderness.

There are other good economic proposals that can and should be discussed in the coming months, proposals that could strengthen our economy now and restore to us another decade of exceptional growth.

I am convinced that ending the double taxation of dividends should be an important part of any such plan. Our Tax Code rewards corporations for loading up on debt, and it slows our Nation's rate of capital formation and innovation. I think this has to end.

I will now take a moment to address one of the most puzzling charges made

against our President's economic policies. Some of our Democratic colleagues have claimed that last year's tax cut brought back the deficit and destroyed the projected 10-year surplus. Since fiscal year 2002 is over, we now have a pretty clear explanation of why we ran a deficit. The Congressional Budget Office is clear on this issue. We had a slowdown that began during the Clinton administration, and continued during the first year of the Bush administration. That hurt income tax revenues, while a stock slump hurt capital gains revenues.

Let's look at this. How did CBO's fiscal year 2002 $313 billion surplus forecast become a $157 billion deficit? It was not the tax cuts. Look at this particular illustration. As we can see, the weakening economy caused 67 percent of the problem.

New discretionary spending is $50 billion. That is 11 percent. The economic stimulus is $51 billion. That is 11 percent. The tax relief is $37 billion, or only 8 percent of this total pie that has literally eaten up the $313 billion forecast which has now become a $157 billion deficit.

A lot of it has come from our spending in the Congress. In some respects, we are spending like drunken sailors. The fact of the matter is that the smallest part of it, other than the ''other,'' is the tax relief, which cost us $37 billion of the $313 billion.

Last year's recession was real, and our slow recovery is leaving behind pockets of real suffering both in my home State of Utah and across the Nation.

Without minimizing this suffering, let us put this in perspective by remembering just how bad recessions really have been in the past, as illustrated by this chart.

In January of 1980, when we had a recession, the average unemployment rate during and after the recession was 7.4 percent. In the next recession, starting in July of 1981, it averaged 9.4 percent. In July of 1990, we had the beginning of another recession and unemployment averaged 6.8 percent. Since our most recent recession, beginning in March of 2001, unemployment has averaged 5.3 percent. It is 5.6 percent today, which is considerably less than these other recessive periods of time.

These are 2-year averages of civilian unemployment rates beginning with the first month of recession. The source of this information is the National Bureau of Economic Research and the Federal Reserve Bank of St. Louis. It has been a lower recession unemployment rate—and when I used to be chairman of the Labor Committee, we saw figures that said if the unemployment rate is around 5 percent, there is basically full employment in the country.

Now I am not saying 5.3 percent unemployment rate is full employment. It is not good enough for me, but the fact is it is less than the other recessive periods over the last 20 years, and that is a very important thing.

As my friends on the other side of the aisle like to remind us, the search for jobs is where people really feel the bite of a sluggish economy. How does the old saying go? ''If your neighbor loses a job, it is a recession. But if you lose your job, it is a depression.''

So I think we should compare the unemployment rates during and after the last three recessions with the unemployment rate since March of 2001, when the most recent recession began.

It comes as no secret that the job market often gets worse even after the economy starts growing again. Unfortunately, businesses want to be sure that their sector of the economy is going to keep growing before they take on more workers, and I cannot blame them for that.

A glance at this chart makes it clear that while our unemployment rate has been far too high, nowhere near the lows of 4 percent that we saw a few years ago, we have done better than we could have hoped.

I have not seen many of my colleagues making serious comparisons between this recession and previous recessions, and we can see why from this particular chart. There is just no comparison.

During the back-to-back recessions of the early 1990s, when the Federal Reserve finally broke the back of inflation, unemployment rates hovered near 10 percent. During our last recession 10 years ago, we suffered from jobless rates much higher than anything we have seen today.

Today's weak job market is real. It means Americans suffer through no cause of their own, and it is something we need to work together to fix. While we work to fix these problems, let us remember in our own lifetimes we have seen the face of deep recession.

While there are regions of the country that face steep hurdles and devastated job markets, the Nation as a whole is seeing a recovery. For that, our Nation can be grateful.

Our President's policies, the Federal Reserve's aggressive, preemptive rate cutting, combined with the flexibility of our free market system, keep unemployment rates much lower than in past recessions.

By enacting more job-creating, growth-enhancing initiatives, we can do even better. Accelerated tax cuts, terrorism insurance, and an energy bill should all be part of our recovery agenda. We can do these this year, even though this is our last real day of this session. We still can get this done, since we all know we are coming back for a partial lame duck session.

We do not need another economic forum. What we need is legislative action. It is pretty pitiful that the Senate has not enacted one non-defense appropriations bill—not one. For the first time in over 20 years, we do not have a budget.

I will tell my colleagues the reason we do not have a budget. In the past, I can remember when we on this side were in the majority and had to come up with a budget, and it was really tough to do because we knew we would be subject to all kinds of cheap criticisms from others who wanted to score political points. But we always came up with that budget, and we endured the cheap political criticisms.

I have to say I think part of the reason we do not have a budget today is that the other side is afraid we might use the same type of cheap criticisms on them that were used on us for all of these years. I hope we will not do that. I hope what we will do is work together in the best interest of our country.

I am sure there are good ideas on both sides, and I hope we can work together to bring in all the good ideas we can find. The strength of our democracy, as the strength of our businesses and our families, comes from our willingness to listen to each other. After we listen and negotiate a compromise, we need to take action—action to restore the economy to its potential, action to restore a healthy job market, action to ensure that our workers are the most productive and best paid in the world. It is time for us to live up to our duties. The American people are waiting for action. I think we still have enough time, even though it may have to be during a lame duck session, to be able to get this done.

One last thing. I, for one, am very disappointed that we were unable to get a prescription drug benefit bill passed. Everybody knew the tripartisan bill would have swooshed through the Senate Finance Committee. We were foreclosed from allowing that bill to come through the normal legislative process because it was known that it would have swooshed through and it would become the bill of merit on the floor and it would have passed the Senate.

That bill had $70 billion more in it, in the final analysis, than what those on the other side asked for last year.

Instead, we had a bill which was brought up pursuant to rule 14, which is a procedural mechanism on the floor which allows you to call up a bill once and, if it is objected to, then it goes on the calendar and on the agenda of the U.S. Senate.

We had a bill called up that would have been probably twice as expensive as this $370 billion bill we had. It would have passed—our bill would have passed. The competing proposal was twice as expensive and never once had the final CBO scoring necessary for a bill of that magnitude on the floor of the Senate. It was pulled down because it clearly did not have the votes, where we did.

We could have had the prescription drug benefit package for our seniors in this society, had it not been for politics. I, for one, lament that. We could have had it. We had Democrats, Republicans, and an Independent in support of that bill.

Would everybody have been pleased with that bill? No, but it would have

passed and would have passed overwhelmingly. Now we do not have a prescription drug bill for senior citizens, all because of the way this floor has been managed over the last year or so.

I have to tell you I think it is going to be virtually impossible to pass it next year, especially if we are in a conflict with Iraq. That will have to take precedence and the spending for that will have to take precedence. Everybody knows that. Everybody knew those were the facts. This was the year to get that job done, and we had it done. I believe we could have gotten it through the House.

As somebody who has been on the passing end of a lot of legislation over the last 26 years, I think I can speak with authority. We could have gotten it through the House as well, and it would be law today.

So I, for one, think we have lost a tremendous opportunity, mainly because of politics and the hoped-for advantage that one side might have had over the other. Our side would have supported the tripartisan bill, and I think a considerable number of Democrats would have, too. But we don't control the floor and we were not able to get that bill up. I am disappointed because I think we should have done that.

There are a lot of other things I wish we could have done during this year. Had we had a budget, we might have been able to. Had we had appropriations bills, we might have been able to. I just wish all our colleagues well. At the end of this session I have good will towards every person in this Chamber. I care for every Member of this body, and I will tell the public at large that most everybody in the Congress I know happens to be a good person who is trying to do the job to the best of their ability.

But occasionally politics gets in the way and we do not get things done that should be done. This year has been a prime example of that, in my humble opinion.

But I wish everybody well. With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

## REAFFIRMING THE REFERENCE TO ONE NATION UNDER GOD IN THE PLEDGE OF ALLEGIANCE

Mr. HATCH. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2690, which is at the desk.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives:

S. 2690

Strike out all after the enacting clause and insert:

***SECTION 1. FINDINGS.***

*Congress finds the following:*

*(1) On November 11, 1620, prior to embarking for the shores of America, the Pilgrims signed the Mayflower Compact that declared: ''Having undertaken, for the Glory of God and the advancement of the Christian Faith and honor of our King and country, a voyage to plant the first colony in the northern parts of Virginia,''.*

*(2) On July 4, 1776, America's Founding Fathers, after appealing to the ''Laws of Nature, and of Nature's God'' to justify their separation from Great Britain, then declared: ''We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness''.*

*(3) In 1781, Thomas Jefferson, the author of the Declaration of Independence and later the Nation's third President, in his work titled ''Notes on the State of Virginia'' wrote: ''God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the Gift of God. That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just; that his justice cannot sleep forever.''.*

*(4) On May 14, 1787, George Washington, as President of the Constitutional Convention, rose to admonish and exhort the delegates and declared: ''If to please the people we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God!''.*

*(5) On July 21, 1789, on the same day that it approved the Establishment Clause concerning religion, the First Congress of the United States also passed the Northwest Ordinance, providing for a territorial government for lands northwest of the Ohio River, which declared: ''Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.''.*

*(6) On September 25, 1789, the First Congress unanimously approved a resolution calling on President George Washington to proclaim a National Day of Thanksgiving for the people of the United States by declaring, ''a day of public thanksgiving and prayer, to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a constitution of government for their safety and happiness.''.*

*(7) On November 19, 1863, President Abraham Lincoln delivered his Gettysburg Address on the site of the battle and declared: ''It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that Government of the people, by the people, for the people, shall not perish from the earth.''.*

*(8) On April 28, 1952, in the decision of the Supreme Court of the United States in Zorach v. Clauson, 343 U.S. 306 (1952), in which school children were allowed to be excused from public schools for religious observances and education, Justice William O. Douglas, in writing for the Court stated: ''The First Amendment, however, does not say that in every and all respects there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, in which there shall be no concern or union or dependency one on the other. That is the common sense of the matter. Otherwise the State and religion would be aliens to each other—hostile, suspicious, and even unfriendly. Churches could not be required to pay even property taxes. Municipalities would not be permitted to render police or fire protection to religious groups. Policemen who helped parishioners into their places of worship would violate the Constitution. Prayers in our legislative halls; the appeals to the Almighty in the messages of the Chief Executive; the proclamations making Thanksgiving Day a holiday; 'so help me God' in our courtroom oaths—these and all other references to the Almighty that run through our laws, our public rituals, our ceremonies would be flouting the First Amendment. A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: 'God save the United States and this Honorable Court.' ''.*

*(9) On June 15, 1954, Congress passed and President Eisenhower signed into law a statute that was clearly consistent with the text and intent of the Constitution of the United States, that amended the Pledge of Allegiance to read: ''I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.'';*

*(10) On July 20, 1956, Congress proclaimed that the national motto of the United States is ''In God We Trust'', and that motto is inscribed above the main door of the Senate, behind the Chair of the Speaker of the House of Representatives, and on the currency of the United States.*

*(11) On June 17, 1963, in the decision of the Supreme Court of the United States in Abington School District v. Schempp, 374 U.S. 203 (1963), in which compulsory school prayer was held unconstitutional, Justices Goldberg and Harlan, concurring in the decision, stated: ''But untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious. Such results are not only not compelled by the Constitution, but, it seems to me, are prohibited by it. Neither government nor this Court can or should ignore the significance of the fact that a vast portion of our people believe in and worship God and that many of our legal, political, and personal values derive historically from religious teachings. Government must inevitably take cognizance of the existence of religion and, indeed, under certain circumstances the First Amendment may require that it do so.''.*

*(12) On March 5, 1984, in the decision of the Supreme Court of the United States in Lynch v. Donelly, 465 U.S. 668 (1984), in which a city government's display of a nativity scene was held to be constitutional, Chief Justice Burger, writing for the Court, stated: ''There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789 . . . [E]xamples of reference to our religious heritage are found in the statutorily prescribed national motto 'In God We Trust' (36 U.S.C. 186), which Congress and the President mandated for our currency, see (31 U.S.C. 5112(d)(1) (1982 ed.)), and in the language 'One Nation under God', as part of the Pledge of Allegiance to the American flag. That pledge is recited by many thousands of public school children—and adults—every year . . . Art galleries supported by public revenues display religious paintings of the 15th and 16th centuries, predominantly inspired by one religious faith. The National Gallery in Washington, maintained with Government support, for example, has long exhibited masterpieces with religious messages, notably the Last Supper, and paintings depicting the Birth of Christ, the Crucifixion, and the Resurrection, among many others with explicit Christian themes and*

*messages. The very chamber in which oral arguments on this case were heard is decorated with a notable and permanent—not seasonal—symbol of religion: Moses with the Ten Commandments. Congress has long provided chapels in the Capitol for religious worship and meditation.''.*

*(13) On June 4, 1985, in the decision of the Supreme Court of the United States in Wallace v. Jaffree, 472 U.S. 38 (1985), in which a mandatory moment of silence to be used for meditation or voluntary prayer was held unconstitutional, Justice O'Connor, concurring in the judgment and addressing the contention that the Court's holding would render the Pledge of Allegiance unconstitutional because Congress amended it in 1954 to add the words ''under God,'' stated ''In my view, the words 'under God' in the Pledge, as codified at (36 U.S.C. 172), serve as an acknowledgment of religion with 'the legitimate secular purposes of solemnizing public occasions, [and] expressing confidence in the future.' ''.*

*(14) On November 20, 1992, the United States Court of Appeals for the 7th Circuit, in Sherman v. Community Consolidated School District 21, 980 F.2d 437 (7th Cir. 1992), held that a school district's policy for voluntary recitation of the Pledge of Allegiance including the words ''under God'' was constitutional.*

*(15) The 9th Circuit Court of Appeals erroneously held, in Newdow v. U.S. Congress, (9th Cir. June 26, 2002) that the Pledge of Allegiance's use of the express religious reference ''under God'' violates the First Amendment to the Constitution, and that, therefore, a school district's policy and practice of teacher-led voluntary recitations of the Pledge of Allegiance is unconstitutional.*

*(16) The erroneous rationale of the 9th Circuit Court of Appeals in Newdow would lead to the absurd result that the Constitution's use of the express religious reference ''Year of our Lord'' in Article VII violates the First Amendment to the Constitution, and that, therefore, a school district's policy and practice of teacher-led voluntary recitations of the Constitution itself would be unconstitutional.*

***SEC. 2. ONE NATION UNDER GOD.***

*(a) REAFFIRMATION.—Section 4 of title 4, United States Code, is amended to read as follows:*

***''§ 4. Pledge of allegiance to the flag; manner of delivery***

*''The Pledge of Allegiance to the Flag: 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.', should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.''.*

*(b) CODIFICATION.—In codifying this subsection, the Office of the Law Revision Counsel shall show in the historical and statutory notes that the 107th Congress reaffirmed the exact language that has appeared in the Pledge for decades.*

***SEC. 3. REAFFIRMING THAT GOD REMAINS IN OUR MOTTO.***

*(a) REAFFIRMATION.—Section 302 of title 36, United States Code, is amended to read as follows:*

***''§ 302. National motto***

*'' 'In God we trust' is the national motto.''.*

*(b) CODIFICATION.—In codifying this subsection, the Office of the Law Revision Counsel shall make no change in section 302, title 36, United States Code, but shall show in the historical and statutory notes that the 107th Congress reaffirmed the exact language that has appeared in the Motto for decades.*

Mr. HATCH. I ask unanimous consent the Senate agree to the House amendment, the motion to reconsider be laid upon the table, and any statements relating to this bill be printed in the RECORD.

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

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

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.

## COST TO TAXPAYERS OF PRESIDENT BUSH'S CAMPAIGN TRAVEL

Mr. REID. Mr. President, at the same time President Bush is telling us that because of severe budget constraints there is no money for important programs, he, Vice President CHENEY, and other members of the administration are spending taxpayer dollars to jet around the country for political fundraisers and campaign events.

Many people wonder why President Bush is traveling around the country so much for political reasons, to give political speeches regarding political candidates, when our Nation is at war on terrorism and we are facing what he called an imminent and serious threat to our national security posed by Iraq.

Many people believe it is improper for President Bush to be racing from one campaign event to another—raising record amounts of campaign cash for Republican candidates—instead of spending time solving America's severe economic problems. I agree with them.

I, too, wish the President would focus on the issues that we in Nevada—and I believe all Americans—are concerned about, such as jobs, Social Security, pension protection, corporate scandals, stock market declines, high cost of health care, access to affordable quality education, and other priorities.

I understand that President Bush has a role. He is not only the Commander in Chief, but also the Republican Party's cheerleader in chief. I understand and accept that. What I don't accept is this constant campaigning being paid for by taxpayers. If he decides to campaign 100 percent of the time for Republican House and Senate candidates, or gubernatorial candidates, whatever he chooses, that is his business. But it should not be at the expense of taxpayers in Nevada and in other places. That is what it is. Flying this corporate entourage around is very expensive, whether it is the President or Vice President. Flying that big jet—I am glad the President has it, and I was here when we paid for it for President Reagan. It is important they have that airplane, but it should be for the business of the people, not for the business of the Republican Party or the Democratic Party.

I wrote to Mitch Daniels and said I want to know how much this costs. Of course, I received no answer. I guess the letter is in the mail. It has been weeks. So I have asked the General Accounting Office to find out. The Vice President met with them during the establishment of a so-called national energy policy, and they even took the GAO to court so they would not have to disclose who they met with, when, or what they talked about. The courts will decide that. We are going to find out how much this cost. It should not be paid for by taxpayers. It should be paid for by the Republican National Committee, or whatever Republican arm they believe should pay for it.

If we have a Democratic President, the same thing should apply. But this has to stop. People have a right, if they are President, to make campaign speeches, but they should be paid for by their political parties, political fundraisers; but the President seems to be devoting an excessive amount of time on these activities. He has scheduled the last 14 consecutive days for campaign travels, every day from next Monday to the election on Tuesday. The taxpayers are paying for that. That is wrong. They have a little program where they have incidental expenses paid for by the local people—maybe extra police or something. But that won't do the trick. That is not right, fair, or equitable.

I think that rather than spending—this is my personal opinion—14 days on the campaign trail, he should be spending 14 days trying to do something about this economy, which is stumbling, staggering, faltering. That is what he should be doing. Given the amount of staff and transportation resources required for Presidential travel, the President's fundraising trips are costing the taxpayers not a few hundred dollars or a few thousand dollars but millions of dollars.

Why should the taxpayers foot the bill for that? They should not. The scheduling of these trips is largely driven by the administration's political agenda of electing more Republicans. Mr. President, I repeat: If he wants to spend 24 hours a day campaigning, he is the President and he can do that. I think it is wrong, but he has that right. It should not be paid for by taxpayers.

President Bush pledged that his administration would do business differently, that there would be a new atmosphere in Washington. I would think that spending taxpayer money on political campaigning and fundraising is the type of frivolous spending he vowed to curb. According to newspaper articles and TV reports, the President has traveled more to political fundraisers than any past President.

On September 26, almost 3 weeks ago, I sent a letter to Mitch Daniels. No answer. I have asked the GAO to investigate the President's campaign travel, including the expenses charged to the taxpayers. The President said he wanted to change the atmosphere in Washington. The American people took him at his word. They didn't realize it would change for the worse. This is an example. I think it is wrong.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

***N O T I C E***

***Incomplete record of Senate proceedings.***

***Today's Senate proceedings will be continued in the next issue of the Record.***

# EXTENSIONS OF REMARKS

## A PROCLAMATION RECOGNIZING JAMES MACDONALD

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, Whereas, James MacDonald has served our community as a police officer with the Coshocton County Sheriff's Office since 1995; and

Whereas, Deputy James MacDonald has been awarded a 2002 Distinguished Valor Award at Ohio's Law-Enforcement Conference; and

Whereas, James MacDonald is a hero who acted quickly and efficiently in July 2001, serving our community in the face of grave danger without hesitation or thought of himself; and

Whereas, James MacDonald is an asset to the Coshocton community in his preparedness, devotion to duty, and willingness to serve;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Deputy James MacDonald for his selflessness and heroism.

## COLUMBIA MONTOUR HOME HEALTH SERVICES CELEBRATING 35TH ANNIVERSARY

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KANJORSKI. Mr. Speaker, today to call the attention of the House of Representatives to the service to the community provided by Columbia Montour Home Health Services, which is celebrating 35 years of serving residents of Northeastern Pennsylvania.

During the autumn and early winter of 1966, groups of interested citizens in Danville and Bloomsburg, identified a need in the community for requests which could be met through the services of a public health nurse. Some of the groups involved included the Danville Council of Churches, the Bloomsburg Business Professional Women's Club and the Red Cross.

In January 1967, representatives of Lutheran Social Services and the Pennsylvania Department of Health met with the local people and shortly thereafter a public meeting was held at the Court House in Danville to discuss a cooperative effort between Columbia and Montour Counties for the development of a Visiting Nurses Association.

The name chosen for the new organization was Columbia Montour County Visiting Nurse Association. By April 1967, a Board of Directors had been named and immediately began raising funds. Funds were secured from the local United Way Funds, the County Commissioners, other agencies and private individuals.

Nursing, physical and occupational therapy and social work counseling were the first services offered. In 1970, speech therapy was added. In 1971, the Homemaking Home Health Aide program was added. The Hospice program was developed in 1981 to care for the terminally ill and their families.

During the 1980s, the agency established health maintenance clinics in the housing complexes for older persons in Berwick, Bloomsburg, Danville, Millville and Catawissa.

A comprehensive rehabilitation team was established to provide the most up-to-date therapy in the home. The staff is continually educated to care for patients' problems involving simple to complex needs.

To meet the continued challenges of growth, the agency moved to new offices in Bloomsburg in December of 1996. It achieved accreditation from the Community Health Accreditation Program (CHAP) in 1993 and is licensed as a home health agency and as a hospice by the Commonwealth of Pennsylvania. The agency is led by Chief Executive Officer Jane Gittler, R.N., M.S.N.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the service to the community of Columbia Montour Home Health Services, and I wish its employees and patients all the best.

## MAIL CENSORSHIP IN INDIA BELIES ITS DEMOCRATIC CLAIMS

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BURTON of Indiana. Mr. Speaker, I was disturbed to find out that mail sent by the Council of Khalistan has not been reaching India for the past two months. The "world's largest democracy" is once again violating democratic principles by practicing mail censorship. It is violating the fundamental freedom of the people within its borders by prohibiting them from receiving information relating to the violations of the human rights of Sikhs and the peaceful, democratic, nonviolent effort to liberate Khalistan from Indian control.

This is in clear contravention of democratic principles, but that is not surprising from India. It has never been a democracy for the minorities within its borders, but only for the Brahmin fanatics. General Narinder Singh, a respected Sikh leader in Punjab, has said that "Punjab is a police state."

A few years ago, the late journalist Sukhbir Singh Osan was subjected to censorship of his mail and harassment, including telephone calls from unidentified persons saying things like "It is dangerous to write against the government." All this happened because Mr. Osan ran the outstanding news website Burning Punjab, which featured news about government corruption, until he died earlier this year.

These actions prove that India is not a democracy. It is a theocratic Hindu fundamentalist tyranny, and a supporter of terrorism in Sindh and elsewhere, as well as internal terrorism. Accordingly, it should not be a country that receives U.S. aid, yet it is one of the largest recipients despite its anti-Americanism.

We should stop our aid to India until it allows basic human rights such as receiving mail without content control and we should support basic human rights like self-determination. Self-determination is the very foundation of democracy. We should put this Congress on record in support of self-determination for the people of Khalistan, Kashmir, Nagalim, and the other states seeking their freedom. This is the way to real freedom, peace, stability, and prosperity in South Asia.

Mr. Speaker, the Council of Khalistan has issued an excellent press release on this issue, which I would like to place in the RECORD at this time.

MAIL CENSORSHIP IN "WORLD'S LARGEST DEMOCRACY"

MAIL FROM COUNCIL OF KHALISTAN IS NOT BEING ALLOWED TO GET TO ADDRESSEES IN INDIA

WASHINGTON, D.C., October 8, 2002—Mail censorship is again being practiced in India, which bills itself as "the world's largest democracy." Mail from the Council of Khalistan to addresses in India has not been received in India for the last two months. The Council of Khalistan is the government pro tempore of Khalistan, the Sikh homeland that declared its independence on October 7, 1987. It has worked for 15 years to liberate Khalistan by peaceful, democratic, nonviolent means and has specifically rejected militancy. Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, has talked to many people in Punjab who have not received any mail from the Council of Khalistan during the last two months. The Council has mailed two mailings to India in that time.

"This undemocratic action shows the true nature of India," said Dr. Aulakh. "Although it claims to be democratic, India has engaged in this kind of censorship before. It controls information and uses its control to whip up hatred and violence against Sikhs and other minorities," he said. "Is this what a democracy does, or is it what a tyranny does?," he said. "Why is a 'democracy'threatened by facts? Is this freedom of speech? These mailings included statements from the Congressional Record, press releases from the Council of Khalistan, and clippings from U.S. and international newspapers," he said.

A few years ago, similar mail censorship was imposed on the late Sukhbir Singh Osan, the journalist who founded the website Burning Punjab, which reported on Indian government corruption, tyranny, and human-rights violations against the Sikh Nation. Osan, who died of a heart attack early this year, also received a telephone call telling him that "it is dangerous to write against the government."

The Indian government controls both major Indian news services, Press Trust of India (PTI) and United News of India (UNI). India has used its control of media to generate violence against minorities. During the 1984 Delhi massacres of Sikhs, Indian media called for the shedding of more Sikh blood.

In February 42 Members of Congress wrote to President Bush to get 52,268 political prisoners released from Indian prisons. The Indian government has murdered over 250,000 Sikhs since 1984. Over 80,000 Kashmiri Muslims have been killed since 1988. More than 200,000 Christians have been killed since 1947, along with tens of thousands of Dalits, Tamils, Assamese, Bodos, Manipuris, and other minorities.

Since Christmas 1998, Christians have been subjected to a wave of oppression. According to the Indian Express of October 7, Hindu militants have forcibly reconverted Christians in Ajmer. Priests have been murdered, nuns have been raped, churches have been burned, Christian schools and prayer halls have been destroyed, and no one has been punished for these acts. Militant Hindu fundamentalists allied with the RSS, the pro-Fascist parent organization of the ruling BJP, burned missionary Graham Staines and his two young sons to death.

''Sikhs are a separate nation. We ruled Punjab until 1849. No Sikh representative has ever signed the Indian constitution,'' Dr. Aulakh said. ''Nations that do not have political power perish,'' he said. ''Remember the words of former Jathedar of the Akal Takht Professor Darshan Singh: 'If a Sikh is not a Khalistani, he is not a Sikh.'Support for Khalistan is picking up internationally. Last month, members of the British Parliament from both political parties supported the Sikh demand for an independent Khalistan. Many U.S. Congressmen are on record in support of an independent Khalistan.''

''The censorship of the Council of Khalistan's mail shows that India is a fundamentalist majority Hindu theocracy and is a tyranny, not a democracy. It does not respect human rights for Sikhs, Christians, Muslims, or anyone but Brahmin extremists,'' Said Dr. Aulakh. ''For the well being of the Sikh Nation, to prevent abuses like this from occurring in the future, we must free Khalistan,'' he said. ''I call on the Sikh leadership in Punjab to launch a Shantmai Morcha to liberate Khalistan from Indian occupation,'' said Dr. Aulakh. ''I call on the Sikh leadership in Punjab to begin a Shantmai Morcha immediately. The people of South Asia must have self-determination now.''

## OCTOBER IS BREAST CANCER AWARENESS MONTH

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. MALONEY of New York. Mr. Speaker, October marks the 17th annual Breast Cancer Awareness Month. This is a time to remember and to reflect upon the strength and courage of the family and friends we have lost to this awful disease and to rejuvenate our hope through those who have survived. This October we also celebrate the advances that have been made and steel ourselves for the battle still before us.

Breast cancer ranks second among cancer deaths in women. Mortality rates have decreased over the last several years, but, according to the American Cancer Society, an estimated 40,000 deaths from breast cancer are still anticipated in 2002. In the state of New York, nearly 3,000 women will die from breast cancer this year. The fight is still very real.

More women are beating cancer through early detection and improved treatments. Experts also urge everyone to include regular physical activity, maintain a healthy weight, and limit alcohol intake to reduce your risk of cancer.

I would like to raise an issue that has been in the press many times this past year. There has been an ongoing debate regarding the effectiveness of mammography. The government's health experts have reaffirmed the value of mammography. In February, Health and Human Services Secretary Tommy Thompson announced an updated recommendation from the U.S. Preventive Services Task Force (USPSTF) that calls for screening mammography, with or without clinical breast examination, every one to two years for women age 40 and over. The National Cancer Institute (NCI) also reaffirmed its support for mammography. Secretary Thompson said, ''While developing technology certainly holds the promise for new detection and treatment methods, mammography remains a strong and important tool in the early detection of breast cancer. The early detection of breast cancer can save lives.'' This debate underscores for me the great importance of health self-awareness, early detection and education.

October also marks the 10th anniversary of the pink ribbon, won by millions to support the fight against breast cancer. The pink ribbon was created by SELF Magazine, exemplifying the great activism and support of so many. We have seen successes in the fight for a cure because of the cooperation and involvement of many communities and organizations, including the strong public-private partnerships, corporate America, charitable and advocacy organizations, and health, research and government institutions.

For the past four years, there has been a bipartisan commitment to doubling the National Institutes of Health (NIH) budget, with the doubling to be completed this year. Our collective hope is that these strong investments in biomedical research, including the National Cancer Institute, will spur scientific advances that will ultimately translate into better health care for all, including better treatments and a cure for cancer.

I have been a strong proponent of prevention. One of my first initiatives in Congress was a bill to provide annual mammograms for women on Medicare. It was included as a part of the Balanced Budget Agreement in 1997. This Congress, I introduced with Congresswoman SUE KELLY, the Cancer Screening Coverage Act, HR 1809, to give everyone a fighting chance in detecting cancer at its earliest stages. This legislation applies to private health insurance plans and to the Federal Employees Health Benefits plan, requiring these plans to cover cancer screening.

Working with Congressman GILMAN, I was able to secure $500,000 for a New York University Medical Center study on the potential causes of high breast cancer rates on Manhattan's East Side, neighborhoods along the East River, and in Rockland County. Specifically, the study will investigate environmental factors that may be related to increased rates of breast cancer.

I am also a cosponsor of HR 4596, The National Cancer Act. Introduced in the House by Congresswomen CAPPS and ROUKEMA and in the Senate by Senator DIANNE FEINSTEIN, this bill consists of thirteen major provisions that address the cancer continuum: research, translation, access to care, quality of care, and cancer prevention. Additionally, I am a cosponsor of HR 1624, the Access to Cancer Therapies Act, and HR 1354, the Assure Access to Mammography Act, which seeks to raise the Medicare payment rates for routine mammography screening.

Working together, we will achieve prevention and a cure for breast cancer.

## A PROCLAMATION RECOGNIZING JOHN HITE

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, Whereas, John Hite is a professional teacher of science at Tuscarawas Valley High School; and

Whereas, John Hite has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, John Hite should be commended for reaching this milestone, for his devotion to his students, and for his ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating John Hite for his outstanding accomplishment.

## HONORING CONGREGATION B'NAI JACOB AS THEY CELEBRATE THEIR 120TH ANNIVERSARY

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to join the many who have gathered to celebrate the 120th Anniversary of Congregation B'nai Jacob of Woodbridge, Connecticut. Throughout its history, B'nai Jacob has been an invaluable institution in the Greater New Haven Jewish community.

The oldest conservative synagogue in the area as well as the second largest in the State of Connecticut, Congregation B'nai Jacob has a long and proud history as an American synagogue. Today, more than seven hundred families make up its membership. Led by Rabbi Richard Eisenberg and Cantor Joshua Konigsberg, both well-respected throughout the national Jewish community, Congregation B'nai Jacob continues to play a prominent role in our community and across the globe.

Originally founded by Jewish immigrants from Russia seeking refuge in America, Congregation B'nal Jacob has become one of Greater New Haven's leading advocates for social justice. Actively participating in the interests of the community as a whole, members are both leaders in the Jewish community and general society. Annual events are sponsored to benefit many local service organizations and its membership can also be found on a

variety of boards and committees throughout Greater New Haven. The largest state contributor to the State of Israel Bonds and the Israel Emergency Fund, Congregation B'nai Jacob has and continues to be a vocal and tireless advocate for the State of Israel and the restoration of peace for the Israeli people. Seeking the preservation of their culture and the enrichment of their community, the membership of Congregation B'nal Jacob is proud of its commitment to tradition and their devotion to their American home.

Congregation B'nai Jacob has flourished and become an important fixture in the community. It is the dedication and commitment of their members that has made it such a great success. Our houses of worship play a vital role in our communities—providing people with a place to turn to for comfort when they are most in need. In over a century, there have been many who have worshiped within their halls and many who have found peace and strength in the outstretched arms of B'nai Jacob.

It is with honor and the deepest thanks and appreciation for all of their good work that I stand today to pay tribute to Congregation B'nal Jacob as they celebrate their 120th Anniversary. Their contributions have left an indelible mark on our community and a legacy that will live on for generations to come.

## MARKING THE RETIREMENT OF HAKEEM OLAJUWON FROM THE NATIONAL BASKETBALL ASSOCIATION

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GREEN of Texas. Mr. Speaker, I rise to pay tribute to the long career of one of the greatest basketball players in the history of the game, Hakeem Olajuwon. After 18 years in the National Basketball Association, he is scheduled to retire on November 2, 2002, before the game between the Toronto Raptors and the Houston Rockets.

Though Olajuwon, known as ''The Dream,'' did not take up the sport until he was in his teens, he became an All-Star center and was recognized as one of the NBA's 50 Greatest Players. With his athleticism, best displayed by his signature ''Dream Shake'' move near the basket, he helped redefine how big men played the game.

In 1984, the Houston Rockets won a coin toss that gave them the right to the first pick in that draft. The year before, Houston had drafted the All-American center from Virginia, Ralph Sampson, and it was rumored that they might look for a guard, perhaps the young talent from North Carolina, an exciting player named Michael Jordan.

The Rockets, though, went with the ''hometown'' talent, another 7-footer, a charter member of the Phi Slamma Jamma fraternity at the University of Houston, a player then known as Akeem Olajuwon.

Olajuwon had an immediate impact on the Houston franchise, teaming with Sampson to form the ''Twin Towers,'' a lineup that terrorized the NBA and created mismatches due to the height and agility of both big men. Runner-up in the Rookie of the Year voting that season, Olajuwon helped lead Houston to their second NBA Finals in 1986, after upsetting the defending NBA champion Los Angeles Lakers in the Western Conference Finals. There, as. in their first trip in 1981, they lost to the Boston Celtics.

The road back to the NBA Finals was a long one for the Dream and the Rockets, but they returned in the 1993–94 season. That year, Olajuwon had perhaps his greatest season, and was named League MVP and NBA Defensive Player of the Year.

Houston and Olajuwon showed their true mettle in that year's playoffs, as the Dream carried the Rockets to the NBA Finals, where they defeated the New York Knicks in seven games for the NBA Title. This victory had special meaning for the Olajuwon—first, for being named Finals MVP, and second, for finally beating Patrick Ewing, whose Georgetown team had denied the University of Houston a chance at the NCAA title back in the early '80s.

The next year, with a target on their backs as the defending NBA champs, the Rockets faltered. In an attempt to shake up the team, Houston traded for Olajuwon's old college teammate, Clyde ''the Glide'' Drexler.

While the team struggled to a sixth-place finish in the Western Conference, Olajuwon led Houston on a playoff run like none ever before in the NBA.

In the second round, Houston became the first team ever to rally from a three to one deficit, and advanced to the Western Conference Finals. There, in what was known as the ''Battle of Interstate 10,'' the Rockets eliminated NBA MVP David Robinson and the San Antonio Spurs. Olajuwon dominated the series, scoring at will against the Spurs, and led Houston to the NBA Finals for the second consecutive year.

There, he faced the future of the league, in a 7′3″, 320-lb. terror known as Shaquille O'Neal. The Rockets, though, dispatched O'Neal and the Orlando Magic in four games, becoming only the fourth team in NBA history to win back-to-back NBA titles.

During this playoff run, Houston set new standards for excellence in the NBA. They won nine straight road playoff games and defeated four 50-win teams, both first ever achievements. Further, Houston became the lowest seeded team ever to win the NBA title. As for Olajuwon, he received his second consecutive NBA Playoff MVP, and averaged 33.0 points, 10.3 rebounds, and 2.85 blocks in the playoffs.

For his career, Hakeem Olajuwon averaged 21.8 points, 11.1 rebounds, and 3.09 blocked shots per game, He also has a career free throw percentage of .712, field goal percentage of .512, and averaged 1.75 steals and 2.5 assists per game.

He is one of eight players to reach the 25,000 point plateau, and is the only player to have both 2,000 steals and 2,000 blocked shots in a career. He is the NBA's all time leader in blocked shots, and was named to the First, Second, or Third All-NBA team 11 times. Hakeem Olajuwon was named Defensive Player of the Year twice, was on 11 First or Second All-Defensive teams, was a 12-time All-Star, and recorded just the third quadruple-double in NBA history in 1990.

The Dream is a shoe-in for the NBA Hall of Fame, and I am glad that I had the opportunity to watch him play, first for my university, and later, for my hometown. Welcome home, Hakeem.

## JOSEPH GORHAM HONORED

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the honoring of Joseph L. Gorham at the Organized Labor 2002 Dinner to be held on October 24 by the Greater Wilkes-Barre Labor Council and the Northeast Alliance Pennsylvania Retirees District 3. Joe will be honored for his many years of dedicated and outstanding service to the local labor movement and the community.

Joe was born July 11, 1943, in Wilkes-Barre Township to Robert John Gorham, a member of the United Mine Workers, and Genevieve Lombardelli Gorham, a member of the International Ladies Garment Workers Union. Tragically, he lost his father during a mine cave-in on August 17,1956.

Joe graduated from Ashley High School in 1961 and was a member of the International Ladies Garment Workers Union from the late 1950s through the early 1960s. He also worked for United Parcel Service, became a member of the International Brotherhood of Teamsters in November 1965 and was elected shop steward at UPS in 1969. In 1970, he was appointed to the executive board of Teamsters Local 401 and has served on the board both as trustee and recording secretary. In January 1991, he was elected to serve as principal officer of Local 401 and continues to serve in that capacity.

Joe was a participant in the first class of Leadership Wilkes-Barre and has attended classes at the International Brotherhood of Teamsters Leadership Academy as well as the International Brotherhood of Teamsters Organizing School and labor management classes. He has served on the boards of the American Heart Association, United Way and the Labor-Management Committee.

Joe currently serves as treasurer of the Wilkes-Barre Labor Council, chief executive officer of the Teamsters Local 401 board, advisory board member of the Central Pennsylvania Teamsters Pension and Health and Welfare Fund, board member of Teamsters Joint Council 53 Health/Welfare and Pension Fund and chairman of the Local 401 Health and Welfare Fund.

He and his wife of 39 years, the former Mary Ann Polny, have four children: Jeannie Marie, Maria Josepha, Pamela Ann and Joseph Matthew Gorham. He is the proud grandfather of 10: Amy and Abby Keller; Duane, Maria, Nicholas and Regina Deno; Todd and Kyle Oravic; and Jacob and Genevieve Antonia Gorham.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the achievements and service to the community of Joseph L. Gorham, and I wish him all the best.

## A PROCLAMATION RECOGNIZING RON DEREWECKI

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, Whereas, Ron Derewecki is a professional teacher of science at Coshocton High School; and

Whereas, Ron Derewecki has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, Ron Derewecki should be commended for reaching this milestone, for his devotion to his students, and for his ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire I 8th Congressional District of Ohio in honoring and congratulating Ron Derewecki for his outstanding accomplishment.

## HONORING THE MID-SOUTH SAFE KIDS COALITION

### HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. FORD. Mr. Speaker, I rise today to recognize the outstanding achievements of the Mid-South SAFE KIDS Coalition and to pay tribute to this organization for its tireless dedication to preventing childhood injuries.

Each year 6,700 children in this country die from preventable injuries while another 120,000 suffer permanent disabilities. In the Mid-South region alone, 20 children die each month due to injury, while at the Le Bonheur Children's Medical Center in Memphis, TN there are more than 12,000 children admitted to the hospital due to preventable injuries every year.

The Mid-South SAFE KIDS Coalition, housed at the Le Bonheur Children's Medical Center, has for the past ten years sought to reduce these unnecessary tragedies by sponsoring a variety of outreach programs designed to educate parents and caregivers about safety and injury prevention.

Established in 1992 as part of the National SAFE KIDS Campaign, the Mid-South Coalition is part of the first and only nationwide childhood injury prevention effort. The Coalition has combined community action, public awareness, and public policy initiatives to bring about a systematic, ongoing response to child injury in Mid-South Communities.

Recently, the National SAFE KIDS Campaign signed a formal agreement with the Mid-South Coalition and the Le Bonheur Children's Medical Center to help build and sustain a broad-based children's injury prevention effort designed to reduce the number of preventable injuries affecting children in the Mid-South.

Through this agreement, the Le Bonheur Children's Medical Center has become one of the nation's leading childhood injury treatment centers, providing services from pre-hospital care, to in-hospital treatment, to outpatient follow-up care.

In addition to treatment services, the Mid-South Coalition provides equally valuable prevention services including initiatives like the Buckle Up program, Cycle Smart, Project Get Alarmed, and Safety in the Home.

The service the Mid-South SAFE KIDS Coalition provides to local children's safety is immeasurable, although a recent study of childhood injuries published in the August 2002 issue of Injury Prevention Journal noted that the implementation of the Mid-South SAFE KIDS Coalition was associated with a 30 percent decrease in the rate of severe motor vehicle occupant injuries treated at Le Bonheur.

Before the establishment of the Coalition, severe unintentional injury rates in Shelby County mirrored national rates, yet, the decrease in Shelby County injury rates after the establishment of the Coalition was markedly greater than national averages.

The results of this study were so significant that the researchers, including Susan Helms, the coordinator of the Mid-South Coalition have been invited to present their findings before the National SAFE KIDS Leadership Conference this week here in Washington.

The Mid-South SAFE KIDS Coalition has proved to be an invaluable asset to my district and the Mid-South region. Its efforts to prevent childhood injury have directly led to a substantial increase in safety education and a vast reduction in preventable injuries to area children. They have truly provided a model for other children's protection agencies to emulate.

Mr. Speaker, it is my privilege to honor the Mid-South SAFE KIDS Coalition today for its unbounded dedication to the prevention of childhood injury and its innumerable services to area children.

## WE MUST ACTIVELY AND CONTINUOUSLY ENGAGE CONTROL ASIA

### HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. PITTS. Mr. Speaker, I rise today to introduce two bills that will provide increased aid to an important region of the world.

Central Asia, specifically Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, is a beautiful region with a rich cultural heritage and an immense potential for stability and prosperity.

In the years following the breakup of the Soviet Union in 1991, there was hope and optimism about the future of Central Asia. Unfortunately, the United States stood back and watched without any consistent or substantive policy for the region.

One by one, Central Asia States, most notably Tajikistan and Turkmenistan, have taken multiple and swift steps backwards toward oppressive police regimes that strangle freedom and democracy.

But we must not lose sight of the progress that many of these countries have made over the past decade.

The people of Central Asia are hungry for democracy, thirsty for economic prosperity, and strongly desire close relations with the U.S. If we do not comprehensively engage this region, the U.S. will have no standing to effect positive change and the downward trend will continue.

We must build relationships with these countries—both economically and politically, and show them that freedom and democracy leads to prosperity. In doing this, we need to be an honest partner with them. We need to highlight when positive steps toward change are taken and send a clear message when respect for human rights is violated.

With this said, I am introducing two bills that will promote engagement in the region. The first will authorize a pilot exchange program of academic internships in public policy for future leaders of the republics of Central Asia.

This needed program will provide young people from this critical region with experience to better understand our form of democracy and public service, and practice their skills at working within associations, NGOS, and government.

This initiative is intended to complement our existing exchange programs with Central Asia by targeting undergraduate and graduate students for six-month internships in public positions and utilizing a proven model that combines a four-day-a-week, on-the-job practicum with a day of class work.

Today, demand for scholarships, exchanges, and fellowships for students from Central Asia far outstrips supply. Thousands of students—high school through graduate—have applied for limited slots.

My bill will take the next step in expanding these opportunities.

Central Asia has a high population of young people and the future of the region rests in their hands. If democracy is to succeed, if economic prosperity is to be realized, if human rights are to be protected, then we must patiently engage this region and provide its young people with greater opportunities.

My second bill, entitled the ''Central Asia Child Health Improvement Act,'' will provide assistance for the prevention, treatment, and control of HIV/AIDs, tuberculosis, malaria, polio and other infectious diseases affecting children in Central Asia.

Specifically, this bill will establish a series of partnerships between U.S. medical institutions and health service providers and such institutions and providers in the countries of Central Asia to carry out various child health programs.

These partnerships will provide a telehealth network of medical information, services, and support to ensure health service providers in Central Asia can adequately respond to health concerns in the region.

Like my previous bill establishing internship exchanges, this bill utilizes a proven model that is implemented elsewhere in the world.

Mr. Speaker, we must actively and continuously engage Central Asia. The legislation I am introducing today takes an important step in this direction.

Child health and education are two pillars to a prosperous, free, and democratic society. Let's begin to build these pillars in Central Asia.

I urge my colleagues to support and cosponsor these bills.

## WALTER GLOGOWSKI HONORED

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the honoring of Walter Glogowski at the Organized Labor 2002 Dinner to be held on October 24 by the Greater Wilkes-Barre Labor Council and the Northeast Alliance Pennsylvania Retirees District 3. He will be honored for his many years of dedicated and outstanding service to the local labor movement and the community.

He was born September 16, 1936, and is a 1955 graduate of Plymouth High School. He earned a bachelor of science in education from Wilkes College in 1959 and earned his master's equivalency in 1974. He graduated from Leadership Wilkes-Barre in 1983.

He taught at Plymouth Junior High School from 1959 to 1964 and at Dallas Junior High School from 1964 to 1974, when he became the Pennsylvania State Education Association/National Education Association Uniserv representative, a post he held for 25 years. He was named PSEA Regional Field Director in 2000 and continues to serve in that position.

He is a past board member of the United Way of the Wyoming Valley, Leadership Wilkes-Barre, Junior Leadership Wilkes-Barre and the Back Mountain Communications Center. He has also served as a member and chairman of the Jackson Township Board of Supervisors, president of the Leadership Wilkes-Barre Alumni Association and a member of the Greater Wilkes-Barre Advisory Committee on Economic Growth and the Economic Development Council of Northeastern Pennsylvania. His other numerous community activities include serving on the Advisory Board for Blue Cross/Blue Shield of Northeastern Pennsylvania, the Jackson Township Recreation Park Board, the Citizens' Advisory Committee of the State Correctional Institution at Dallas and the Partners in Education Committee of the Greater Wilkes-Barre Chamber of Commerce.

Not surprisingly, Mr. Speaker, he has been recognized with numerous awards, including the Distinguished Service Award from United Rehabilitation Services, the Distinguished Leadership Award from Leadership Wilkes-Barre, the Labor Award from the United Way of the Wyoming Valley and the Greater Wilkes-Barre Area Labor Management CAP Award.

He is a member of the Wilkes University Chapter of Phi Delta Kappa and numerous other organizations and became a life member of the National Registry of Who's Who in 2001.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the achievements and service to the community of Walter Glogowski, and I wish him all the best.

## A PROCLAMATION RECOGNIZING LUCINDA MARTIN

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, whereas, Lucinda Martin is a professional teacher of science at Tuscarawas Valley High School; and

Whereas, Lucinda Martin has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, Lucinda Martin should be commended for reaching this milestone, for her devotion to her students, and for her ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Lucinda Martin for her outstanding accomplishment.

## CHILD ABDUCTION PREVENTION ACT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. PAUL. Mr. Speaker, an OB–GYN who has had the privilege of bringing over 3,000 children into the world, I share the desire to punish severely those who sexually abuse children. In fact, it is hard to imagine someone more deserving of life in prison than one who preys on children. Therefore, I certainly support those parts of H.R. 5422 which enhance the punishment for those convicted of federal crimes involving sexual assaults on children.

I also support the provisions increasing the post-incarceration supervision of sex offenders. However, given the likelihood that a sex offender will attempt to commit another sex crime, it is reasonable to ask why rapists and child molesters are not simply imprisoned for life?

However, Mr. Speaker, I am concerned that making the AMBER alert system a federal program is neither constitutionality sound nor effective law enforcement. All Americans should be impressed at the demonstrated effectiveness of the AMBER system in locating missing and kidnaped children. However, I would ask my colleagues to consider that one of the factors that makes the current AMBER system so effective is that the AMBER Alert system is not a federal program. Instead, states and local governments developed AMBER Alerts on their own, thus ensuring that each AMBER system meet the unique needs of individual jurisdictions. Once the AMBER Alert system becomes a one-size-fits all federal program (with standards determined by D.C.-based bureaucrats instead of community-based law enforcement officials) local officials will not be able to tailor the AMBER alert to fit their unique circumstances. Thus, nationalizing the AMBER system will cause this important program to lose some of its effectiveness.

Mr. Speaker, H.R. 5422 also exceeds Congress' constitutional authority by criminalizing travel with the intent of committing a crime. As appalling as it is that some would travel abroad to engage in activities that are rightly illegal in the United States, legislation of this sort poses many problems and offers few solutions. First among these problems is the matter of national sovereignty. Those who travel abroad and break the law in their host country should be subject to prosecution in that country: it is the responsibility of the host country—not the U.S. Congress—to uphold its own laws. It is a highly unique proposal to suggest that committing a crime in a foreign country against a non-U.S. citizen is within the jurisdiction of the United States Government.

Mr. Speaker, this legislation makes it a federal crime to ''travel with intent to engage in illicit sexual conduct.'' I do not think this is a practical approach to the problem. It seems that this bill actually seeks to probe the conscience of anyone who seeks to travel abroad to make sure they do not have illegal or immoral intentions. Is it possible or even advisable to make thoughts and intentions illegal? And how is this to be carried out? Should federal agents be assigned to each travel agency to probe potential travelers as to the intent of their travel?

At a time when federal resources are stretched to the limit, and when we are not even able to keep known terrorists out of our own country, this bill would require federal agents to not only track Americans as they vacation abroad, but would also require that they be able to divine the intentions of these individuals who seek to travel abroad. Talk about a tall order! As well-intentioned as I am sure this legislation is, I do not believe that it is a practical or well-thought-out approach to what I agree is a serious and disturbing problem. Perhaps a better approach would be to share with those interested countries our own laws and approaches to prosecuting those who commit these kinds of crimes, so as to see more effective capture and punishment of these criminals in the countries where the crime is committed.

In conclusion, Mr. Speaker, while H.R. 5422 has some good provisions aimed at enhancing the penalties of those who commit the most heinous of crimes, it also weakens the effective AMBER Alert program by nationalizing it. H.R. 5422 also raises serious civil liberties and national sovereignty concerns by criminalizing intent and treating violations of criminal law occurring in other countries' jurisdictions as violations of American criminal law.

## SOBER BORDERS ACT

SPEECH OF

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 15, 2002*

Mr. STUPAK. Mr. Speaker, I co-sponsored H.R. 2155, the Sober Borders Act, because as a former law enforcement official and founder of the Congressional Law Enforcement Caucus, I understand firsthand the challenges Michigan and other border states face with drunk drivers crossing border checkpoints. I take seriously Congress's responsibility to help enforce state and local laws to prevent drunk driving and to ensure the safety of our district's residents.

However, despite my co-sponsorship, I will vote against H.R. 2155, on the grounds that Mr. CONYERS was not allowed to offer an amendment under the rule for its consideration. I support his amendment which would have recommended a GAO study to help prevent racial profiling by Immigration and Naturalization Service (INS) officials who will now be permitted to stop, breathalize, and arrest suspected drunk drivers at the Canadian and Mexican borders.

It is a very simple amendment, but his concerns will not be addressed because of the way this bill was brought up on the floor. I urge my colleagues to vote against this measure.

## HONORING THE MEMORY OF REPRESENTATIVE L.H. FOUNTAIN

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. ETHERIDGE. Mr. Speaker, North Carolina has lost a fine statesman and a great American whose shadow stretched far beyond Tarboro, Representative L.H. Fountain. His death at the age of 89 has saddened all of us in the North Carolina delegation and our state has lost one of its greatest sons. I wish that I could be with you all today as you gather to honor the life and work of this great North Carolinian, but I know that Ted Daniel, Representative Fountain's chief of staff and good friend will deliver well my words and condolences.

I first met L.H. Fountain when I was a young Hamett County Commissioner. But before ever setting eyes on him I knew well his reputation as a dedicated advocate of North Carolina's citizens and a leader in Congress. Up in Washington there was an ongoing debate about how federal funds would be sent to counties, leaving us in Hamett County grappling with our budget. L.H.'s subcommittee in Government Operations was handling that issue, and I quickly became one of the many North Carolinians who sought his counsel and assistance. As he did for his other constituents, he gave me sound advice and guided Hamett County toward a path for the future. We, and all of North Carolina's citizens, were blessed to have such a representative even though we were not in his Congressional District.

Hard work and dedication brought L.H. Fountain from the small town of Leggett to the United States House of Representatives. A graduate of Edgecombe county schools and the University of North Carolina at Chapel Hill, he was truly a product of North Carolina.

He was part of the greatest generation, who bravely went to war to defend the cause of freedom and protect the world from tyranny during World War II. In the darkest nights the world has ever seen, American soldiers like L.H. were a beacon of light and hope, restoring justice and establishing our nation as a world leader.

L.H. rose through the military ranks quickly, entering the U.S. Army as a private and completing his service in 1946 as a major. After the war, he returned to North Carolina and dedicated his life to public service. He served two terms in the State Senate and the people of the Second Congressional District rewarded him with a seat in the U.S. House of Representatives.

For 30 years, he held that seat and represented the people of North Carolina in Washington. Those 15 consecutive terms are a testament to his character, his reputation and his commitment. I can tell you, as can my good friend Tim Valentine, that it is no easy feat to hold a seat for so many years. The people of his District knew well that day in and day out he was in their corner, advancing the issues that touched them and their families. Throughout his years in Congress, he fought for the causes of eastern North Carolina's farmers and especially for tobacco farmers. We could use him in Congress today as we work to make sure farmers have an opportunity to make a living in the land.

L.H. was an undying advocate for consumers, and he was most proud of his efforts to establish watchdogs within federal agencies to keep the bureaucrats focused on their ultimate bosses, the citizens of this country. His lasting legacy in the federal government is this system of inspectors general, who ferret out waste and corruption. Together they have saved the taxpayers billions of dollars and will unquestionably save hundreds of billions of dollars in the years ahead.

Throughout his years in Congress, L.H. never forgot his roots nor his commitment to God and family. He was a true Southern gentleman in the grandest tradition. His colleagues and all who met him knew him as mild-mannered and polite, smiling at those who opposed him. L.H. Fountain was a complete person. Not only was he a model public servant, but he was a father who lived out the ideals of family values. He and his wife Christine raised a beautiful daughter in Nancy and were blessed with two fine grandchildren. On top of that, he was an elder in the Presbyterian Church and a past trustee of the National Presbyterian Church in Washington.

One story in particular highlights the very essence of L.H. Fountain. From the time he was three years old, L.H. had a perfect record of Sunday School attendance. Although as a congressman he was saddled with responsibilities and engagements, he was determined not to break that record. One Sunday he found himself aboard an Air Force plane as part of a congressional delegation headed for a meeting in Europe, unable to make it to any Sunday School. Undeterred, he quickly organized his colleagues into his very own class. He recruited Sen. STROM THURMOND to give the opening prayer, he taught the lesson, and Sen. Barry Goldwater gave the closing prayer.

Although his career in Congress ended in 1983, L.H.'s work on behalf of the people of North Carolina did not. When I first ran for Congress, I again sought his counsel and guidance. And once again, he sent me along the right path. After the election, he was gracious and generous enough to show me the ropes in Washington and to school me in the lessons of the Second Congressional District. Although we did not necessarily agree on each and every issue, he reached out his hand in friendship.

L.H. Fountain is one of the greatest public servants my state has ever produced. But, he was great not because he had the benefits of political connections, and wealth, or because he served for over 30 years in this body. He was a remarkable human being because he made the most of his God given gifts, and he desired to make a difference in the lives of every North Carolinian.

## A PROCLAMATION RECOGNIZING ROBERT LAGHETTO

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, whereas, Robert Laghetto is a professional teacher of science at Tuscarawas Valley High School; and

Whereas, Robert Laghetto has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, Robert Laghetto should be commended for reaching this milestone, for his devotion to his students, and for his ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Robert Laghetto for his outstanding accomplishment.

## DR. MARY E. HINES HONORED

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the selection of Dr. Mary E. Hines as 2002 Community Leader of the Year by the Northeast Branch of the Arthritis Foundation. Dr. Hines will be honored with a dinner on October 17.

Dr. Hines has served as the campus executive officer for Penn State's Wilkes-Barre campus since July, 1997. During her time in Wilkes-Barre, she has been very involved in the community, serving as a member of numerous organizations, including the Children's Services Center Blue Ribbon Task Force, the Pocono Region Advisory Board for Ben Franklin Technology Partners of Northeastern Pennsylvania and on the boards of the Ethics Institute of Northeast Pennsylvania, the YMCA, the Kirby Center, Family Services of the Wyoming Valley, the Family Care Consortium, and the Greater Wilkes-Barre Chamber of Commerce and the Chamber of Business and Industry. While serving on the Chamber board, she chaired its Ethics Committee, which conducted several programs on business ethics.

Dr. Hines currently serves on the board of Leadership Wilkes-Barre, where she chaired the Executive Leadership Committee for two years and continues to serve on the Executive Leadership Series Committee, the Nominating Committee and the Mentor Committee. She has also recently joined the Professional Women's Advisory Council.

In addition, Mr. Speaker, Dr. Hines chairs the 15-member group known as the Northeast Pennsylvania Association of Colleges and Universities, co-chairs the Education Task Force of NE PA Alliance, and is the past chair of the

Luzerne County Council of Presidents, on which she continues to serve. She is a member of the Regional Steering Committee of the state ''Stay, Invent the Future'' initiative and the Executive Committee for the regional collaborative grant to attract and retain young people in Northeastern Pennsylvania.

At the national level, Dr. Hines has served on the American Council of Education Fellows' Executive Board and participated at the Kellogg Foundation Roundtable for Higher Education Leaders and Chairs of Education Committees of the U.S. Congress. She is regularly called upon to speak about educational, ethical and economic development issues to business and community organizations.

Dr. Hines' academic degrees are in philosophy. She graduated first in her class and summa cum laude with a bachelor of arts from St. Francis College in New York, where she also received the College's Ethics Award, and she received a National Fellowship to pursue her master of arts and doctorate, which were both awarded by the Catholic University of America in Washington.

Before coming to Penn State, Dr. Hines held faculty and administrative positions at Dundalk Community College and Catonsville Community College in Maryland and was the recipient of multiple awards and honors. She has also served as an adjunct faculty member in philosophy at several private colleges in Maryland.

Dr. Hines and her husband, Kenneth, live in Dallas, Pennsylvania. They have four children: Sean, Kevin, Kathleen and Brendan.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the achievements and service to the community of Dr. Mary E. Hines, and I wish her all the best.

## IN REMEMBRANCE OF VERNON ''FAT CAT'' TAYLOR

### HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GREEN of Wisconsin. Mr. Speaker, today before this house I'd like to honor and remember a true leader and friend to the citizens of Green Bay: Vernon Taylor. On Monday, October 7, 2002, Vern passed away, leaving behind a legacy of tireless community activism and service.

As a devoted teacher, youth mentor, and even a Santa Claus, Vern dedicated his life to children. The proclaimed ''Mayor of Imperial Lane,'' Vern helped bring a city park to his neighborhood, giving children a safe place to play and instilling a sense of pride and camaraderie in his neighbors.

Vern was also a welcoming face for diversity in Northeast Wisconsin, helping found the Ebony Family, and working heavily with multiethnic support groups throughout my district.

Vern was never interested in party politics or professional advancement, but rather in getting things done and enhancing the quality of life of everyone around him. His commitment to community service was an example and inspiration to us all.

Mr. Speaker, Vern Taylor was an extraordinary individual whose energy and enthusiasm touched the lives of everyone he met. We will all miss him.

## TRIBUTE TO CAPTAIN KATHY MAZZA OF PORT AUTHORITY POLICE DEPARTMENT

### HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KING. Mr. Speaker, I am proud to rise today to pay tribute to Captain Kathy Mazza of the Port Authority Police Department who died heroically at the World Trade Center on September 11, 2001.

This past Monday, October 14, 2002, I was privileged to take part in a very moving ceremony which designated North Suffolk Avenue in North Massapequa as Captain Kathy Mazza Way. The ceremony, which was held directly across from the home where Captain Mazza grew up, was attended by her husband, Chris Delosh, who is a member of the New York City Police Department; her parents, Rose and John Mazza; her three brothers; and many of her countless friends. The ceremony was conducted by Hon. John Venditto, the Supervisor of the Town of Oyster Bay.

There were many heroes on September 11th but no one was more heroic than Kathy Mazza. On the morning of September 11th, Captain Mazza was in New Jersey, serving as the Commanding Officer of the Port Authority Police Academy. Immediately upon learning of the attack on the Twin Towers, however, Captain Mazza raced to the World Trade Center in lower Manhattan and entered the North Tower where she proceeded to take a leadership role in the rescue effort—at one point reaching the 22nd floor.

What set Captain Mazza apart from all others is that she was personally responsible for evacuating hundreds of people. She did this by having the presence of mind to use her service revolver to shoot out floor-to-ceiling glass walls on the mezzanine level of Tower 1 enabling so many trapped people to escape. Shortly after, at 10:29 a.m. Captain Mazza was killed when Tower 1 collapsed.

This extraordinary heroism and dedication to duty characterized Kathy Mazza's entire life. Prior to becoming a police officer she had been a cardiothoracic operating nurse at St. Francis Hospital in Roslyn, New York. As a police officer she was instrumental in launching the Port Authority's portable heart defibiilator program at the metropolitan airports. And as Commanding Officer of the Police Academy she achieved a record of unsurpassed excellence and achievement.

September 11, 2001 was a day of brutality, horror and terror. But it was also a day when brave Americans such as Captain Kathy Mazza demonstrated a bravery and courage which will be remembered throughout the history of our nation. For that and for so much more, we will always be in her debt.

May she rest in peace.

## INTRODUCTION OF THE GLOBAL CHANGE RESEARCH AND DATA MANAGEMENT ACT OF 2002

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. UDALL of Colorado. Mr. Speaker, today I am pleased to introduce the Global Change Research and Data Management Act of 2002. This bill would replace the current law that formally established the U.S. Global Change Research Program (USGCRP) in 1990.

The USGCRP has significantly advanced our scientific knowledge of Earth's atmosphere and climate and has provided us with a wealth of new data and information about the functioning of our planet. After a decade of research, we have a far better understanding of the Earth's natural cycles and how human activities can influence them.

However, while the USGCRP has produced excellent scientific results, it has not produced sufficient information, in terms of both content and format, for local, state, regional, and national policymakers responsible for managing resources, making residential and economic development decisions, and responding to natural disasters. The program has focused nearly all of its resources and efforts on scientific inquiry. Only one broad assessment of the impact of global change on society has ever been attempted by the program, and that assessment was completed nearly seven years after its Congressionally mandated deadline. In my view, it is critical that Congress re-orient the USGCRP toward a user-driven research endeavor.

The current Administration has reached a conclusion similar to mine with respect to climate research. However, their efforts to produce more policy-relevant information on climate change have become bogged down in reorganization of the federal bureaucracy instead of focusing on reaching out to users.

The Global Change Research and Data Management Act would require the Administration to identify and consult with members of the user community in developing the USGCRP research plan. The bill would also mandate the involvement of the National Governors Association in evaluating the program plan from the perspective of the user community. These steps would help to ensure that the information needs of the policy community will be met as generously as the funding needs of the academic community.

The 1990 law outlined a highly specific organizational structure for the USGCRP. My bill would eliminate this detailed organizational structure and provide the president with the flexibility to assemble an Interagency Committee and organizational structure that will best deliver the products Congress is requesting. My bill would, however, retain many of the key features of current law—the requirements for a ten-year strategic plan, for periodic assessments of the effects of global change on the natural, social, and economic systems upon which we depend, and for increased international cooperation in global change science.

My bill would establish a new interagency working group to coordinate federal policies on data management and archiving. Advances in computer, monitoring, and satellite technologies have vastly expanded our ability to collect and analyze data. We must do a much better job of managing and archiving these important data resources to support the work of current and future scientists and policymakers.

As is clear from the impasse on the climate provisions of the energy bill (H.R. 4), the Congress has yet to agree on how much more information, if any, is needed before we take actions to slow the effects of human activities on global change. These are tough policy questions that we will continue to wrestle with in

the years to come. This bill does not offer specific policy direction, but it does affirm the need for the continued strong federal support for global change research, and it does map out a new emphasis on production of information needed to inform these important policy debates. As the world leader in science and technology, it is incumbent on us to develop solutions that will protect our planet's resources and permit continued economic and social progress for our nation and for the world.

## A PROCLAMATION RECOGNIZING JANE LARKE

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, whereas, Jane Larke is a professional teacher of science at Tuscarawas Valley High School; and

Whereas, Jane Larke has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, Jane Larke should be commended for reaching this milestone, for her devotion to her students, and for her ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Jane Larke for her outstanding accomplishment.

## ED HARRY HONORED

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the honoring of Ed Harry at the Organized Labor 2002 Dinner to be held on October 24 by the Greater Wilkes-Barre Labor Council and the Northeast Alliance Pennsylvania Retirees District 3. Ed will be honored for his many years of dedicated and outstanding service to the local labor movement and the community.

Ed is the son of a United Mine Workers member and a member of the International Ladies Garment Workers Union. He is a veteran of the Vietnam War, where he worked in Air Force intelligence and spent 1968 and 1969 in Vietnam and Thailand. He began working for the Commonwealth of Pennsylvania in 1971 at Retreat State Hospital. Working as a custodian, he became a shop steward in his department in 1972, and in 1974, he became the chief steward for Local 537 of the American Federation of State County and Municipal Employees. In that capacity, he represented most of the employees at the hospital.

In February 1977, Ed spent 22 months organizing public employees in Florida for AFSCME, traveling throughout the state. In September 1978, he returned to Pennsylvania and began working as a staff representative for District Council 88, based in the Reading office. Following the general election in 1980, Ed was able to come home, where he began working for District Council 87.

He has been a member of the Wilkes-Barre Area Labor Council since 1972 and has served as a trustee for approximately the past 12 years. He has been active in politics, including most statewide and federal campaigns in Pennsylvania, since the 1970s. Ed is an avid sports fan and during his well-deserved retirement, his friends and colleagues know they will be seeing him at many local and college games.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the achievements and service to the community of Ed Harry, and I wish him all the best.

## REMEMBERING SEPTEMBER 11TH

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MENENDEZ. Mr. Speaker, September 11th, 2001, hit our New Jersey community hard. We lost neighbors and friends, mothers and fathers and children, sisters and brothers—people who left their homes that fateful day, and crossed the Hudson River, never to return.

The twin towers that were once visible from our waterfront stand no more. The skyline has forever changed.

But the people who were lost that day, while leaving an unspeakable void in our lives, still live on in our hearts and our minds. They are our Heroes: Everyday Heroes who were providing for their families, contributing to their communities; Everyday Heroes who lost their lives in their dedication to protect others. Everyday Heroes. The most incredible kind of heroes. American Heroes. They may not be here, but they do live on, and they will never be forgotten.

We honor them by showing our patriotism; by flying our flag; by fighting terrorism wherever we find its scourge growing; by coming together as One Great People and One Great Nation; and even by finding the faith and the strength to carry on with our lives, raising our children, building our communities, and moving forward with this wonderful creation of democracy and freedom called America.

Yes, September 11th hit our New Jersey community and indeed our Nation hard. But we remember. We persevere. We move forward. And we are stronger and more united than ever before. God Bless America.

## AUTHORIZING THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ

### HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. ROEMER. Mr. Speaker, I rise as a cosponsor of H.J. Res. 114, authorizing the potential use of United States Armed Forces against Iraq. This will be one of my final votes in Congress, and it is the most solemn duty since I cast one of my first votes in the House on the Gulf War Resolution nearly twelve years ago.

Last month, President Bush described the Iraqi regime as ''a grave and gathering danger'' in his speech before the United Nations General Assembly. I generally agree with this characterization, and therefore support this resolution's objective to provide the President with the authority he needs as Commander-in-Chief to curb the threat of terrorism and defend the United States. However, much more time and emphasis should be centered on multilateral efforts to exhaust our diplomatic means to resolve the situation and build a coalition.

The situation in Iraq reflects our most dire and serious concerns about the proliferation of weapons of mass destruction and their potential use against the United States, neighboring countries, our allies, and U.S. troops in the region. There is no question that Saddam Hussein possesses and has used chemical and biological weapons of mass destruction. We know that he has tortured and gassed his own people. His continuing defiance of United Nations disarmament demands including weapons inspections has frustrated the international community for more than a decade.

Whether Saddam Hussein represents an imminent threat to the United States is the most important question we have answered. After examining the evidence and meeting with key members of the Pentagon and the intelligence community, I have concluded that there is ample evidence indicating that Saddam Hussein represents a clear, grave, and growing threat to the United States. While I do not agree with Administration statements about Iraqi connections, at this point, on the September 11 terrorist attacks or the accusations of firm and provable al Qaeda links, the lynch pin for me is weapons of mass destruction. He is seeking to build a nuclear device launched by ballistic missiles with a likely range of hundreds of miles, far enough to strike Saudi Arabia, Israel, Turkey, and other nations in a region where more than 135,000 American civilians and service members live and work.

Earlier this week, the American public learned from the President that Iraq has a growing number of aircraft that could deliver weapons of mass destruction, including a fleet of unmanned aerial vehicles potentially seeking to deliver biological and chemical weapons to target cities in the United States. While it is nearly impossible to determine the status of Iraq's nuclear weapons development, it is clear that Saddam Hussein is reconstituting his nuclear weapons program and will not allow weapons inspectors in to monitor this situation. In fact, recent satellite photographs unclassified by the Administration indicate how extensively a crucial Iraqi nuclear facility had been rebuilt since the United States bombed it in 1998.

Again, notwithstanding this evidence, the United States must thoroughly exhaust every diplomatic and non-military option before resorting to war. That means working with the United Nations to ensure that we build a strong coalition of international support and pressure on Iraq to adhere to a new UN resolution. Should these efforts fail, however, we must be assured the option to use force. This leverage might indeed be the only tool to force Iraq to open up unconditional inspection. We

must insist that Saddam Hussein provide unconditional access to his weapons of mass destruction. But facing clear evidence or peril, the United States cannot wait for the final proof that Saddam Hussein can unleash terror and destruction. We have a duty now to prevent this from being accomplished.

Importantly, this resolution contains a preamble setting out important milestones in the recent Iraqi defiance of international law and other matters relating to the United States response to it and to the realities of our global war on terrorism. The resolution also affirms the importance of working in concert with other nations, gives preference to diplomacy over a military solution, and focuses attention where it should be on disarming Saddam Hussein. It also signals our Nation's seriousness of purpose and its willingness to use force, which may yet persuade Iraq to meet its international obligations. I firmly believe that this is the best way to persuade members of the UN Security Council and others in the international community to join us in bringing pressure on Iraq or, if required, in using armed force against it to eliminate these biological and chemical weapons.

Moreover, this resolution seeks to assure we will not be diverted from the war on terrorism and provides for the ongoing and constitutional role of Congress to declare war. I agree with the President that confronting the threat posed by Iraq is crucial to winning the war on terror. However, we must not lose sight that there are many other urgent threats that already represent a ''clear and present danger,'' such as the growing number of al Qaeda terrorist cells in Yemen, the Philippines and Indonesia.

I am pleased that the congressional leadership and the executive branch have been able to work together to negotiate a joint resolution that appears to have strong bipartisan and bicameral support. I would have preferred that the resolution include the Biden-Lugar language that I believe would have further limited the scope to removing weapons of mass destruction and possibly ensuring greater international support for our objectives. That is why I supported an amendment offered by Representatives JIM DAVIS, BOB MENENDEZ and BEN CARDIN to require the President to report back to Congress on the ''grave'' danger posed by Iraq before triggering military force. Unfortunately, however, this amendment was rejected by the Committee on Rules and will not be considered by the full House.

Still, Mr. Speaker, this resolution is a product of good-faith efforts on the part of Congress and the Administration to unite the Nation in response to the Iraqi threat, and I will vote for it. This sends an important signal to the American public and the international community that we support this mission and that our troops will have every resource they require to defend our freedom, diminish the threat of terrorism, and achieve broad worldwide support. I urge my colleagues to support this resolution and pray for the rapid return of our brave men and women in uniform, should they be deployed, to their homes and families.

## A PROCLAMATION RECOGNIZING DR. KARL SCHWENK

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, whereas, Dr. Karl Schwenk is a professional teacher of science at Tuscarawas Valley High School; and

Whereas, Dr. Schwenk has been selected to receive a Governor's Award for Excellence in Youth Science Opportunities by the Ohio Academy of Science in cooperation with the Office of the Governor and the Ohio Department of Education; and

Whereas, Dr. Schwenk should be commended for reaching this milestone, for his devotion to his students, and for his ongoing efforts to extend science education opportunities beyond the classroom;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Dr. Karl Schwenk for his outstanding accomplishment.

## STS–112 ORBITER ATLANTIS SHUTTLE LAUNCH

### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. COSTELLO. Mr. Speaker, I rise today to recognize the men and women currently in space aboard the STS–112 Orbiter Atlantis, especially, my constituent Dr. Sandra Magnus. Sandy was born and raised in Belleville, Illinois where she attended Central Junior High School and Belleville West High School. She developed an interest in the space program and in becoming an astronaut while attending Central Junior High School. At the urging of one of her teachers, Mr. Corky Helms, Sandy was encouraged to study the space program—and her dream became a reality.

Dr. Magnus was selected by NASA for the astronaut program in April 1996 and reported to the Johnson Space Center in August 1996. After intensive training and evaluation, she is qualified for flight assignment as a mission specialist.

I had the distinct privilege of accompanying the Administrator of NASA, Mr. Sean O'Keefe, to the Kennedy Space Center for Sandy's first launch on October 7, 2002. While at the Kennedy Space Center, I had the pleasure of visiting with Sandy's parents, Dick and Rose Hall, Corky and Vicki Helms, Bob and Joyce Dintelman, and many of Sandy's friends and family, to watch this memorable day.

Sandy and five fellow shuttle crew members are currently at the International Space Station (ISS). She serves as the flight engineer and has the challenging Job of operating the robotic arm that is employed for the installation of a 15-ton truss that is part of the payload and the transportation of the spacewalkers as they conduct their connections of power, data cables and other external hardware to the truss itself. This truss is the second of 11 such truss structures that will ultimately expand the ISS to the length of a football field and increase the power through the addition of new photovoltaic modules and solar arrays. This mission is extremely important to further our understanding of space and brings us closer to achieving our goal of completing the ISS.

Mr. Speaker, we are fortunate to have qualified people, like Sandy, in the space program. The crew's impressive level of achievement and accomplishment is a milestone for the space program and serves as proof to young people that dreams really do come true. I ask my colleagues to join me in recognition of all the men and women involved in the success of the mission of STS–112, especially Dr. Sandra Magnus and the crew.

## ON PURSUING DEMOCRATIC PRINCIPLES IN U.S.-KAZAKHSTAN RELATIONS

### HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MEEHAN. Mr. Speaker, as our nation continues to build international partnerships in the war against terrorism, it is important to remind ourselves and the world of the values of democracy and free expression represented by the United States of America.

In the war against terrorism, we have significantly increased levels of communication and cooperation with nations across the globe. No truer is this the case than in the newly independent states of Central Asia. These oil rich nations can be vital allies in eliminating the international terrorist threat. Nevertheless, we must not sacrifice our values in their courtship.

One example clarifies my point. Kazakhstan's President Nursultan Nazarbayev rules with increasing dictatorial force on his populace. His family owns the only legally authorized media outlet in the country. The underground press are sought out and, in noted instances, brutalized. Opposition leaders such as Akezhan Kazhegeldin and others are banned from the country thereby preventing any true opposition party. President Nazarbayev has not honored his commitment to the Organization for Security and Cooperation in Europe to allow constitutional rights of assembly, speech and representation for the people of Kazakhstan. A federal grand jury in New York is investigating serious allegations of bribery by oil interests resulting in the Swiss government freezing President Nazarbayev's and his family's secret Swiss bank accounts at the request of the U.S. Department of Justice. These are but a few examples.

Mr. Speaker, the United States continues to put millions of dollars into our ally, Kazakhstan. However, one must ask what the average Kazakh citizen thinks of U.S. support during this time of tyranny. A recent editorial in The Economist suggested a frightening answer: ''Where people conclude—as some already have—that America and its allies care about nothing except oil revenues and military bases, the West can come to seem the source of their travails, and they become easy converts to extremism.'' (I ask unanimous consent that the complete editorial be placed in the RECORD at the end of my remarks.)

I am concerned for our long term relationship with the people of Kazakhstan and ask the Administration to pressure the Nazarbayev regime towards a return to democracy. Our

global war against terrorism demands that we work with many governments willing to help. In building these partnerships, it is our moral duty and in our national interest to advance democratic principles.

[From the Economist, May 4, 2002]

STOPPING THE ROT—USING WESTERN INFLUENCE IN CENTRAL ASIA

CENTRAL ASIA: DEMOCRACY AND THE SPORT OF GEOPOLITICS

On HIS tour this week of Central Asia, Donald Rumsfeld, America's defense secretary, thanked the region's leaders warmly for their contribution to the war in Afghanistan, They had opened up their roads, railways, air corridors and military bases. And they had been only too happy to help. The Taliban and the armed Islamists they spawned had menaced each one of these fragile new states. Yet fostering new military relationships, important as these are, should not be the only aim of western policy. Development and better government are needed too.

Kazakhstan, for example, looks set to become one of the world's top oil producers. Yet evidence from other places suggests that oil money can badly distort an economy as it travels the short distance between western buyers and the offshore bank accounts of cynical rulers. Outsiders can help guard against that danger by keeping up pressure in these former outposts of Soviet rule for more open societies, where the strains of wrenching change can be absorbed by a healthy degree of press freedom and political debate.

Instead, in Kazakhstan and in Kirgizstan, the two most committed until recently to market economics and multi-party democracy, there have been arbitrary arrests and a crackdown on the independent media, Meanwhile Uzbekistan, which aspires to be the regional cop, has always had an authoritarian tinge. No bad thing, some outsiders would say, when there are unruly borders to guard and a real threat from Islamist extremists. But leaders in all three places have clearly taken their new-found strategic importance as an opportunity to turn the screws on dissenters.

Meanwhile Tajikistan and Turkmenistan offer cautionary tales of the trouble that could infect the whole area if the outside world turns a blind eye. For most of its first decade of independence, Tajikistan was mired in a drug-fuelled civil war that still has disastrous effects: Tajiks play a key role in transporting Afghan heroin to Europe. In Turkmenistan, a sterile personality cult has fostered poverty and human-rights abuses; the country at one point flirted with the Taliban, and has failed to exploit or market its huge gas reserves effectively,

Tempting as it might sometimes seem for western governments to shrug off Central Asia's creeping, authoritarianism as a price worth paying in the bigger geopolitical and financial game, that would be short-sighted—for pragmatic reasons as well as for moral ones. Tyrannies with unhappy subjects are unlikely to be reliable economic or strategic partners, Where people conclude—as some already have—that America and its allies care about nothing except oil revenues and military bases, the West can come to seem the source of their travails, and they become easy converts to extremism. Once anti-western sentiment has taken hold, it can then be cynically exploited by local despots (even those with cosy relationships with the West) to distract attention from their own misdeeds.

What can western governments do? They cannot turn the Region's leaders into paragons of democracy. Heavy-handed pressure, applied to tough rulers still jealous of their newly-won independence, can be counter-productive.

Western governments would do better to give a helping hand to those courageous individuals who are working to keep the flame of independent thought flickering. Often the best deliverers of such help are not embassies or visiting politicians, but non-governmental agencies. Tiny amounts of money—a printing press here, an internet-linked computer there—can make the difference between survival or extinction for a local party or lobby group.

ENCOURAGEMENT WHERE IT COUNTS

To advocates of cold realism in foreign policy, such concerns may smack of sentimentalism. As long as Central Asia's rulers open their airfields to western military planes and their oilfields to western corporations, does it matter very much if they lock up their rivals or use electrodes on their dissidents?

Such arguments were once used to justify America's unconditional support for the monarchy in Iran. When opposition there finally burst into the open, it was not inspired by western models but was driven by anti-western rage. These days technology makes it even harder to maintain repressive regimes and stamp down dissent. Ideas cross frontiers more easily, no matter how hard tyrants try to prevent this. Another good reason for western governments not to collude with creeping authoritarianism in Central Asia, but to use their influence to stop the rot.

## TRIBUTE TO MAX AND OLGA VENZOR ON THEIR 50TH WEDDING ANNIVERSARY

### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. REYES. Mr. Speaker, I rise today to honor the sacrament of marriage by paying tribute to two of my constituents who will be celebrating their 50th Wedding Anniversary over the upcoming Thanksgiving weekend. Margarito and Olga Venzor have been dedicated to each other for fifty years and we should all be inspired to know that marriage, in this day and age, is very much alive and well. They were married in 1952 and never looked back.

Max and Olga have been examples to their community, church, and family, They have been examples of love, dedication, and sacrifice. They are the parents to eight wonderful and beautiful children: Danny, David, Lionel, Lilly, Rose, Chris, Becky and Bertie. They also have and cherish 17 grandchildren. I won't even attempt to name them. I also hear that they will be adding another grandchild to their *familia* in the Spring. Max and Olga are also blessed to have two great grandchildren. As a new grandfather myself, and also coming from a large family, I know what a blessing it is and a true gift from God to be surrounded by loved ones.

One of the things that has remained constant over the past 50 years, has been the love and dedication that has been felt and shown between Max and Olga. Even when times got tough, as they often did, they were able to keep their marriage strong and their commitment to each other and their children solid. They sacrificed of themselves for each other and truly lived up to their marriage vows. They sacrificed to make sure that their kids and each other were educated, and clothed, and fed, and happy, and nourished, and safe, and loved. These things, in the grand scheme of things, are the most important successes in life. They have shared life's joys and tragedies together and have been with each other through each other's accomplishments, trials and tribulations. They have shared each others aspirations, disappointments, fears, and challenges. They have literally grown up together and have beautifully grown old with one another. What a wonderful, spiritual blessing.

I think the place where Max and Olga find themselves as they approach their 50th Wedding Anniversary, is the place and the situation where we all want to be and what so many married couples aspire to achieve. Fifty years of marriage! One of the keys to their success has been keeping God at the center of their marriage, relationship, and family. God is truly the glue that holds the sacred institution of marriage together and Max and Olga are witness to this fact. I know that the Catholic Church continues to be a central and important part of their lives. In fact, for many years, they have served as Eucharistic lay ministers to the family of Saint Joseph's Catholic Church, in El Paso, Texas.

When it really comes down to it, there is no greater accomplishment in life than to have loved fully, your spouse, your children, your God, and your country. Max and Olga have certainly done just that and I applaud them on their 50th Wedding Anniversary. I wish them great happiness, peace, and joy in the upcoming years.

## A PROCLAMATION IN MEMORY OF JOHN E. PLATT

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. NEY. Mr. Speaker, I hereby offer my heartfelt condolences to the family and friends of John E. Platt, who passed away September 24, 2002. John Platt was born on July 11, 1920, in Eastern Ohio. Mr. Platt was a devoted family man. He and his wife, Margeret Esther Morse, raised 5 children and were the proud grandparents of 19 grandchildren and 17 great-grandchildren.

Mr. Platt served our country as a member of both the Navy and the Air Force. For his service as a World War II and Korean War veteran, we owe him a debt of gratitude that can never be repaid. Following retirement from the armed forces, Mr. Platt generously gave of his time teaching high school history and serving as Principal in the Carrollton Exempted School District. His devotion to the community was impeccable, being a dedicated patriot through his 25 year membership in the VFW and Voice of Democracy Program, as well as his work for the Lions International, POW–MIA's, and the American Legion. He was also involved throughout his life with the Chestnut Ridge United Methodist Church.

Mr. Platt will certainly be remembered by all those who knew him for his personal sacrifices of time and energy to family, friends, and community. His understanding and caring shown

to others will stand as a monument to a truly fine person. His life and love gave joy to all who knew him.

While I understand that words cannot express our grief at this most trying of times, I offer this token of profound sympathy to the family and friends of John E. Platt.

## VERIZON LITERACY CHAMPION

### HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BOEHNER. Mr. Speaker, I rise to recognize the efforts of Verizon, its employees and its spokespeople who are working to tackle the problem of illiteracy. Last week, the House Education and the Workforce Subcommittee on Education Reform held a hearing on ''Literacy Partnerships that Work.'' The hearing featured actor James Earl Jones and Verizon President and Chief Executive Officer Ivan Seidenberg, testifying on Verizon's efforts to improve literacy in America.

Describing his lifelong love of reading, Verizon spokesman and actor James Earl Jones remarked on how, ''All of us—lawmakers, reading teachers and tutors, corporate philanthropists, educators, and literacy volunteers—all of us have an important and necessary role addressing this issue.''

Testifying about his company's involvement in literacy efforts, Ivan Seidenberg, the President and CEO of Verizon, described how his company's mission is ''highly focused.'' ''We work to raise public awareness, create partnerships, and generate financial support for local and national literacy organizations so they can do their jobs more effectively. To use a communications metaphor, we believe that—through our scale, scope, and technology—we can increase the 'bandwidth' of the system and enable more learning to be delivered to more people, more effectively.''

For Verizon there is a strategic link between literacy and the future business success of the Nation's largest communications company with upwards of 240,000 employees in technically demanding jobs.

However, it's more than just for their future employees. ''Verizon's communications networks comprise a unique platform for sharing resources and forming partnerships,'' Seidenberg said. ''Verizon's enormously committed employees and retirees have a long heritage of volunteerism and community involvement. And more than a decade's worth of commitment to the issue of literacy has given the company both the knowledge and the relationships with the literacy community to be effective.''

Also attending the Hearing as Verizon Literacy Champions were CBS Sportscaster Dick Enberg, Mike Kohn, 2002 Olympic Bronze Medal Bobsled Athlete, Chris Thorpe 2002 Olympic Bronze Medal Luge Athlete and Lee Ann Parsley, a resident from the great State of Ohio, the 2002 Olympic Silver Medal winner in the Women's Skeleton competition. All of these distinguished celebrities attended to demonstrate their great commitment, as well as Verizon's commitment, to providing positive role models in the fight for literacy.

Mr. Jones, in his compelling personal testimony, said that: ''In my family, we say the love of reading and book learning is in our bone memory.'' Jones' great-great grandparents Brice and Parthenia Connolly, ''passed on their love of reading to my great-grandfather, Wyatt, who owned a modest library, and encouraged his family to read his books and to revere them.''

Mr. Speaker, this is one of the legacies we hope to leave with H.R. 1, ''The Leave No Child Behind Act,'' to build reading and book learning into the ''bone memory'' of all Americans. In these days when there is so much talk about Corporate Accountability, it is a pleasure to recognize Verizon for the positive work they are doing to help the citizens of our Country.

## SANDY MINTZ' TESTIMONY ON AUTISM AND CHILD VACCINATIONS

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. LANTOS. Mr. Speaker, I call the attention of my colleagues to an excellent statement recently made before a hearing of the Committee on Government Reform dealing with the issue of child vaccinations. The statement was made by Ms. Sandy Mintz of Anchorage, Alaska. For over a decade, Ms. Mintz has been a prominent and forceful advocate for an informed vaccination process and for permitting parents everywhere to have the right, as they do in my home state of California, to decide whether or not vaccination is the best option for their child.

Although Ms. Mintz' statement will be published in the hearing record, it will be some time before it is available to my colleagues, and her testimony is of such interest that I ask that it be put in the RECORD so that it will be more broadly and more quickly available for those who have an interest in the health and well-being of our children.

Mr. Speaker, in her testimony, Ms. Mintz posed a vital, if uncomfortable, question: in some cases, could vaccinating our children actually be doing them more harm than good? Specifically, she was asking whether the National Institutes of Health had investigated the link between child vaccinations and autism. She has found evidence that there may, in fact, be a causal link between childhood vaccinations and autism. The witness from the NIH was not aware of any study exploring any link between those two phenomena. Given the vital relevance of this matter to the health of our nation's children, it would be prudent for the NIH to conduct such a study.

At the crux of this debate lie two competing values, which must always be kept in balance: on the one hand, the right of parents to determine what is best for their children, and on the other the need of society at large to protect itself from a common threat, in this instance the threat of deadly communicable diseases. But it is more than an example of the classic tension between the rights of the individual and those of society, because the issue at hand is one we all care so deeply about—the issue of our children's safety. We would all like to inoculate our children against every disease possible, and mandatory childhood inoculations may indeed be the soundest policy choice for our state governments.

Mr. Speaker, I believe the question raised in Ms. Mintz' testimony needs to be dealt with, because our government should not administer a cure that is worse than the disease. We must first investigate whether vaccinations cause autism in children before we can continue to require them of our children. In the meantime, I believe it would be prudent to allow parents to choose not to vaccinate their children, as is permitted in my home state of California. Again, I thank Ms. Mintz for her bold and illuminating testimony before the Committee on Government Reform.

THE AUTISM EPIDEMIC—IS THE NIH AND CDC RESPONSE ADEQUATE?

Mr. SHAYS. Dr. Foote and Dr. Boyle, let me just say it is our intention to let you get out pretty soon. You haven't had a break or anything. Do you have 20 more minutes in you? Are you OK?

I am going to do something that may seem a little unusual, and I may have to just cut it off if it is not a good idea. But, Dr. Foote and Dr. Boyle, if you can trust me in terms of my ability to control a meeting, it is not lost on me that we have a lot of people in the audience who have a keen direct interest. There my be a question or two that none of us on the panel here have asked that we should have. I am going to ask if there is someone in the audience who may have a question that says we should have addressed this. I will allow you to stand up and tell the committee, and then we may choose, our committee may choose to ask that question.

My motivation is that it would be a shame to have people leave without you having the opportunity to respond and maybe clear something up. Both of you have such a nice, friendly smile. I figured I could get away with it. So we are going to try it out, but I have the counsel—excuse me, the minority counsel would like to ask you a few questions, the majority professional staff would just like to ask a few more, and then I am going to just throw it out to the audience, pick two or three of you and ask you to stand and tell me if there is a question you think we should have asked, loud enough so I can repeat it to our witnesses. . . .

Mr. SHAYS. Now let me state what I would like to do. I would like let our witnesses leave soon. I would like to just say that this is a hearing of the House of Representatives, of Congress, so the decorum needs to be done well.

I am going to first ask how many people would like to ask the question. I am going to invite five people to take each of those five seats. I am going to invite you, Ma'am, in the front row to come up to that seat up there, yes. I am going to invite you in the very back to come up, the very back there. I am going to invite you, sir, to come up. I am going to invite you, Ma'am, in the middle, and I am going to invite you in the very back there.

I am going to have you each take a seat. What I am going to invite each of you to do, the committee is going to invite each of you, you are just going to go down and you are going to identify your name, as you ask the question, where you live. If you have a loved one who is impacted, we are happy to have you share the name of your child, but this is primarily for an opportunity to ask a question. We will just see how it goes.

OK?

You all are nice—thank you—to let us do this.

Just turn the mic on, start at the very end, and ask your question.

Ms. MINTZ. Hi. My name is Sandy Mintz. I am from Anchorage, AK. I am lucky enough not to have a child who has been injured by a vaccine.

My question is, is NIH ever planning on doing a study using the only proper control group, that is, never vaccinated children?

Dr. FOOTE. I am not aware of—but note carefully what I said, that I am not aware of—proposed study to use a suitably constructed group of never vaccinated children. Now CDC would be more likely perhaps to be aware of such an opportunity.

Dr. BOYLE. The study that I mentioned earlier that we are doing in collaboration with Denmark compares children who received the MMR vaccine versus children who did not receive MMR.

Ms. MINTZ. But I am saying never vaccinated with any vaccine. That assumes that vaccines don't cause autism, which is what needs to be studied, not assumed.

Mr. SHAYS. Let me just say that if you would turn off your mic, I am happy to have you do the followup, if you would respond to it.

Ms. MINTZ. I'm sorry.

Mr. SHAYS. No, you don't need to apologize. And we will go to the next. Do you have any other comment based on that? The point that is being made, any vaccination. Could we just suggest that you take this under advisement?

Ms. WHARTON. The difficulty with doing such a study in the United States, of course, is that a very small portion of children have never received any vaccines, and these children probably differ in other ways from vaccinated children. So performing such a study would, in fact, be quite difficult.

The Denmark study was a study that, in fact, could not have been done in the United States, although, of course, these children did potentially receive some other vaccines, but simply hadn't received MMR.

Mr. SHAYS. I will invite anyone who is here to speak to staff or me afterwards if they want to augment a comment.

## HONORING DAWN SHANNON

### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MCGOVERN. Mr. Speaker, I rise today to honor Dawn Shannon, who has been selected by FOR Special Friends, Inc. as the recipient of the 13th Annual Sheriff's Community Service Award.

From 1972 to 2002, Mrs. Shannon was a vital part of the Shrewsbury Parks and Recreation Department in Shrewsbury, Massachusetts. During her 30-year career, she helped to make the Department one of the best in the State, providing recreational activities for students, adults, and those with special needs.

Through her dedication, and the devotion of the late Paula Rourke, many residents with special needs joined basketball teams, learned to throw a softball, and were able to learn the joy of being a member of a team—many for the first time. She organized Christmas parties, dances, sleepovers, and Valentine socials. Busloads would leave the Shrewsbury Town Hall for Boston's duck tours in the summer and skiing at Ward Hill in the winter.

The program also supported Special Olympics and helped provide uniforms and celebration banquets. An advocate for ''Stepping Stones Community Theatre'' and a member of the Board of FOR Special Friends, Inc., Dawn's energy never seems to fade when working for the special needs community.

Mr. Speaker, I am certain that the entire U.S. House of Representatives joins me in congratulating Dawn Shannon for her stellar work for the residents of the Town of Shrewsbury and wishes her the best of luck and happiness in all her future endeavors.

## WORLD HUNGER

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GILMAN. Mr. Speaker, today is World Food Day. As Americans, we all enjoy one of the highest living standards in the world, and we derive much of our strength as a Nation based upon this fact. Yet in many areas of the world, poverty, and the resultant hunger, remains a serious problem that deserves our attention.

According to the Food and Agriculture Organization of the United Nations, ''the Progress in reducing world hunger has virtually come to a halt . . . and unless trends are sharply reversed, the world will be very far from reaching the World Food Summit 1996 goal, to reduce the number of hungry by half by 2015.''

It is imperative that we act to counter this trend. It is wrong for a child anywhere in the world to suffer the crippling effects of, or, as happens to close to 6 million children each year, who die from hunger. It is appalling that close to 800 million people are malnourished, and indeed many are on the verge of starvation. It is wrong for us to sit idly by and accept this as fact.

We must also recognize that it is in our self interest to fight hunger. The plague of AIDS and other threats to health is not confined to international borders; it would be foolish and naive of us to think that we are immune to the effects of hunger. Furthermore, much of the political instability is rooted in poverty and hunger is rarely confined to any single nation.

Every year national, regional and international World Food Day events are organized around the world. These activities, including those of the World Hunger Year, brings long overdue attention to the problems surrounding the international fight against hunger, and the practical solutions available to our winning the fight against hunger. This is a fight that can be won if we all work together.

## MEDICARE COVERAGE OF DIABETES SCREENING

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GREEN of Texas. Mr. Speaker, diabetes is a serious, debilitating, chronic illness that afflicts more than 17 million Americans, including seven million Medicare beneficiaries. This sometimes silent disease causes many serious complications, including heart disease, stroke, blindness, kidney failure and lower limb amputation. Unfortunately, more than one-third of people with diabetes won't realize they have it until they develop one of these deadly complications.

Diabetes imposes an enormous financial burden on our health care system. More than 25 percent of the Medicare budget is currently devoted to providing medical care to seniors living with diabetes. Congress recognized the need to address this problem when it required Medicare coverage of blood-glucose monitors and diabetes education services in the Balanced Budget Act. While this was a positive development in our fight against diabetes, it has done little to help us diagnose and treat the 2.3 million seniors who do not know they have the disease.

While diabetes is sometimes a silent disease, the risk factors are often obvious. Diabetes is prevalent among individuals who are overweight, aging, and lead a sedentary lifestyle. Other health conditions, such as gestational diabetes, high cholesterol, and hypertension often lead to diabetes. It is also more common in certain racial and ethnic groups, including Hispanics, African Americans, and certain Native Americans. Additionally, 20 percent of Medicare beneficiaries have pre-diabetes, which if left untreated, will develop into diabetes.

Currently, Medicare does not cover diabetes screening, even if a patient has some of these risk factors. We must amend the Medicare program to ensure that individuals get treatment before it's too late. By testing high-risk individuals, we will be able to diagnose and treat individuals earlier on, and subsequently prevent many complications. Studies have shown that people with pre-diabetes can prevent or delay the onset of type 2 diabetes by up to 58% through lifestyle interventions, including modest weight loss and increased physical activity.

That is why I am introducing this legislation, which would require Medicare to cover diabetes screening under Part B. Diagnosing diabetes and pre-diabetes through testing, would improve the lives of our nation's seniors and prevent an increase over the already huge amount of the Medicare budget devoted to seniors with diabetes. In addition to improving the health and quality of life for millions of Americans, extending coverage to cover simple testing would save Medicare money in the long run by lowering the incidence of complications.

I urge my colleagues to join me in support of this legislation.

## HONORING THE HEROISM OF MIKE MCGEHEE OF RED BUD, ILLINOIS

### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the heroism of Southern Illinois University at Edwardsville Freshman Mike McGehee of Red Bud, Illinois for saving the lives of his fellow students during a tragic fire in their Cougar Village apartment on the campus of Southern Illinois University at Edwardsville.

Early Saturday morning, October 12, 2002, Campus police received a call that a fire was underway at the Cougar Village Student apartment complex. The fire started at about 4:40 a.m. in the kitchen of Apartment 1B on the lower floor in the complex. Mike McGehee and his roommates were upstairs in Apartment 2C. Mike, normally a sound sleeper according to his parents Len and Ruth McGehee, woke up

about 4:30 a.m. and smelled smoke. He woke up five other people in the apartment and guided them towards the front door. When they discovered that the front door was hot, Mike's roommates went to the balcony to jump. Upon reaching the ground, Mike didn't follow. Campus Police Officer, Tony Santiago who was on the scene helped some students who were trying to jump off balconies to escape from the second story apartments.

With the fire fully engaged and Edwardsville Fire units arriving on scene, Mike became disoriented with the smoke and broke out a window, he fell to the floor and called out for help. By then Edwardsville Firefighters were evacuating other apartment units. Mike's friends alerted firefighters that Mike was still inside. Firefighters, moving through the building, felt Mike's grasp on his leg. According to Mike's parents, Mike had already mentally said his goodbyes, as he thought he was going to die.

Mike was taken from the building to a local hospital and then transferred to the burn unit at St. John's Mercy Medical hospital in St. Louis where he is currently being treated for burns and smoke inhalation. Mike is expected to be released from the hospital in the coming days.

Mr. Speaker, I ask my colleagues to join me in honoring the heroism of Mike McGehee and his efforts to help save the lives of his fellow students. It was through his efforts that so many lives were saved that day.

## CELEBRATING THE 20TH ANNIVERSARY OF WHITTIER HEALTH NETWORK

### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MCGOVERN. Mr. Speaker, I rise today to pay tribute to the Whittier Health Network. Whittier was founded 20 years ago by Dr. Alfred. L. Arcidi and his sons. Since 1982, Whittier has provided high quality acute rehabilitative care along Route 495. Whittier has stuck close to Dr. Arcidi's guiding principle: healthcare that incorporates traditional family values with everyday practices.

Throughout New England, Whittier is known as the premier rehabilitation hospital center. At Whittier, every patient is treated with equal dignity, reverence, and devotion. It is without a doubt that Whittier's reputation for quality care has contributed to its unparalleled prosperity. Indeed, Whittier's reputation and comprehensive care has led to its service to thousands of patients on a daily basis.

Twenty years after its founding, Whittier has branched out beyond its founding as a rehabilitation hospital. The Whittier Pharmacist was established in 1995, and it has grown to serve over 1500 patients. The corporation also has the Whittier Home Health Care Agency. The Home Health Care Agency follows the Whittier tradition by serving individuals in a friendly home environment. A special part of Whittier is that it has a Social Work Service that provides adjustment planning and guidance to both patients and families.

Mr. Speaker, it is with great pride that I honor Whittier Health Network. I am sure that the entire U.S. House of Representatives joins me in thanking Whittier for its contribution to New England's health during the past 20 years.

## TRIBUTE TO REPRESENTATIVE BILL GREEN

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GILMAN. Mr. Speaker, I deeply regret informing our colleagues of the passing of our close friend and a former representative of the State of New York, Congressman Bill Green with whom I had the honor of serving in the House of Representatives for eight terms from February 14, 1978, until January 3, 1993 in Congress. After leaving Congress, Bill remained active in government and in the private sector.

Bill Green, a Rockefeller Republican who represented Manhattan's Silk Stocking district from 1978 to 1993, was a leader of the progressive wing of the Republican Party. His wisdom and judgement was highly regarded during his tenure in Congress. Bill's guidance will be greatly missed by all those whom he touched over the years.

Bill Green served on the House Appropriations Committee and was the ranking Republican on the Subcommittee on Veterans Affairs, Housing and Urban Development and Independent Agencies. Bill supported abortion rights and was known throughout Washington as a pro-environmental lawmaker. Following his congressional service, Bill was very active in housing, science policy, and political reform.

Congressman Green was chosen to fill the congressional seat formerly held by Ed Koch, when Koch became mayor of the city of New York. Bill began his Federal Government career, service as the regional administrator for HUD from 1970 to 1977 and prior to his Federal post he was elected as a member of the N.Y. state assembly from 1965 to 1968.

Mr. Speaker, I invite my colleagues to join with me in extending our condolences to Bill Green's wife, Patricia, his daughter Catherine, his son Louis, his sister Cynthia Green Colin and his many friends and supporters throughout the State of New York and our nation. Bill will surely be missed by this body of Congress.

It is hoped that our thoughts and prayers for Bill will be of some solace to Bill's family and friends.

## TRIBUTE TO REVEREND DR. WILLIAM P. DIGGS

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Reverend Dr. William P. Diggs on the occasion of his 40th Anniversary as Pastor of Trinity Baptist Church in Florence, South Carolina. The celebrations will take place on October 26 and 27, 2002.

Rev. Diggs was born in Columbia, SC and raised in Rock Hill, SC. He earned a B.A. degree from Morehouse College, a M.A. in Sociology from Atlanta University, a Master of Divinity from Colgate-Rochester Divinity School, and a Doctor of Ministry from McCormick Theological Seminary. He is married to the former Clotilda Daniels, and they are the parents of two adult children, Mary Lynne and William, Jr. They have one grandson, William, III.

Rev. Diggs has accomplished much as a leader in the Florence community. He is a Life Member of the NAACP and was the first organizer of and solicitor for the Pee Dee Area United Negro College Fund. He organized a federally operated credit union, which continues to operate today with assets of over one million dollars.

As pastor of Trinity Baptist Church, Rev. Diggs led the development of a preschool institution that is licensed by the state of South Carolina, administers a church sponsored after school tutoring program which could accommodate up to forty-five students, and led Trinity from an annual budget of twenty thousand dollars in 1962 to its current over-all annual budget of one-half million dollars. Over thirty thousand dollars of Trinity's annual budget is designated for education.

Mr. Speaker, it is rare to find people who so unselfishly dedicate their time and energy to improving their community, as does Reverend William P. Diggs, and I ask you and my colleagues to join me in paying tribute to this outstanding leader, role model, and devoted Christian.

## HONORING JACK DEMPSEY

### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BORSKI. Mr. Speaker, I rise today to honor Jack Dempsey, a good friend and the anchor of my Congressional operations. Jack Dempsey is a ''neighborhood guy'' who never forgot his roots, and like no other I know, lives and breathes Philadelphia politics. Since my first campaign in 1976 for the Pennsylvania State House, Jack has been a dear friend and advisor. He has served as a key strategist, not only for my campaigns, but also for many others in the Philadelphia region.

In Washington, pundits read the Cooke Report for the political scoop, I pick up the phone and call upon the ironclad Jack Dempsey for the word on the street. For nearly two decades, Jack Dempsey has used his lifelong friendships and connections in the Philadelphia area to enhance his uncanny ability to sort out the winners and losers of local, state, and federal elections before the votes have been cast. He has an uncanny ability to read and interpret polls and bring people together. Jack knows the neighborhoods and the District like the back of his hands. His political acumen is unsurpassable and many have called upon his advice for the breakdown of their upcoming elections. Jack, without hesitation, can tell you what the issues are, who your opponents will be, and what you need to do to get the vote out to ultimately win. Luckily, for me, I have had him on my team for all these years.

More important for me, Jack has served with distinction as my District Director for 20 years. As Director, Jack assembled an outstanding and dedicated staff in the Third Congressional District that has worked tirelessly

on issues from constituent casework to the revitalization and redevelopment of the District. Jack's stewardship of the District Office over the past two decades has been invaluable to me, and has served the 3rd Congressional District well.

Mr. Speaker, countless times when I was in my district, a constituent would approach me and tell me how my office helped him or her with a problem they were having, anything from problems sorting out social security benefits to getting a military medal they had been awarded. Thanks to Jack's leadership and counsel, and along with my dedicated staff and caseworkers, we helped thousands of constituents during my tenure in Congress. Constituents never forget the help and support of my District Office, as I will never forget their help, support, and friendship.

THE 3RD CONGRESSIONAL DISTRICT STAFF, 1983–2002

Kay Arndorfer, Maureen Canty, Ethan Chamow, Michele Daly, Patrick Daly, Pete DeCoursey, Jack Dempsey, Mariann Porter Dempsey, Adam Dickstein, Sis Dolan, Christopher Drumm, Ginny Duffy, Anna Marie Feeney, Rosemary Farnon, Jack Fesi, Ann Fleming, Keven Gallagher, Joe Grace, Bill Haas, Tom Jablonowski, Brian Jeter, Judith Kohn, Elsie Lydon, John Macoretta, Francis McCloskey, Mark Menkevich, Joe Michalski, Carletta Murray, Mercedes Ott, Karen Peck, Manor Prewitt, Jerrildine Reed, Peg Rzepski, Joe Schorr, Donna Storino, Donna Szuszczewicz, Ed Turzanski, Nicole Usle.

## HONORING CHARLOTTE KLEIN

### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MCGOVERN. Mr. Speaker, I rise today to honor a Worcester treasure, Charlotte Klein, as she celebrates 50 years as a dance educator. Charlotte's students and friends will honor her November 9, 2002 to commemorate a career that has touched the lives of thousands and helped launch many professional careers.

Charlotte began studying dance at age four, and she began her career as a dance educator as an assistant teacher with a preschool class at age 12. During the 50 years since she opened her first dance studio in the basement of her parents' home, following high school graduation, she has provided professional training in the art of dance to thousands of students in Central Massachusetts. Countless students have gone on to college as dance majors, and dozens of Charlotte's students have achieved national recognition for their stage, film, and television performances.

As important as her career has been in her life, her family always came first. In 1955 she married her high school sweetheart, Ben Klein, son of a prominent Worcester Rabbi. They built a dance studio in their home and started to raise a family. Tragedy came with cystic fibrosis, a disease that claimed two of their three daughters. One lived for only a few weeks, while Elisa lived more than 15 years. Elisa was a wonderful dancer, and took classes in Charlotte's school before she passed away. Elisa's sister Laura carried on the family legacy as a dancer, choreographer and teacher. Charlotte moved forward, establishing the Elisa Ruth Klein Fund. The Fund supports activities of the Cystic Fibrosis Center at UMass Memorial Children's Medical Center.

Mr. Speaker, I am confident that the entire U.S. House of Representatives joins me in congratulating Charlotte Klein and her family for their contribution to dance education in Central Massachusetts.

## ELIMINATING THE 24 MONTH WAITING PERIOD FOR MEDICARE

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GREEN of Texas. Mr. Speaker, more than 56 million Americans currently live with some kind of disability. These disabilities include blindness, paralysis, mental illness, hearing loss, physical ailments, and a host of other conditions.

The federal government has recognized the unique challenges faced by these Americans by allowing qualified disabled individuals to receive health insurance under the Medicare program. Unfortunately, the law includes a 24 month waiting period before disabled individuals can qualify for coverage.

This waiting period poses a serious problem for many newly disabled Americans. Faced with the loss of their employment due to their disability, their situation is only made worse because they cannot access the health care services they need. The Medicare program was designed to help people in need—not make their situations worse by denying them necessary health care.

That is why I am introducing legislation to eliminate the 24 month waiting period under the Medicare program. This legislation would allow individuals to enroll in Medicare immediately upon their disability determination. This is a necessary change in the law which will help countless Americans access the health care they need upon becoming disabled.

## HONORING THE HEROISM OF MIKE MCGEHEE OF RED BUD, ILLINOIS

### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the heroism of Southern Illinois University at Edwardsville Freshman Mike McGehee of Red Bud, Illinois for saving the lives of his fellow students during a tragic fire in their Cougar Village apartment on the campus of Southern Illinois University at Edwardsville.

Early Saturday morning, October 12, 2002, Campus police received a call that a fire was underway at the Cougar Village Student apartment complex. The fire started at about 4:40 a.m. in the kitchen of Apartment 1B on the lower floor in the complex. Mike McGehee and his roommates were upstairs in Apartment 2C. Mike, normally a sound sleeper according to his parents Len and Ruth McGehee, woke up about 4:30 a.m. and smelled smoke. He woke up five other people in the apartment and guided them towards the front door. When they discovered that the front door was hot, Mike's roommates went to the balcony to jump. Upon reaching the ground, Mike didn't follow. Campus Police Officer, Tony Santiago who was on the scene helped some students who were trying to jump off balconies to escape from the second story apartments.

With the fire fully engaged and Edwardsville Fire units arriving on scene, Mike became disoriented with the smoke and broke out a window, he fell to the floor and called out for help. By then Edwardsville Firefighters were evacuating other apartment units. Mike's friends alerted fire fighters that Mike was still inside. Firefighters, moving through the building, felt Mike's grasp on his leg. According to Mike's parents, Mike had already mentally said his goodbyes, as he thought he was going to die.

Mike was taken from the building, to a local hospital and then transferred to the burn unit at St. John's Mercy Medical hospital in St. Louis where he is currently being treated for burns and smoke inhalation. Mike is expected to be released from the hospital in the coming days.

Mr. Speaker, I ask my colleagues to join me in honoring the heroism of Mike McGehee and his efforts to help save the lives of his fellow students. It was through his efforts that so many lives were saved that day.

## TRIBUTE TO ALICE SANTANA

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. FARR of California. Mr. Speaker, I rise to honor the life of Alice Santana, a woman of many roles—a wife, a mother, a friend, a business woman, a community activist, a rising star in the ranks of the Office of Economic Opportunity, a political advisor, a supporter and kingmaker—just to name a few. Alice was tough, exuberant, and smart in every one of her roles. She brought her awesome zest for life to others, and enjoyed the pleasure of working and playing, while wholeheartedly advocating the causes in which she believed.

Alice came to Santa Cruz with her family in 1962 when the circle of those committed to action for social change and support for the arts was small indeed in Santa Cruz County. This was an emerging time of change—Cabrillo Community College had just been established, UCSC was on the verge of opening its doors, and Alice was a forceful and driving member within that small circle for reform. Alice's commitment continued with resiliency. There is hardly an arts organization or initiative for social change in this county that did not benefit from Alice's truly generous support.

It is no secret that Alice Santana has always been an ardent Democrat. Her willingness to generously support endeavors that didn't always look shiny and bright, in a community dominated by the other party, was a critical force for change. She was an early and crucial supporter for Leon Panetta, our first Democratic Congressman. Alice supported and worked hard for Henry Mello, Supervisor, State Assemblyman and the State Senator. She worked vigorously for my races as well as for Fred Keeley, our current State Assemblyman. And at the local level, she was an important and initial supporter for a line of Democratic Second District Supervisors, Ralph

Sanson, Dale Dawson, Robley Levy, and Ellen Pirie. We all owe much to Alice.

Alice not only supported politicians, she played the game too, and she played it well—from the early 60's as an activist at Community Action Board hearings, to the days when she was an energetic delegate at both state and national conventions. She delighted in these opportunities. Alice had an unremitting passion for making a difference. When she saw the opportunity to act, she did not let it pass, and her mark on our community has been profound.

In addition to all of Alice's accomplishments, it is just as important to remember her enthusiasm for life, her enjoyment in the great pleasures of our world—good food, good drink, good conversation, and the company of good friends. Alice loved elegant and vivid clothes, jewelry, silver, ivory and gold, and a good martini. I have always enjoyed her hospitality, and was often transported by vibrant tales of her travels—to New York and Guam, Cairo and Portugal. With Manuel, Leonard, Patricia, and Angelina, I am proud to honor the warmth, love, and courage personified in Alice.

## COMMEMORATING THE 90TH BIRTHDAY OF LADY BIRD JOHNSON

### HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SMITH of Texas. Mr. Speaker, today I introduced a resolution to recognize the 90th birthday of former First Lady, Lady Bird Johnson. Lady Bird Johnson has made many contributions to this country.

One of the most visible is her dedication to the preservation of the environment, especially her efforts to beautify our Nation's highways with a legacy of wildflowers.

In 1982, Mrs. Johnson founded the National Wildflower Research Center, which later was renamed the Lady Bird Johnson Wildflower Center, in Austin, Texas. The center is dedicated to the conservation and restoration of native plants in natural and planned landscapes.

My congressional district includes the Hill Country of Texas, which encompasses Stonewall, Texas, the home of Mrs. Johnson. Each year with spring's arrival, the Hill Country's fields, hillsides and riverbanks shed their drab winter austerity for the vibrant hues of wildflowers.

Lady Bird Johnson was the recipient of the nation's highest civilian award, the Medal of Freedom and, in 1988, President Ronald Reagan awarded her the Congressional Gold Medal.

I commend Lady Bird Johnson's efforts to preserve the landscape of this country and we send her best wishes on her 90th birthday.

## A WARM CONGRATULATIONS TO MATTIEBELLE WOODS ON HER HUNDREDTH BIRTHDAY

### HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KLECZKA. Mr. Speaker, on Saturday, October 26, 2002 the Milwaukee Community will join together to celebrate Ms. Mattibelle Woods' 100th birthday and honor her for over 50 years of journalistic excellence serving the Milwaukee community.

Mattiebelle Woods was born and raised in Milwaukee and has spent more than 50 years as a newspaper columnist and community activist. Ms. Woods has served as an icon for an array of people across socioeconomic lines and professions with a lifetime commitment and dedication to improving the quality of life for citizens in the Milwaukee community. Her distinguished professional career has taken her to the top of her craft with assignments to the Milwaukee Globe, The Chicago Defender, The Milwaukee Star, Jet Magazine and currently the Milwaukee Courier. She still remains active in the community and has been gainfully employed for almost a century. Currently Mattiebelle has a weekly column in the Milwaukee Courier newspaper, 'Mattibelle's Party Line.'

Legendary is her community involvement where she has played an active role in the March of Dimes, The United Way, The NAACP, the United Negro College Fund, the Urban League, and numerous other endeavors including the political arena. Ms. Woods was the Founder and Director of Miss Black Teen-Wisconsin, Miss Bronze Milwaukee and Ten Best Dressed Black Women in Wisconsin.

Numerous awards and recognitions she has received which include: Black Female Pioneer Award, Quality of Life Award, Status of Women Service Award, African-American Ancestry Award, Outstanding Woman in Wisconsin Journalism, and NAACP Presidential Award.

So it is with great pride that I congratulate Mattiebelle Woods, not only for her 50 years of community public relations and social affairs, but also for a lifetime of service to the Milwaukee community, and on her 100th birthday celebration. Happy Birthday!

## PERSONAL EXPLANATION

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. ORTIZ. Mr. Speaker, because of health reasons I was absent for rollcall votes 453–463. If I had been present for these votes, I would have voted as indicated below.

Rollcall No. 453—"Yes"; Rollcall No. 454—"No"; Rollcall No. 455—"Yes"; Rollcall No. 456—"Yes"; Rollcall No. 457—"Yes"; Rollcall No. 458—"Yes"; Rollcall No. 459—"No"; Rollcall No. 460—"Yes"; Rollcall No. 461—"Yes"; Rollcall No. 462—"Yes"; and Rollcall No. 463—Yes.

## OUR LADY OF PEACE ACT

SPEECH OF

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 15, 2002*

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of H.R. 4757, the "Our Lady of Peace Act"—sensible and much-needed gun safety legislation. I thank my colleague, Representative CAROLYN MCCARTHY, for bringing this bill to our attention. In facilitating a more accurate and complete database of people who are ineligible to purchase firearms, the Our Lady of Peace Act would bring greater safety and security to our streets and into our homes.

This bill would require that a greater number of federal and state records that are pertinent to determining firearms transfer and possession eligibility be made accessible through the National Criminal Instant Background Check System (NICS). It is incumbent that we do all we can to ensure that such a database is as thorough as possible in order to prevent criminals from buying guns.

We seem to be increasingly reminded of the fear and tragedy that guns can help cause in our society. As lawmakers, we must do all we can to ensure that assault weapons and handguns are kept off the street and that only law-abiding citizens have access to firearms for hunting and sport. This bill is a step in that direction, and I urge my colleagues to vote for it.

## KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2002

SPEECH OF

### HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. HOEKSTRA. Mr. Speaker, I am pleased that we are here today to consider H.R. 5601, the "Keeping Children and Families Safe Act of 2002" which reauthorizes and improves the Child Abuse Prevention and Treatment Act (CAPTA), the Adoption Opportunities program, and the Abandoned Infants Act.

While I recognize and am disappointed that we were not able to come to agreement on all issues of the original bill, H.R. 3839, the bill before us shows our effort and commitment to ensure that programs aimed at the prevention of child abuse and neglect continue. I would like to thank my colleagues on both sides for their hard work and efforts in developing this mutual compromise in the bill before us for consideration today.

I especially want to thank the full committee chairman, Mr. BOEHNER, for his support of this bill, and Mr. GREENWOOD for his diligence in ensuring that infants bom addicted to alcohol or drugs receive necessary services.

I want to also thank the ranking member of the subcommittee, Mr. ROEMER, and the ranking member of the full committee, Mr. MILLER, for their cooperation in working towards this alternative bill before us today.

This bill provides for the continued provision of important federal resources for identifying and addressing the issues of child abuse and

neglect, and for supporting effective methods of prevention and treatment.

It also continues local projects with demonstrated value in eliminating barriers to permanent adoption and addressing the circumstances that often lead to child abandonment.

Mr. Speaker, this bill emphasizes the prevention of child abuse and neglect before it occurs. It promotes partnerships between child protective services and private and community-based organizations, including education, and health systems to ensure that services and linkages are more effectively provided.

The bill retains language that appropriately addresses a growing concern over parents being falsely accused of child abuse and neglect and the aggressiveness of social workers in their child abuse investigations. It retains language to increase public education opportunities to strengthen the public's understanding of the child protection system and appropriate reporting of suspected incidents of child maltreatment.

The agreement continues to foster cooperation between parents and child protective service workers by requiring caseworkers to inform parents of the allegations made against them, and improves the training opportunities and requirements for child protective services personnel regarding the extent and limits of their legal authority and the legal rights of parents and legal guardians.

It also ensures the safety of foster and adoptive children by requiring states to conduct criminal background checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household.

Lastly, this bill expands adoption opportunities to provide for services for infants and young children who are disabled or born with life-threatening conditions, and requires the Secretary of Health and Human Services to conduct a study on the annual number of infants and young children abandoned each year.

I again want to thank my colleagues for their work on this bill and urge them to join me in support of this effort to improve the prevention and treatment of child abuse by supporting H.R. 5601, the Keeping Children and Families Safe Act of 2002.

## TRIBUTE TO ISRAEL BROOKS, JR.

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an outstanding public servant and extraordinary law enforcement official, Israel Brooks, Jr., as he retires as the United States Marshal for the District of South Carolina.

This Newberry County native started out his career serving his country in the United States Marine Corps. In this capacity he served a tour at the National Security Agency in the greater Washington area, and obtained a top-secret crypto clearance from the Federal Bureau of Investigation. This fueled his interest in pursuing a professional law enforcement career.

After leaving the Corps, Israel joined the South Carolina Highway Patrol as a Patrolman in Beaufort County. This was particularly significant because he broke the color barrier in that organization. His enthusiasm and leadership led to a steady succession of promotions, ultimately culminating in his attaining the rank of Major, a position in which he assumed the administrative duties for the entire agency.

Because of his exemplary service during his 27 years with the South Carolina Highway Patrol, my friend and colleague, Senator FRITZ HOLLINGS, nominated Israel as President Clinton's United States Marshal in South Carolina. He has served in this capacity with distinction since March 1994, even earning his agency the 1995 ''District of the Year'' award from the United States Marshals Service.

Israel Brooks' career has been as distinguished as historic. He has received numerous awards for his achievements, and shares his message of success with young people of all ages. As he retires as United States Marshal for the District of South Carolina, I commend him for his dedicated service and the example he has set for future generations.

Mr. Speaker, Israel Brooks Jr.'s contributions to South Carolina and the Nation are significant and deserving of high praise and I ask you and my colleagues to join me today in honoring him for the example he sets for all of us. I wish him continued success and Godspeed!

## EDUCATION SCIENCES REFORM ACT OF 2002

SPEECH OF

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of H.R. 5598, The Education Sciences Reform Act of 2002.

Let me first thank Chairman CASTLE and Congressman KILDEE for their outstanding work on this bill. Both members have championed the need for quality education research and this legislation is a reflection of their leadership on this issue.

H.R. 5598 complements the bipartisan effort started with the No Child Left Behind Act. In that landmark reform measure enacted this year, states and schools districts will now be held accountable for providing a quality education to all children. The availability of scientifically based research that demonstrates what works and what doesn't work will be critical in this effort and H.R. 5598 establishes the framework to make this happen.

H.R. 5598 brings research directly into the classroom where it is needed the most. Through a system of regional technical assistance, school districts will be able to receive support tailored to their needs.

The bill also establishes 8 research centers to focus on long term research in such critical issues as teacher quality, early childhood education, and assessments and standards. The research conducted by these centers will help to inform the efforts of educators all over the country.

I am proud that this bill will continue to support the efforts in my State of: West Ed in San Francisco, CRESST at UCLA, and CREDE at UC Santa Cruz. All of these programs offer top-notch work that is of direct benefit to our entire educational system.

Perhaps most important this legislation authorizes a new level of investment in education research to match the demand for quality science on what works to improve education.

Again, I commend the work of my colleagues Congressman CASTLE and KILDEE and urge support of this bill.

## RECOGNIZING NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

### HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. CAPUANO. Mr. Speaker, I rise today to recognize the 15th Anniversary of National Domestic Violence Awareness Month. This month of reflection evolved from the Day of Unity, which was created in 1981 to connect battered women's advocates from across the nation who shared the common goal of ending violence and abuse. The Day of Unity developed into a week of local, state and national advocacy and in October 1987, the first Domestic Violence Awareness Month was observed.

Domestic violence is a serious problem in communities throughout the United States. While physical abuse is the most recognized form of domestic violence, in many cases the abuse is often emotional, verbal, mental, sexual or economic. Domestic violence affects families in every community, crossing all races, social and economic backgrounds, cultures, religions, and relationships.

According to the 2000 National Crime Victimization Survey, approximately 700,000 incidents of violence between partners were reported that year with thousands more cases going unreported. Every person deserves the right to live without fear. Children who witness family violence may be its most helpless victims, even if they are not attacked themselves.

It is crucial to raise awareness among teachers, police officers, clergy, and others in the community who can recognize the warning signs of domestic abuse. Historically, domestic violence has been considered a private issue, allowing thousands of abusers to carry out their crimes unnoticed. No one in an abusive situation should feel isolated or judged. With awareness and education, we can learn how to help our friends or loved ones in need and ensure they have the support they need to end the violent behavior in their homes.

Many Federal, State, and local programs addressing the domestic violence problem have achieved great success, bringing greater safety to families. Community leaders, police, judges, advocates, healthcare workers, and concerned citizens are joining together to develop innovative solutions to this serious problem. Community-based organizations in my district, such as the Asian Task Force Against Domestic Violence, Boston Area Rape Crisis Center, Casa Myrna Vasquez, The Elizabeth Stone House, Finex House, Harbor Me, Jane Doe Inc., Renewal House, Respond, Inc., and the Transition House have been helping individuals win the battle against domestic violence for many years, and their dedication should be applauded.

During Domestic Violence Awareness Month, I urge all Americans to commit themselves to eliminating domestic violence and

reaching out to its victims, letting them know that help is available. With dedication and vigilance, we can help keep thousands of American families safe.

## HONORING CARL RIGGS

### HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of the late Carl Riggs, a former provost and acting president at the University of South Florida who dedicated 25 years to turning the University into the first-class, nationally renowned institution that it is today.

Carl began his academic career at the University of Michigan, where he earned three zoology degrees before serving in the United States Air Force as an aviation cadet. He went on to work for 23 years at the University of Oklahoma, where he published several books and articles on zoology and served as acting provost.

In 1971, Carl was asked to join USF as a biology professor and a vice-president of academic affairs, and in the next 25 years, he held a host of leadership positions at the University, including acting president from 1977 to 1978. During his time at the University, Carl set clear standards for faculty tenure, salary and promotions, and at a time when USF was primarily considered a teaching college, Carl was instrumental in developing USF's graduate and research program, which he oversaw until the mid 1980s. Carl's accomplishments helped make USF a successful university that competes with the best.

Carl's colleagues remember him with admiration and respect. He had a vision for USF, and made it come to life. But most importantly, he never stopped caring for the students. In 1990, Carl was awarded USF's Distinguished Citizen's award, and the mayor of Tampa named June 28 of that year to be Dr. Carl Riggs Day.

Carl's contributions to the Tampa Bay community extend far beyond the USF campus. He served as a member on the board of directors of the Boy Scouts of America, and on the Florida Foundation for Future Scientists. Although Carl retired from USF in 1996, he still represented the school, and remained an integral part of it.

On behalf of our community, I would like to extend my deepest sympathies to Carl's wife and children, who have been blessed to have a wonderful, selfless role-model in their family. We will always remember Carl for his dedication and service to our city and the USF community.

## TRIBUTE TO CHICK HEARN

### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to the late Chick Hearn, a man who served as the voice of the Los Angeles Lakers during the 42 years of his professional career as a sports broadcaster. His vibrant descriptions and ingenious perspective of the game transcended the sport as well as the art of broadcasting. Chick was not just the man behind the voice of the Lakers franchise but his career and accomplishments have also been devoted to his friends, family, and, more than anything else, his wife Marge.

Chick Hearn, a resident of Encino, recently passed away at the age of 85. However, his legacy will never be forgotten. During his career he set forth an astounding record that is unlikely to ever be touched. He established an amazing streak, from November 21, 1965, through December 16, 2001, by completing 3,338 consecutive Laker broadcasts. Although he underwent heart surgery and suffered from a broken hip shortly following the streak, he bounced back and returned to the court with full spirits and energy in order to see his Laker team attain a third consecutive world championship. Hearn's longevity surpassed that of any other sports broadcaster. He managed to only miss two games throughout his career and never called in sick due to his overwhelming love for the game.

Francis Dayle Hearn, a native of Aurora, Illinois born November 27, 1916, attended Bradley University. It was there where he first earned the nickname ''Chick'' when, as a young basketball player, he opened up a box of sneakers and instead a chicken came out. Shortly thereafter, he married his high school sweetheart Marge. He once said, ''I don't know what I would have done without her.'' It was her overwhelming support and unconditional love for her husband of 57 years that contributed to his so many achievements.

Chick Hearn received numerous awards during his tenure as the Lakers play by play man. He was a member of the American Sportscaster's Hall of fame and a recipient of the Naismith Memorial Basketball Fame's Curt Gowdy Media award. In 1965, he was presented an Emmy Award for Excellence in Basketball Coverage. Chick, a two time National Sportscaster of the Year, was not just notorious for his basketball insight but also for his work with the NCAA, NFL, UNLV basketball, PGA golf tournaments, and the first Ali-Frazier fight. Throughout his career he made several television appearances, and in 1986 he was commemorated with a star on Hollywood Boulevard's Walk of Fame.

Mr. Speaker, please join me in recognizing the legendary Chick Hearn, the man who set the standard for NBA announcers. A true icon who will be missed dearly by his family, friends, colleagues, fans and the City of Los Angeles.

## HONORING MARIANN PORTER DEMPSEY

### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BORSKI. Mr. Speaker, I rise today to honor my longest-serving staffer, Mariann Porter Dempsey, a loyal footsoldier from Harrisburg and Washington to Philadelphia.

Twenty-six years ago, Mariann left a good job with the City of Philadelphia to work as my assistant in the Pennsylvania legislature for $3,600 a year. Since then, Mariann has served as my Executive Assistant during my 10 terms in the House of Representatives.

Mare has worked diligently to help me represent and serve the interests of the people of the 3d Congressional District. She sought no praise and gratitude for her work, and fought tirelessly for our constituents. She is truly a genuine model for the call to public service.

One of the most important honors in this job is to nominate students to our Nation's service academies. Mariann has helped me in this challenge, by representing me on my Congressional Academy Selection Board for nearly 20 years.

Since 1983, Mare has helped me to nominate well over 100 candidates to the various service Academies: the United States Air Force Academy, the United States Merchant Marine Academy, the United States Military Academy at West Point, and the United States Naval Academy. The candidates include:

From the Class of 1987—John McGowan, Naval Academy.

From the Class of 1988—Mary Ann Dolan, Air Force Academy; Walter Gagajewski, Air Force Academy; Mark McLaughlin, Military Academy; Michael Carsley, Naval Academy; William Hoban, Naval Academy; and Richard Montgomery, Naval Academy.

From the Class of 1989—John Ainsley, Military Academy; Christopher Scuron, Military Academy; Jamie Catalano, Air Force Academy; Kenneth Southard, Merchant Marine Academy; Paul Gallagher, Naval Academy; Jay Roth, Naval Academy; Sally Chamberlain, Naval Academy; and Thomas Bruno, Naval Academy.

From the Class of 1990—Robert Cameron, Naval Academy; Michael Peterson, Naval Academy; James Tannahill, Naval Academy; John Ioia, Military Academy; Keith Melinson, Military Academy; Matthew Lowry, Merchant Marine Academy; and David Rich, Merchant Marine Academy.

From the Class of 1991—Robert Boyle, Military Academy; Lawrence Lowry, Military Academy; Patrick Zaleski, Naval Academy; and Peter Hagis, Air Force Academy.

From the Class of 1992—Joseph Berger, Military Academy; Victor Vidal, Air Force Academy; Kevin Plescha, Air Force Academy; and Maximilian Clark, Naval Academy.

From the Class of 1993—Joseph Crozier, Air Force Academy; Walter Molishus, Merchant Marine Academy; Darryl Rupp, Military Academy; James Crawford Durant II, Military Academy; Erin McAvoy, Naval Academy; and Gregory Cameron, Naval Academy.

From the Class of 1994—William Rapone, Merchant Marine Academy; John McGovern, Merchant Marine Academy; Justin Hoffman, Air Force Academy; Christopher Harris, Air Force Academy; Leonardo Day, Naval Academy; and Patrick Turner, Naval Academy.

From the Class of 1995—Ronald Novotny, Military Academy.

From the Class of 1996—John Coleman, Military Academy; Timothy Smith, Naval Academy; John Van Jaarsveld, Naval Academy.

From the Class of 1997—Nathaniel Newlin, Naval Academy; Irvin Gray, Naval Academy; Janel Timoney, Naval Academy; John O'Connor, Military Academy; Rebecca Trojecki, Military Academy; and Marcus Jackson, Military Academy.

From the Class of 1998—Jon Leisner, Naval Academy; Aaron Bell, Air Force Academy; and David Bonk, Military Academy.

From the Class of 1999—Travene Scott, Military Academy; James Kane, Naval Academy; Eileen Kane, Naval Academy; and Jared Goodwin, Naval Academy.

From the Class of 2000—Gerald Gallagher, Naval Academy; Michael Monaghan, Naval Academy; Thomas McAvoy, Naval Academy; Brandon Woll, Military Academy; and William Kilrain, Military Academy.

From the Class of 2001—Christopher Brautigam, Military Academy; Vincent Noble, Naval Academy; David Campbell, Naval Academy; John Tarczewski, Air Force Academy; and Audra Luyet, Air Force Academy.

From the Class of 2002—Jonathan Magill, Air Force Academy; Michael Gerasimas, Military Academy; John Donovan, Naval Academy; Thomas Delaney, Naval Academy; and Patrick McGinley, Naval Academy.

From the Class of 2003—Christopher Napierkowski, Naval Academy; Stephanie Juda, Naval Academy; Eric Cahill, Naval Academy; Kevin Emore, Military Academy; Michael Bailey, Military Academy; Michael Blair, Military Academy; and Timothy Hogan, Military Academy.

From the Class of 2004—Christopher Sherlock, Naval Academy; Louis Sigmund, Naval Academy; Terrence Fenningham, Naval Academy; Matt Campbell, Naval Academy; Michael Grab, Air Force Academy; and Todd Jacobs, Military Academy.

From the Class of 2005—Thomas Aitken, Military Academy; Leni Thomson, Naval Academy; and Peter Shayhorn, Air Force Academy.

From the Class of 2006—Patrick O'Connor, Military Academy; Michael Williams, Military Academy; and Mark Theurer, Naval Academy.

Mr. Speaker, one cannot read these names without recognizing the dedication that each of these students to our Nation's armed services. Mariann Dempsey, along with the members of the Board, which include Mr. Tony Szuszczewicz the Chairman, Common Pleas Court Judge Jerry Zaleski, Air Force Colonel Thomas Durkin, Federal Magistrate Judge James Melinson, Army Colonel Julian Toneatto, Naval Commander James Burd, Dr. Joanne Wells, Ed.D., and John O'Connor, Esq. worked together to select the best and brightest candidates, from our community, for nomination to our Nation's service academies. Their recommendations have served both our country and my office well.

I am honored to know and work with an individual of such character, determination and dedication. Today, I salute Mariann Porter Dempsey for a job well done and thank her for her friendship.

## BALI TERRORISM

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. FARR of California. Mr. Speaker, I rise today to express my deep sadness for the immense loss being felt around the world as a result of the horrific acts in Bali over the past weekend.

I especially want to send out my heartfelt sympathy to the Australian people. We remain hopeful that those presently listed as missing are alive and safe.

However, if the death toll reaches the number expected, Australia will sadly experience a loss of their people proportionate to that suffered here in the United States on September 11. Again, innocent people have been used as pawns in a despicable act of terrorism. We will never forget how Australia has continued to support the United States during our time of need, and I want to tell the Australian people that the United States is here to support you.

Perhaps one of the most ironic parts of this senseless killing is that it targeted young people who had chosen to venture from their home country to travel abroad and experience one-on-one the lives of people different from them. It also targeted the Indonesians who chose to work in the tourism industry and to welcome foreigners to their country. Bali was a place where people from all over the world came together peacefully to enjoy themselves and learn about each other's unique culture and ways of life.

These young people were open to exploring and celebrating the differences between cultures, rather than trying to further separate this divided world. We can not let these despicable acts continue to tear our world to pieces.

Again, to the families in the U.S., Australia, and the 20-plus other countries who suffered in this blast, I extend my deepest sympathies and promise to commit myself ever stronger to the goal of peace.

## RECOGNIZING THE CONTRIBUTIONS Of S. ROBERT COHEN ON HIS 75TH BIRTHDAY

### HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. MORELLA. Mr. Speaker, I rise to recognize the vast contributions of S. Robert Cohen, on the occasion of his 75th birthday which is October 20, 2002. For over 20 years, Bob Cohen has given his heart and soul, time and effort to ensuring individuals with disabilities always have a home. He spearheaded the creation of The Jewish Foundation for Group Homes (JFGH), a non-sectarian, nonprofit organization that provides residential services to adults with developmental disabilities and chronic mental illness. Since its establishment in 1982, The Jewish Foundation for Group Homes has enabled its residents to be vibrant and integrated members of the community. Residents are selected and served without regard to race, religion or national origin. JFGH serves more than 140 adults with developmental disabilities and chronic mental illness in group homes provides assistance to individuals who could not otherwise participate in the program.

I join the community in applauding Bob Cohen for his dedication to improving the lives of others and envisioning an establishment that now serves as a model worldwide for quality residential services. Since the creation of JFGH in 1982, their mission has been clear: To enable adults with disabilities to be valued, independent members of the community through the support of a home environment; reach out to all our community members in need; educate and sensitize the public regarding integration of adults with disabilities into the community; and encourage communities outside the Greater Washington, D.C. Metropolitan Area to implement a similar mission.

Bob Cohen has been active and integral for every JFGH success and has been tireless in securing funding. Today, the JFGH boasts an impressive 19 group homes, five alternative living units, and 44 apartments which serve 154 individuals throughout Maryland, Virginia and the District of Columbia.

Bob Cohen has seen many awards and praise for his leadership and dedication to the community: Governor of Maryland Award in 1984, the Jewish Federation of Greater Washington in 1994, Washingtonian of the year Award in 1986, Co-Honoree for the Housing Opportunities Commission of Montgomery County in 1986, the B'Nai Brith Award in 1989, Who's Who in the East 1989–1990, Community Service Award from Channel 9 in 1991, and he sits on the Advisory Board for Friends of Allison.

In a time when outstanding humanitarians, activists and leaders seem scarce, it is an honor to recognize those who illustrate these qualities and learn from their accomplishments. S. Robert Cohen is one of these special individuals. May we spread the kindness that he has shown to so many.

## TRIBUTE TO H. CLAY SWANZY UPON HIS RETIREMENT AFTER 31 YEARS SERVICE IN THE U.S. HOUSE

### HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. EVERETT. Mr. Speaker, I rise today to give tribute to a dear friend and exemplary congressional staffer who served well the people of South Alabama for over three decades. It is with some sadness that I announce that Clay Swanzy, my long time chief of staff, will retire in November from the House of Representatives.

When you think of the success and contributions of Alabama's Congressional Delegation over the years, you would be remiss not to recognize the strong support role of many of its knowledgeable staff. We have a lot of talented people working for us here on the Hill, but perhaps none is more fondly thought of, or more noted for his abilities, than Clay Swanzy.

A native of Chickasaw and graduate of the University of Southern Mississippi, Clay joined the staff of Congressman Jack Edwards of Mobile in 1971. Fresh from the newsroom of the Mobile Register, Clay found it easy to trade his reporter's notebook for the desk of a congressional press secretary.

In ten short years, he climbed the ladder of seniority to become chief of staff for Congressman Bill Dickinson. Upon Dickinson's retirement in 1992, I was pleased that Clay chose to stay on and head my office for these last ten years.

Members of Congress frequently get the lion's share of attention for much of what is accomplished in these Halls. However, if it were not for the tireless and devoted efforts of staffers like Clay, Congress would be less efficient and certainly less productive.

Clay never liked to take the spotlight and has been happiest laboring behind the scenes to ensure that the people of Alabama's Second Congressional District have been well served. Ironically, most back home have never heard of Clay, but they have certainly benefited from his work.

I would like to personally thank Clay for his devotion to me and the people of Southeast Alabama as well as his friendship. He will be sorely missed. I also wish he and his wife, Dianne, a happy retirement in their new home of Fairhope, Alabama.

## RURAL DEVELOPMENT ACT OF 2002

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SHUSTER. Mr. Speaker, our rural communities are at the very heart of our Nation and are an essential aspect of our economy. It is our small towns that define the values and identity of America. We, however, are at risk of losing our small towns. A struggling economy has caused many of our youth to flee from our rural communities. After all, one must go where the jobs are. We must reach out to rural communities to help once again stimulate the economy and ensure that our rural towns have first class schools and access to quality medical care. It is in this spirit that I have introduced the Rural Development Act of 2002. This legislation offers help to rural America and ensures that our Nation's heartland continues to experience vitality and growth.

The Rural Development Act has three key components. First, this legislation offers tax incentives to businesses who move into rural areas in an effort to stimulate the economy and provide much needed jobs. Second, the bill focuses on improving the education of students in rural America by directing funds to schools to upgrade technology and provide students with the tools they need to succeed in the 21st century. Finally, we work to improve rural healthcare by offering education incentives to doctors and nurses who agree to serve in those areas.

Our businesses and industries carry huge tax burdens and are bogged down by endless bureaucratic red tape, all of which stifles job growth. This bill works to offer some relief to companies by offering a tax credit of 50 percent, over a ten year period, to companies who move into rural areas and either occupy an existing facility or construct a new facility. This incentive will again draw businesses into rural America and bring much needed-jobs along with them. This not only benefits business by giving them a tax break, but also will provide them with a more cost efficient area in which to expand and grow.

My legislation also recognizes the need for a well-trained and well-educated workforce. To this end the bill authorizes funds to provide rural schools with the tools necessary to ensure that all of our students receive a high quality education. My legislation calls on the Department of Education to offer grants to rural schools to enhance technology and teacher preparation programs as well as creating innovative enrichment programs for children at risk of failure with a particular emphasis on math, science, history and English. Rural schools face many unique challenges and often are forced to forgo federal funds because they do not have the financial resources or poverty data needed to qualify. This legislation recognizes those challenges and sets funds aside specifically for rural areas and help them continue to offer quality education to our Nation's youth.

Finally, my bill focuses on enhancing rural healthcare. Rural residents have been especially hard hit by the nursing shortage that is plaguing America. Nearly one quarter of our nation's population lives in rural areas, yet almost all of the hospitals and healthcare facilities located in these communities are, to no fault of their own, chronically understaffed. To help combat this problem my bill offers education incentives to nurses and doctors to serve in rural areas. The legislation directs the Secretary of Education to create a scholarship program to pay 50 percent of the tuition of students who agree to serve in rural areas for a period of no less than four years. This is a win-win initiative for both students interested in the medical field and rural communities. It allows students who could not otherwise afford the tuition to attend nursing or medical schools and provides much needed doctors and nurses to rural America! Since these students will not be burdened with huge student loans at graduation they will not be forced to leave for better paying urban hospitals.

Mr. Speaker, our rural communities define who we are. They are our Nation's heartland and throughout most of history these communities have been blessed with vitality and growth. In recent years, however, these communities have seen the flight of many of their youth due to a lack of jobs. If this flight continues, Mr. Speaker, we run the risk of finding our small towns vacant. My legislation works to change this trend.

Good paying jobs are the cornerstone of any economy and by providing rural America with these jobs we will help ensure that our rural economies continue to thrive. With jobs, however, comes the need for a well-trained and well-educated workforce. My legislation answers this challenge by giving rural schools the funds they need to provide all of our students with the tools needed to succeed. Completing the circle, this legislation ensures that citizens of rural communities have access to first rate medical care they deserve as they move into their golden years. With good jobs, an education system that is second to none and access to high quality health care we can ensure our rural communities continue to flourish for years to come.

## AVIATION FUEL TAX RELIEF ACT

### HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. COLLINS. Mr. Speaker, today I rise to introduce the Aviation Fuel Tax Relief Act.

As we know, the airline industry is struggling to make ends meet. As industry representatives have indicated in recent testimony before Congress, the challenges of the current economy in addition to significant increases in security-related expenditures are having a tremendous impact on the viability of the airline industry.

The dramatic increases in security requirements have been implemented to provide a necessary level of security for the flying public. However, the precarious state of the airline industry has required them to absorb many of the new security-based costs, rather than pass them on through ticket sales. The true scope of those additional costs were not anticipated by Congress nor the airline industry and they are now having a tremendous economic impact. While Congress has previously taken action to provide assistance to the airlines, layoffs and reductions in service within the industry continue.

The bill I introduce today is one step that Congress can take to reduce the government-imposed costs on an industry that is facing serious challenges. Currently airlines pay 4.3 cents on every gallon of jet fuel purchased. The Aviation Fuel Tax Relief Act will repeal that tax and provide needed relief for an industry that is vital to our national economy.

## TRIBUTE TO JOSEPH BRACEY

### HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. MYRICK. Mr. Speaker, Joseph Bracey will retire from the United States Probation System in November after 25 years of distinguished service. The ideals and values his role model father, a North Carolina State Trooper, instilled, led Joe to choose a career in law enforcement.

After graduating from UNCC in Charlotte, Joe began his career as a North Carolina Probation/Parole Officer and then became a Special Agent for the North Carolina State Bureau of Investigation.

In 1977, Joe was appointed as a United States Probation Officer in the Western District of North Carolina. Joe has held positions of Drug Specialist, Supervising United States Probation and Deputy Chief United States Probation Officer.

As one of the first Firearms Instructors in the Federal Probation System, Joe has dedicated his career to officer safety programs and is widely known for his expertise in this area.

Joe's career has been highlighted by his genuine love of his country and his profession. He has served both exceptionally and is to be commended for his dedicated service. I wish him well in his retirement.

## INTRODUCTION OF THE INFORMATION SECURITY ACT

### HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. JOHN. Mr. Speaker, I am pleased to introduce today a bill that will promote the secure sharing of information and communications within the proposed Department of Homeland Security—the Information Security Act. This Act authorizes funding to implement and maintain the enhanced security infrastructure necessary for sensitive information to be securely stored, transmitted, and disseminated within a new Department of Homeland Security.

Although we have had a lot of debate about policies, procedures and the organization of a Department of Homeland Security, I believe we have not given enough attention to the need to put into place information technology systems that will allow different parts of the U.S. government to communicate and collaborate securely with each other. We will not win the war on terror if we simply put various federal agencies under the umbrella of a Department of Homeland Security without the secure infrastructure to make it into a cohesive organization.

Mr. Speaker, we cannot afford to ignore the threats posed by cyber attacks and the urgent

need to invest in secure information systems. The Information Security Act is a small, but important step toward meeting our security needs and I urge my colleagues to support this very important bill.

## TRIBUTE TO HAL BERNSON

### HON. BRAD SHERMAN

OF CALIFORNIA

### HON. HOWARD L. BERMAN

OF CALIFORNIA

### HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SHERMAN. Mr. Speaker, We rise today to pay tribute to Hal Bernson, for his leadership and efforts to improve the quality of life in our community. Hal is a determined hard working individual who has dedicated 25 years of invaluable service to our city as a Los Angeles City Councilman and as an Honorary Chairman of the Annual North Valley Family YMCA Booster Club Dinner.

Hal Bernson, a native of the San Fernando Valley since 1957, has devoted much time and energy to improving his community. He has been a driving force in cultivating relations between the private businesses in Los Angeles and the public sector. Throughout his public career, beginning in 1979 as a newly elected official, he has focused on improving the quality of life in Southern California by spearheading ordinances to preserve Southland parks and residential areas.

Beginning in 1990 Hal formed the 12th Council District TMA, the first city-side Transportation Management Association. He has served as the City of Los Angeles Earthquake Preparedness Coordinator, and as a member of the State of California Seismic Commission. Along with overseeing such committees, he has also worked to improve the state's earthquake preparedness, funding to retrofit substandard buildings as well as the implementations of state and local educational programs. His efforts have been instrumental in establishing a policy that considers jobs, housing and transportation, to create an environment which has strengthened the local economy.

Under the direction of Hal, the Annual YMCA Booster Club Dinner has managed to raise the highest amount in its history. His commitment to the YMCA was tremendous, and as a result, the YMCA contributed $1 million in essential funds for the local chapter to meet the health and social service needs of the community.

City Councilman Hal Bernson has received a number of awards recognizing his efforts as an outstanding community leader, including the Governor's award for Earthquake Preparedness; the News maker of the Year Valley Press Club Award; the North Valley YMCA Benefactor of Youth ''Golden Helmet'' Award; the Founders Awards from the 12th Council District Transportation Management Association; the Alfred E. Alquist Award for achievement in Earthquake Safety. Lastly, he was named Man of the Year in 1995 by the Association for Commuter Transit.

Mr. Speaker, please join me in recognizing City Councilman Hal Bernson. A man of strong integrity. A leader with vision willing to cross partisan lines to work with all people and all constituents for the betterment and common good of our great state of California.

## INTRODUCING A RESOLUTION TO CONDEMN THE RECENT VIOLENT BOMBINGS IN INDONESIA AND URGING RENEWED EFFORT FOR THE INTERNATIONAL WAR ON TERRORISM

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution condemning the recent terrorist bombing in Bali, Indonesia. Further, I wish to express my strong and utter disgust with the actions of those who bombed the nightclub in Bali, last weekend.

This resolution is offered to condemn the violent bombing of last weekend and urged that we continue our efforts in the war against terrorism that we began a year ago.

This resolution offers support to the government of Indonesia in its efforts to find and bring to justice those the perpetrators, organizers, and sponsors of the attack.

I rise to pay tribute to the many lives lost in the recent incident of October 12, 2002 in Bali. The unspeakable level of terror heaped upon the Americans and vacationers of other countries, some of whom are among our closest allies, must be dealt with.

For the last year, the United States has been engaged in an International War on Terrorism, and we have received broad support from countries across the globe. This act reminds us that we must keep our eye on the ball and continue to engage those who would deliver terror upon our cities and citizens.

Mr. Speaker, the Resolution I am introducing today expresses the condolences of this body to all those who lost loved ones and family members in the heinous act and we should not ever forget them.

Saturday's bombing is a reminder that the war on terrorism truly is a global war. It reminds us that terror has no face, nor no borders.

The House of Representatives must stand behind the people of Indonesia during this trying time as they fight their own war on terrorism.

I urge my colleagues to support my resolution and call on the leadership to act swiftly in bringing this to the floor for consideration.

## TRIBUTE TO DR. ALBERT C. YATES

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SCHAFFER. Mr. Speaker, it is an honor to rise today to express gratitude and congratulations to one of Colorado's most outstanding citizens, Dr. Albert C. Yates of Fort Collins, Colorado. Dr. Yates is retiring after 12 years as President of Colorado State University.

One of seven children, Dr. Yates rose from a Memphis, Tennessee, ghetto to make a name for himself. He attributes his success to a mother whose sole purpose was giving her children a better life than she had. The young Albert Yates never realized he was poor as a child, but knew there were people who cared for him deeply. Dr. Yates now proclaims that his mother and others instituted a sense of what's important in this world, and that's what has helped him achieve his current status.

Dr. Yates began his college career at Memphis State University, graduating magna cum laude in chemistry and mathematics in 1965. After earning a doctorate in theoretical chemical physics from Indiana University at Bloomington in 1968, he served as a postdoctoral research fellow at the University of Southern California before returning to join the faculty at Indiana. He achieved the rank of associate professor before departing Indiana in 1974 to become associate dean for graduate education and research at the University of Cincinnati. In 1976, Dr. Yates completed the Institute for Educational Management at the Harvard School of Business, and the following year was named vice president and university dean for graduate studies and research at the University of Cincinnati. Prior to his Colorado State appointment, Dr. Yates served for nine years as executive vice president and provost at Washington State University in Pullman.

Under Dr. Yates' tenure, Colorado State University has become one of the nation's most influential research universities. Among Colorado State's documented achievements are breakthroughs in hurricane forecasting, a new tuberculosis vaccine, developing canola engine oil and improved laser technology. The university's veterinary medicine and atmospheric sciences programs are without question world-renowned. Under Dr. Yates' leadership, Colorado State University has attracted the state's fastest-growing resident enrollment. Private funding has quadrupled. External research funding has increased over 80 percent, and the endowment has gone from $42 million to $126.8 million, a 300 percent increase. Furthermore, it is not just Coloradans who recognize his accomplishments. U.S. News and World Report recently ranked Colorado State University among the top 100 universities in the nation and Kiplinger's Personal Finance Magazine named it among the top 50 for value in higher education.

Dr. Yates is clearly the most accomplished of Colorado State University presidents. Many in Colorado have likened him to Charles A. Lory and William B. Morgan, the two most highly respected presidents of this fine institution.

Dr. Yates' philosophy has been simple yet profound. In a letter to those interested in the university, the lessons learned from his early childhood were clearly still intact. Dr. Yates stated, ''Our goal is not simply to teach students how to make a living—but to live a life.'' Always striving for perfection and overcoming challenges, Dr. Yates consistently took responsibility for all aspects of the university, no matter how big or small.

As Americans, we admire those individuals who are extremely accomplished in their field. Albert Yates went well beyond this standard. In addition to the 39 honors and awards he has received over the years and 23 community service committees he has served on, Dr. Yates has been a leader in business and the

community at large. A member of numerous Boards of Trustees including the Boy Scouts of America Longs Peak Council and the Denver Zoological Society, Dr. Yates has also served on the Board of Directors of First Interstate Bank of Denver, the Mountain West Conference, Colorado Institute of Technology, and the Denver Branch of the Federal Reserve.

Dr. Yates' immediate plans are to continue to serve as chancellor of the Colorado State University System, following through on his promise to transition the University of Southern Colorado to Colorado State University at Pueblo. He is looking forward to spending more time with his wife Ann and their two school-aged daughters, Aerin and Sadie.

On behalf of the citizens of Colorado, I ask the House to join me in extending congratulations and a sincere thanks to Dr. Albert C. Yates. It is an honor to know such an extraordinary citizen and we owe him a debt of gratitude for his service and dedication to Colorado State University, the State of Colorado and America.

## VERIZON TACKLES ILLITERACY

### HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BOEHNER. Mr. Speaker, I rise to recognize the efforts of Verizon, its employees and its spokespeople who are working to tackle the problem of illiteracy. Last week, the House Education and the Workforce Subcommittee on Education Reform held a hearing on ''Literacy Partnerships that Work.'' The hearing featured actor James Earl Jones and Verizon President and Chief Executive Officer Ivan Seidenberg, testifying on Verizon's efforts to improve literacy in America.

Describing his lifelong love of reading, Verizon spokesman and actor James Earl Jones remarked on how, ''All of us—lawmakers, reading teachers and tutors, corporate philanthropists, educators, and literacy volunteers—all of us have an important and necessary role addressing this issue.''

Testifying about his company's involvement in literacy efforts, Ivan Seidenberg, the President and CEO of Verizon, described how his company's mission is ''highly focused.''

''We work to raise public awareness, create partnerships, and generate financial support for local and national literacy organizations so they can do their jobs more effectively. To use a communications metaphor, we believe that—through our scale, scope, and technology—we can increase the 'bandwidth' of the system and enable more learning to be delivered to more people, more effectively,'' he said.

For Verizon there is a strategic link between literacy and the future business success of the nation's largest communications company with upwards of 240,000 employees in technically demanding jobs.

However, it's more than just for their future employees.

''Verizon's communications networks comprise a unique platform for sharing resources and forming partnerships,'' Seidenberg said. ''Verizon's enormously committed employees and retirees have a long heritage of volunteerism and community involvement. And more than a decade's worth of commitment to the issue of literacy has given the company both the knowledge and the relationships with the literacy community to be effective.''

Also attending the Hearing as Verizon Literacy Champions were CBS Sportscaster Dick Enberg, Mike Kohn, 2002 Olympic Bronze Medal Bobsled Athlete, Chris Thorpe 2002 Olympic Bronze Medal Luge Athlete and Lee Ann Parsley, a resident from the great state of Ohio, the 2002 Olympic Silver Medal winner in the Women's Skeleton competition.

All of these distinguished celebrities attended to demonstrate their great commitment, as well as Verizon's commitment, to providing positive role models in the fight for literacy. Mr. Jones, in his compelling personal testimony, said that: ''In my family, we say the love of reading and book learning is in our bone memory.'' Jones' great-great grandparents Brice and Parthenia Connolly, ''passed on their love of reading to my great-grandfather, Wyatt, who owned a modest library, and encouraged his family to read his books and to revere them.''

Mr. Speaker, this is one of the legacies we hope to leave with H.R. 1—''The No Child Left Behind Act''—to build reading and book learning into the bone memory of all Americans. In these days when there is so much talk about Corporate Accountability, it is a pleasure to recognize Verizon for the positive work they are doing to help the citizens of our Country.

## A SCANDINAVIAN PERSPECTIVE ON CONSTITUTIONAL AND INTERNATIONAL HUMAN RIGHTS

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. LANTOS. Mr. Speaker, I rise today to share with our colleagues in the US House of Representatives a speech given by the former Norwegian Supreme Court Chief Justice; the Honorable Carsten Smith to the Congressional Friends of Norway Caucus on Thursday, September 26. In his speech Chief Justice Smith outlined a Scandinavian perspective on Constitutional and International Human Rights—a highly relevant topic in light of the post-September 11 era. While the legal development in our country and Europe have not been completely congruent, Chief Justice Smith's thoughtful comments deserve bear examination.

Chief Justice Smith, who has served on the Norwegian Supreme Court from 1987 until his retirement in 2001 and served as the Courts Chief Justice since 1991, has had a distinguished and impressive legal career for close to half a decade, and is considered a legend in the Norwegian legal community.

Carsten Smith, who was born in Oslo in 1932, received his law degree from the University of Oslo in 1956 and earned his doctorate in law shortly thereafter. He is married to Mrs. Lucy Smith, also a distinguished professor of law at the University of Oslo, and they have three children.

Carsten Smith was appointed Professor of Law at the University of Oslo in 1964. During his life-long career at the University, Chief Justice Smith has served in a number of positions. He served as the Dean of the Faculty of Law, and the President of the University of Oslo. Chief Justice Smith has also published a large number of articles and books in the field of international law, constitutional law, administrative and private law. Chief Justice Smith is also the recipient of numerous academic memberships and honors as well as the Commander and Knight of several Orders.

Throughout his career Chief Justice Smith worked tirelessly on advancing the rights of minorities and human rights, and chaired both the Saami Rights Commission and the Commission on Human Rights in Norwegian legislation.

Mr. Speaker, I commend Chief Justice Carsten Smith for his outstanding career in the legal field, and ask that Chief Justice Smith's speech be placed in the RECORD.

SCANDINAVIAN PERSPECTIVE ON CONSTITUTIONAL AND INTERNATIONAL HUMAN RIGHTS

(By Norwegian Chief Justice Carsten Smith)

The United States Supreme Court has for a long period been a source of inspiration for European legal thinking, including my own work, even though one may disagree with specific decisions. During my time both as a law professor and as a judge I have eagerly studied literature on this Court, and referred to it so often, that this fact was even commented on by the Attorney General in a public speech on my retirement from the Bench.

The theme today will in the first place be how judicial review of the constitutionality of legislation—a principle created by the US Supreme Court—has taken roots across the Atlantic. Moreover, I shall show how this review in the last decades—and especially the most recent years—has been enlarged to also embrace the conformity of legislation with treaty-based human rights. In the title of the speech the concept of human rights is used to cover constitutional civil rights and liberties as well as international rights and freedoms.

While speaking about judicial constitutional review here in the United States might have the character of preaching to the Pope, the extension of the review of legislation, requiring its compliance with human rights conventions, might be regarded as a further development spearheaded by Europe. One may consider this either as an extension of the original United States constitutional law concept, or as a European development in contrast to American constitutionalism. It concerns the responsibility for implementation of treaty-based human rights on the national arena. The constitutional civil rights and liberties have been supplemented with international human rights and freedoms, and the power to give binding interpretation of the main convention—the European Convention on Human Rights—has been transferred to the European Court of Human Rights in Strasbourg.

Norway's Constitution of 1814 is the oldest written constitution in Europe still in effect today, probably the second oldest worldwide next to the United States Constitution. The Norwegian practice of judicial review is also the oldest in Europe, perhaps the second oldest worldwide next to the United States practice. The Constitution makes no explicit mention of judicial review, quite in conformity with European constitutional thinking of that period. This review arose—as in the United States—from the practice of the Supreme Court itself.

The United States Supreme Court's decision in Marbury versus Madison represents one of the landmark cases in Western legal thinking. The closest comparable Norwegian decision was a case between a naval officer

and the naval authorities of 1866. It was the Chief Justice who raised the issue of judicial review and gave the answer in the most unambiguous way, namely—and you can almost hear the voice of John Marshall—''that inasmuch as the courts of law cannot be required to judge according to both laws simultaneously, they must necessarily give priority to the Constitution''.

This Norwegian constitutional adjudication remained a relatively well-kept secret in an international perspective, effectively protected by linguistic barriers. For more than fifty years the Norwegian court practice formed a single and secret bridgehead in Europe of the US legal model. The further international development was of limited significance until after World War II, but when it came, it came hard and fast. After 1945 Germany and Italy set up constitutional courts, followed by a widespread blossoming of successive similar courts throughout Europe—particularly after the fall of the communist regimes.

The pendulum has been swinging in Norwegian practice through the generations—as in the United States—between judicial activism and restraint. This might be a theme in itself. But let me mention how these judicial review powers became a spiritual weapon used by the Supreme Court in wartime.

After two months of fighting in 1940, the King with the government withdrew to London and continued their war effort from there. The Supreme Court remained in Norway, but came soon into conflict with the German leader of the occupying forces, who declared in a threatening way that it was outside the jurisdiction of the Court to review the decisions of the occupying authorities. The Court answered that under constitutional law the Norwegian courts had a legal duty to review the validity of all laws and administrative orders, and in the same way they were entitled to review the validity under international law of orders issued by the organs of the occupying forces.

As a protest against this interference all the members of the Supreme Court resigned their offices, an action that fueled the people's sentiment for resistance, and the Chief Justice subsequently became leader of both the civilian and military resistance movement.

In the decades after the war the Court has on a number of occasions made use of its powers, and legal theory has used the term renaissance in conjunction with judicial review.

But now also a supplementing of this review can be achieved by applying the European Convention on Human Rights from 1950 and the two United Nations Covenants from 1966. In 1999 the Norwegian Parliament passed an Act—called the Human Rights Act—that incorporated these three most basic conventions on human rights into Norwegian law. At the same time, the Act reinforced these rights through a priority clause whereby, in the event of conflict with other legislation, the provisions of these three conventions are to take priority over the legislation. By this enlargement of the judicial review there has been a certain transfer of power—some would say considerable—from the executive to the judiciary; and at the same time from the national to the European judiciary.

All the members of the Council of Europe, more than forty, have now incorporated the European Convention on Human Rights. Even in England that has no written constitution and where the constitutional structure is based on the sovereignty of Parliament, their Human Rights Act of 1998 empowers the courts to determine whether a provision of legislation is compatible with a Convention right. After Russia also joined the Council, the European Court of Human Rights in Strasbourg has now an area of jurisdiction spanning from the Atlantic to the Pacific. I emphasize that this is not the Court of the European Union in Luxembourg, as Norway has twice doggedly refused to become a member of that union.

A leading Norwegian decision of June 2000 laid down unanimously that the national courts must apply the result of an interpretation of the Convention even if established national legislation or practice will be set aside. Some further decisions in May this year have even emphasized the trend of moving the judicial power more towards Strasbourg.

The cases concerned—what some may find surprising in this field of law—certain taxation matters. It has been a long-term administrative practice, built on statutory law, that the tax authorities may, in case of fraudulent information from the taxpayer, impose an additional tax of thirty to sixty percent. At the same time the courts may, by way of ordinary criminal trial, pronounce a sentence either before or after the administrative decision. This has gone on through the years without any objection from the legal milieu, as the tax reaction was regarded to be a civil, non-criminal, sanction. However, on the basis of very recent Strasbourg decisions the Supreme Court now found this to be a double criminal liability for the same actions and in breach of the convention rules on the right not to be tried or punished twice for the same offence.

These decisions will probably have a wide range effect as a step in the march towards Strasbourg. The Supreme Court decisions interfered rather profoundly in a lawful established national administration, and moreover, the decisions were not based on a clear precedent from the European Court, but merely on the reasoning of cases not quite parallel.

It is also of importance in this respect that a human rights text should be construed as such. This means that it shall not be interpreted as an ordinary treaty rule, where the principle of state sovereignty may have some impact, but shall be effectively regarded as a defence of the individual against the state.

Where is then the borderline for the Strasbourg impact?

The Court of Norway has drawn the guideline that in cases of legal doubt the values and traditions of our own society should be maintained in the decisions, thereby furthering a dialogue between the national courts and the European one. The Strasbourg Court has also developed a principle of the national courts' ''margin of appreciation''. But there seems to be a tendency of narrowing the area of this dialogue and this margin.

From a national standpoint one has thus to pay a certain price for a judicial review based on an international court's interpretation. The various national cultures represented on the bench in Strasbourg may tend to place different views on the reading of the convention. In some cases the national legal circles may find themselves astonished—even somewhat angry—when they experience that established national practice suddenly is considered to be in breach of human rights. However, in my view this is a price one has to pay as contribution to a system that implies building of guarantees for individuals all over Europe. There is the risk that one will have to import certain legal elements that are foreign to national legal thinking. But the gain is great for the people in Europe as a whole—not the least in east Europe—seen in relation to the core elements of the rights, such as fair trial and freedom of the press.

A legal thriller in the years to come will be the Supreme Court's use of the two United Nations Covenants that is incorporated in addition to the European Convention, also with priority over ordinary legislation. When incorporating also the Covenants—with such priority—Norway has taken a step further than most European states. The Covenant on Civil and Political Rights is much of the same composition as the European Convention, whereas the one on Economic, Social and Cultural Rights contains provisions dealing in general terms with many areas of society, including workplace, health and social services, as well as education. Before the Act was passed, some critics complained that incorporation of this convention into national law would mean that the courts were responsible for the use of resources in these areas, particularly since the rights are formulated in such vague terms.

Take for instance Article 9 that recognizes the right of everyone to social security, including social insurance, or Article 13, which stipulates that higher education, shall be made equally accessible to all, on the basis of capacity, by every appropriate means. There are likewise other rules, which formulate what the covenant itself terms as ''rights.''

The national courts have certainly been given considerable responsibility in this connection. The court interpretation will decide whether the rather broad formulas are to be read primarily as political guidelines—as political aims—or as legal means constituting individual rights.

The civil rights in the Constitution have usually been named ''citizens' rights'', but can also be invoked by non-citizens in our courts. After World War II it became a question to what extent German war criminals were protected by the constitutional guarantees. In a famous case the Supreme Court found that the constitutional guarantees should not be interpreted in the normal strict sense when applied to enemies who broke into the country and committed crimes in breach of international law. One of the dissenting justices warned strongly against this reasoning and looked back to the beginning of the nineteenth century when the Constitution was drafted. ''The Constitution'', he said, ''was created in a period of war and revolution—nor was terrorism unknown.'' In his opinion, which later on is considered as a proud expression of Norwegian rule of law, he underlined that the individual rights—the civil rights—have their primary importance particularly in difficult and extraordinary situations.

Today the general opinion in Norwegian legal circles would be in conformity with this minority opinion fifty years ago. One would say that human rights are—according to European thinking—the travelling companions that support every human being, from the first cry to the last sigh. In my official farewell speech in the Court earlier this year I said that human rights protect not only ordinary citizens, but also fraudulent taxpayers, even terrorists.

The decision related to war criminals concerned the use of death penalty, which we later eliminated. One of the additional protocols to the European Convention declares that this penalty shall be abolished. As a representative of the Supreme Court in meetings in China with Chinese colleagues I have on several occasions emphasized this principle. I have then used the wording—when explaining our position—that we consider the death penalty to belong to a stage in development of society that one nowadays should have passed.

This protocol—which is now law of the land—will probably prohibit the executive from extraditing a foreign criminal, even a

terrorist, if he or she will be under a threat of death penalty in the foreign court.

Now a concluding observation drawn on around a hundred and fifty years of constitutional review and a few years of convention based review.

Even though the review principle has encountered resistance at times, both in Parliament and in public debate, it has slowly taken root over the generations as an important element in the three branches of government. Today we are witnessing a new leap forward for international human rights. We may all take part in that process. This is a field of law where all citizens have an important function: to advance profound analyses, constructive debates and fair solutions.

## CONGRATULATING UPS ON ITS 95TH ANNIVERSARY

### HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. NORTHUP. Mr. Speaker, today I rise to congratulate UPS on its 95th anniversary. UPS is an example of what a good corporate citizen should be, a model other businesses in this country should follow. UPS is the largest employer in the state of Kentucky, and with over 23,000 employees in Louisville, UPS has created thousands of jobs in my district.

UPS's investment in the economy of Louisville is shown through the recent completion of UPS Worldport, a $1.1 billion expansion project to the company's package-sorting hub. The project was the largest capital project in the UPS's history. The expansion alone created jobs for over 8,000 of my constituents. UPS Worldport contains conveyors and package-sorting mechanisms that stretch 102 miles in length. With over 4 million square feet under one roof—the facility is the size of more than 80 football fields, even larger than the Pentagon. Sorting 304,000 packages per hour, it is no wonder the UPS Worldport has been dubbed the ''Hub of the Future.''

In addition to UPS's economic impact on my district, UPS has made significant contributions to the Louisville community. UPS has set up its Metro College program in which the company pays for tuition and textbooks for students at area universities who are part-time employees with UPS.

UPS has done so much to help my district that I am excited to honor the 95th anniversary of this remarkable company. Please rise with me and congratulate UPS on 95 years of service.

## TREATMENT OF MR. MARTIN MAWYER BY U.N. OFFICERS MUST BE INVESTIGATED

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. PAUL. Mr. Speaker, I rise to place into the record a copy of the Washington Observer newsletter demonstrating the treatment a citizen of the United States received at the hands of agents of the United Nations in New York City. As you can see the attached newsletter demonstrates, Mr. Martin Mawyer, President of the Christian Action Network was forcibly removed from the U.N. grounds by three or four uniformed U.N. officers.

Mr. Speaker, as you are aware, Section 7, subsection (b) of the U.N. host country agreement (Establishment of Permanent Headquarters in New York; Agreement Between United Nations and United States; Joint Res. Aug. 4, 1947, ch. 482, 61 Stat. 756) states, in part ''the federal, state and local law of the United States shall apply within the headquarters district.'' Moreover, as Mawyer states in item #6 on his signed affidavit regarding this incident: ''Without asking me to leave, he ordered his security officers, 'Throw him out of the gates.' ''

Clearly the photographs included in the attached story evidences the fact that an excessive use of force is apparent. I also understand that a video tape of the entire event is in Mr. Mawyer's possession.

Mr. Speaker, while I am not charging that the U.N. agents involved have in fact violated U.S. laws, I do believe the attached items demonstrate that sufficient evidence exists for an investigation to be undertaken and I have asked that the International Relations Committee or the appropriate subcommittee to undertake said investigation.

[From the Washington Observer, Sept. 2002]

U.N. ASSAULTS MARTIN MAWYER

Martin Mawyer, President and Founder of THIS NATION, a Project of Christian Action Network, was violently tossed down the steps of U.N. Headquarters in New York City on Wednesday, Sept. 4, by U.N. Security officers. He was then placed under arrest after he attempted to deliver petitions to the United Nations from thousands of THIS NATION supporters. Christian Action Network is a national grassroots pro-family organization with a membership of 250,000.

Badly bruised and cut, with his clothes torn and dirtied by the violent treatment, Mawyer was stunned and outraged at the behavior of the U.N. Security officers.

''I can't even express how horrifying, humiliating and painful it was to be treated that way with my staff and my wife and son looking on in shock,'' said Mawyer.

Mawyer added that the rough treatment was even more shocking since the U.N. had already agreed to accept the petitions when contacted by THIS NATION the previous week.

''Not only did they agree to accept the petitions of our supporters,'' said Mawyer, ''but they assured us that we would be met on the steps of the U.N. and may possibly be able to meet personally with a U.N. official who would listen to some of our concerns.

''Instead,'' he continued, ''they were waiting for me on the U.N. steps when I arrived, fully intent on shattering my dignity and resolve to deliver the petitions.

''Well, the U.N. stopped me from delivering the petitions,'' he went on, ''but they have only deepened my resolve to confront them on issues of grave concern to citizens across America.''

Mawyer had intended to deliver 30 bags filled with more than 60,000 petitions to the U.N. from American citizens. The petitions addressed a variety of issues of concern to citizens, including the U.N.'s newly ratified International Criminal Court, a plan to implement a U.N. standing army, the Kyoto global warming treaty, protection of U.S. military personnel serving in U.N. missions abroad, and a host of other issues relating to national sovereignty.

After the U.N. Security officers refused to accept the petitions and tossed him roughly onto the sidewalk, Mawyer attempted to deliver the bags of petitions over the U.N. gate. But U.N. Security officers threw the bags back over the gate onto the sidewalk, scattering petitions into the street.

As soon as Mawyer arrived, U.N. Security called the NYPD. When the police arrived, Mawyer was handcuffed, arrested and taken to jail.

''I sat in jail for several hours not even knowing what I was there for,'' he said.

After he was released from jail, Mawyer was issued a summons for disorderly conduct.

''It's clear that there was no reason whatsoever to assault me, arrest me, or charge me,'' said Mawyer of the incident. ''In fact, they never even asked me to leave the United Nations property. They just ordered the officers to throw me out.''

Mawyer added that the summons doesn't even contain the name or badge number of the arresting NYPD officer.

Mawyer's attorney, David Carroll, was present during the incident. He said Mawyer clearly did not violate any laws, and was victimized when the U.N. refused to allow him to exercise his First Amendment right to petition the government, and to exercise his free speech. Carroll added that Mawyer may have grounds to file assault charges against the U.N. Security officers.

''What is most outrageous about this incident is that the U.N. has consistently criticized the United States, our law enforcement and criminal justice systems, and has even asked to inspect our prisons and jails to make sure we are treating prisoners fairly,'' said Mawyer. ''Yet they brutally assaulted me on the steps of their headquarters, then I was tossed in jail, my First Amendment rights were violated—all the while they sit on U.S. soil, enjoying the blessings of our nation and the fruits of our industry. They won't even accept the valid petitions from the very citizens whose own tax dollars support them.''

He added, ''It's outrageous, and I intend to expose the arrogance of the U.N. for the entire world to see.''

## THE WORDS ''UNDER GOD'' IN THE PLEDGE OF ALLEGIANCE TO THE FLAG

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. ISRAEL. Mr. Speaker, I rise to note a strong statement in support of the words ''Under God'' in the Pledge of Allegiance to the Flag, that was given to me by one of my constituents who is a member of the Knights of Columbus. I ask that this statement from the Knights of Columbus be included in the RECORD.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HOW THE WORDS ''UNDER GOD'' CAME TO BE ADDED TO THE PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the Flag of the United States originated on Columbus Day, 1893. It contained no reference to Almighty God, until in New York City on April 22, 1951, the Board of Directors of the Knights of Columbus adopted a resolution to amend the Pledge of Allegiance as recited at the opening of each of the meetings of the 800 Fourth

Degree Assemblies of the Knights of Columbus by the addition of the words ''under God'' after the words ''one nation''. The adoption of this resolve by the Supreme Board of Directors had the effect of an immediate initiation of this practice throughout the aforesaid Fourth Degree Assembly meetings.

At their annual State Meetings, held in April and May of 1952, the State Councils of Florida, South Dakota, New York and Michigan adopted resolutions recommending that the Pledge of Allegiance be so amended and that Congress be petitioned to have such amendment made effective.

On August 21, 1952, the Supreme Council of the Knights of Columbus, at its annual meeting, adopted a resolution urging that the change be made general and copies of this resolution were sent to the President, the Vice President (as Presiding Officer of the Senate) and the Speaker of the House of Representatives. The National Fraternal Congress meeting in Boston on September 24, 1952, adopted a similar resolution upon the recommendation of its President, Supreme Knight Luke E. Hart. Several State Fraternal Congresses acted likewise almost immediately thereafter.

At its annual meeting the following year, on August 20, 1953, the Supreme Council of the Knights of Columbus repeated its resolution to make this amendment to the Pledge of Allegiance to the Flag general and to send copies of this resolve to the President, Vice President, Speaker of the House, and to each member of both Houses of Congress. From this latter action, many favorable replies were received, and a total of seventeen resolutions were introduced in the House of Representatives to so amend the Pledge of Allegiance as set forth in the Public Law relating to the use of the flag. The resolution introduced by Congressman Louis C. Rabaut of Michigan was adopted by both Houses of Congress, and it was signed by President Eisenhower on Flag Day, June 14, 1954, thereby making official the amendment conceived, sponsored, and put into practice by the Knights of Columbus more than three years before.

In a message to Supreme Knight Luke E. Hart at the meeting of the Supreme Council in Louisville, August 17, 1954, President Eisenhower, in recognition of the initiative of the Knights of Columbus in originating and sponsoring the amendment to the Pledge of Allegiance, said:

''We are particularly thankful to you for your part in the movement to have the words 'under God' added to our Pledge of Allegiance. These words will remind Americans that despite our great physical strength we must remain humble. They will help us to keep constantly in our minds and hearts the spiritual and moral principles which alone give dignity to man, and upon which our way of life is founded. For the contribution which your organization has made to this cause, we must be genuinely grateful.''

In August, 1954, the Illinois American Legion Convention adopted a resolution whereby recognition was given to the Knights of Columbus as haven initiated, sponsored and brought about the amendment to the Pledge of Allegiance; and on October 6, 1954, the National Executive Committee of the American Legion gave its approval to that resolution.

## PAYING TRIBUTE TO JUANITA NYE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, it is with great admiration that I recognize a true horsewoman and westerner from Montrose, Colorado, Juanita Nye. Juanita has always had a distinct love for horses throughout her entire life and that passion has now been passed on through several generations of her family. After achieving a lifetime of success in barrel racing on the competitive rodeo circuits, Juanita now has the pleasure of watching her great-granddaughter carry on the proud family legacy.

Although Juanita always showed a great passion for horses, she never had the opportunity to own one until her husband, John Nye, bought her a horse named Silver as a gift in 1933. After that, Juanita's love for horses only grew stronger as she began to display an incredible talent for riding and training the animals. With her horse named Doo-Dash, Juanita won two saddles in 1968 and 1969, both when she was over 50 years old. As a couple, John and Juanita won over 75 buckles and trophies during their rodeo careers.

The Nye's raised two children, Ron and Della, who have proven their talent for riding and carried on the family legacy. Following in her mother's footsteps, Della also began running barrels competitively and won numerous buckles and trophies for her efforts. Della's children, Gary, JD, and Penny, have also proven themselves to be very successful riders and have together received significant recognition from their sport.

Penny married Kevin Wieberg in 1981 and they had two children, Jessica and Danny, who have both carried on the family tradition. Just recently, Juanita had the pleasure of watching Jessica, her great-granddaughter, barrel race at the Hotchkiss Junior Rodeo. In the event, Jessica placed in her age group and went on to win a Symkanna at Cedaredge a week later.

Mr. Speaker, it is my distinct privilege to recognize Juanita Nye before this body of Congress and this nation for her equestrian accomplishments in the State of Colorado. Juanita should be very proud of all her children, grandchildren and great-grandchildren; they are the heirs to a proud legacy that began with her and her husband, John, almost 70 years ago. I wish her and her family the best of luck in future competitions.

## HONORING OF WHITNEY YOUNG MIDDLE SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Whitney Young Middle School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. I would like to offer special thanks to Cleveland School Municipal District CEO Barbara Byrd-Bennett, Superintendent Edward Dietsche and Principal Beth Haines-Hager for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Whitney Young Middle School has set forth major academic goals for the year, which includes maintaining average attendance rates of 95 percent; improving social responsibility awareness; and improving parent communications. Recent accomplishments from last year include student attendance rates over 95 percent; and an award for the most parent and community response at authors and artists night among all Cleveland middle schools.

I commend the Whitney Young Middle School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO MR. LOUIS GOUVEIA

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise to honor Mr. Louis Gouveia, a native of Pomeroon, British Guyana who was born on December 23, 1899 in recognition of his 102nd birthday celebration.

Mr. Louis Gouveia is the last of ten siblings. Mr. Gouveia completed high school and worked with his father for several years prior to coming to the United States in 1921. He did various odd jobs before obtaining his license as a taxi driver.

Mr. Gouveia married Doris Jardine from Grenada on February 10, 1924. They were blessed with four children, three boys, and one girl. His loved ones adore him dearly.

Mr. Gouveia enjoys reading the newspaper daily and keeping abreast of current events. Throughout his life, he has traveled to various countries like Haiti and England as well as the African continent.

Mr. Speaker. Mr. Gouveia, who now resides at the Marcus Garvey Nursing Home, is a pleasant person who participates to his fullest capacity in everyday life activities, and as such, he is more than worthy of receiving recognition today.

## RECOGNIZING SHERIFF JIM PICCININI FOR HIS OUTSTANDING SERVICE TO THE PEOPLE OF SONOMA COUNTY

### HON. MIKE THOMPSON

OF CALIFORNIA

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. THOMPSON of California. Mr. Speaker, we rise today to recognize Jim Piccinini, who is retiring as Sheriff-Coroner of Sonoma County, California after thirty-four years of service to his community.

Sheriff Piccinini began his career in public safety with the Roseland Fire Protection District in 1968. He progressed through the ranks

until he attained the position of Battalion Chief in 1976. While working for the Roseland Fire Department, he joined the reserve ranks of the Sonoma County Sheriff's Department. He resigned from the Fire Department in 1976 when he joined the active ranks of the Sheriff's Department.

Sheriff Piccinini again advanced through the ranks, holding every position in the Department, and was appointed Assistant Sheriff and Acting Sheriff in 1997. Sheriff Piccinini stood for election in 1998 and took office as Sheriff in 1998.

During his tenure, Sheriff Piccinini was responsible for creating the Administrative Fiscal Unit, the Volunteers in Policing Program, and the Peer Support Program. He was also instrumental in developing and implementing the Mentally Ill Offender Program, the countywide Narcotics Task Force, and the Sonoma County Law Enforcement Chaplaincy Program.

He implemented the highly successful Citizen's Academy and oversaw all twelve classes, negotiated the purchase of property for the Sonoma Valley Substation and established the Department's firing range.

Because of his outstanding career in law enforcement and his unparalleled level of leadership and achievement, he was awarded the Sonoma County Sheriffs Department Distinguished Service Award in 2002.

Mr. Speaker, Sheriff Piccinini is a public servant of remarkable talent and commitment and it is therefore appropriate for us to honor him today and to wish him well in his retirement.

## PAYING TRIBUTE TO CAPTAIN JUAN ''SHANE'' SANCHEZ

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, it is with great pride that I recognize Captain Juan ''Shane'' Sanchez of Cortez, Colorado for the outstanding service he has given to the United States Air Force and to our nation. Captain Sanchez is a Fuels Officer for the 49th Supply Squadron and has recently been selected as the 2001 Fuels Officer of the Year. As he receives this recognition, I would like to pay tribute to the tremendous service and leadership he has given to our nation's military.

The award and recognition that Captain Sanchez received for his service is quite an accomplishment. Captain Sanchez leads a 90 member flight squad that receives, stores, and issues fuel while ensuring the quality meets certain standards. Plane refueling is an instrumental part of any operation without which no mission could be completed.

Captain Sanchez has recently overseen over 20 fuel system upgrades that have modernized fuel systems from the 1940s and 1950s to support the new demands of the 21st century. It is widely known throughout the Air Combat Command that it was Captain Sanchez's leadership that made the Command's third largest fuels account so efficient. Today, Captain Sanchez is on a temporary duty assignment in the Middle East as a Fuel Officer and a Supply Squadron Commander.

Mr. Speaker, it is with great admiration that I recognize Captain Juan ''Shane'' Sanchez before this body of Congress and this nation for his outstanding service and leadership in the United States Air Force. Without the knowledge, skill and expertise of men and women like Captain Sanchez fulfilling their obligations each and every-day, our nation's military could not be the world class fighting force that it is. Thanks for all your efforts Captain Sanchez and keep up the hard work.

## IN HONOR OF COLLINWOOD HIGH AND COMPUTECH MIDDLE SCHOOLS

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Collinwood High and CompuTech Middle Schools in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday September 23rd and Monday, September 30th of 2002. I would like to offer special thanks to Cleveland Schools Municipal District CEO Barbara Byrd-Bennett, Superintendent Kathy Freilino and Principal Charita Crockrom for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Collinwood High and CompuTech Middle Schools have set forth major academic goals for the year, which includes improving the passage rate of the Ohio 9th Grade Proficiency Test by 5 percent; improving literacy skills performance across all grade levels and increasing computer technology; increasing the number of students graduating and successfully moving into higher education, apprenticeships, technical training and employment; and promoting music technology in middle school classes. Recent accomplishments from last year include major construction of roof and building renovation; building new parking lot; Saturday tutoring program for all students who needed to pass the Ohio Proficiency Test; and a staff/faculty retreat.

I commend the Collinwood High and CompuTech Middle Schools for their commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO MS. DORIS ROBINSON

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise to honor Ms. Doris Robinson, who was born on October 29, 1901, in recognition of her 101st birthday celebration.

Doris Robinson migrated to New York in the 1920's. In 1925, she earned a bachelor's degree in Social Work from Howard University in Washington, DC. Mrs. Robinson was a teacher in the New York City public school system for several years. She also earned a Master's in Social Work from Fordham University.

Doris Robinson has traveled extensively to China and Uganda, as well as the Caribbean islands. Through her travels she has been able to share her experiences with her family and community. She is very devoted to her family and has been an inspiration to all those around her.

Mr. Speaker, Ms. Doris Robinson, who now resides at the Marcus Garvey Nursing Home, has devoted her life to serving her family and community. As such, she is more than worthy of receiving recognition today.

## TRIBUTE TO THE CAMELLIA SYMPHONY ORCHESTRA

### HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MATSUI. Mr. Speaker, I rise today to recognize and honor the award-winning Camellia Symphony Orchestra as it begins its 40th season in Sacramento, California. For four decades, this organization has been a crucial part of cultural life in California's capital city.

One of the nation's outstanding community orchestras, the Camellia Symphony Orchestra is comprised of a wealth of dedicated musicians from the greater Sacramento area. The Orchestra was established to provide an opportunity for Sacramento area musicians to express their many talents and musical interests. The musicians all share a common commitment to the mission of the Orchestra—to present concerts and programs of high artistic merit, and to foster community involvement through education and outreach activities.

The Orchestra provides opportunities for people of all ages to learn about, participate in, and attend events that enrich the quality of life. Their creative programs expose children to new forms of music in a joyful manner that encourages the learning process.

Under the leadership of Conductor Eugene F. Castillo, the Orchestra has challenged audiences to explore the connections between music and society, as well as art and everyday life. The Orchestra often premieres new compositions, or presents traditional pieces in a different way, symbolizing the diversity of the community.

This past summer, the Kennedy Center for Performing Arts here in Washington recognized Maestro Castillo as one of the most promising young conductors in America when he was selected for the highly competitive National Conducting Institute. The Washington Post described his Kennedy Center performance as having ''a beautifully gauged climactic build . . . [which Castillo] drove to the finale in an ecstatic white heat.''

The citizens of Washington last summer caught a glimpse of what we in Sacramento have come to value for both his leadership and creative talent. Maestro Castillo is the first Filipino-American to be appointed music director in a major American metropolitan city. Castillo is—in his own words—''a servant to music and a servant to the community.'' He has been a tireless advocate for youth music education and a staunch promoter of the orchestra's role in public life.

Mr. Speaker, I ask that my colleagues join me in saluting Maestro Castillo and the Camellia Symphony Orchestra for outstanding contributions to the Sacramento community

and extend congratulations upon its 40th anniversary.

## COMMEMORATING DR. SHELDON HARRIS

### HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. HONDA. Mr. Speaker, I rise today to commemorate the life of Dr. Sheldon Harris. Dr. Harris' most notable achievement was the exhaustive research and publication of his landmark study, ''Factories of Death: Japanese Secret Biological Warfare, 1932–45, and the American Cover-Up,'' a timely and important historical document exposing human rights abuses and chemical weapons development. Dr. Harris passed away on August 31, 2002, leaving behind a wealth of knowledge and inspiration for countless students, researchers, and people interested in historical justice.

Dr. Harris was bom in Brooklyn, New York, and educated at Brooklyn College, Harvard, and Columbia University. He went on to teach history at the University of Massachusetts, Cal State-Northridge, and the University of California at Los Angeles. As part of an academic exchange program in China in the mid-1980s, Dr. Harris became aware of large-scale biological warfare experiments conducted in China during World War II. After some preliminary research and informal interviews with colleagues, it became apparent to Dr. Sheldon that a special Japanese army unit had carried out biological warfare experiments that cost the lives of not only thousands of military prisoners, but also Chinese civilians. He then began studying recently declassified U.S. military records addressing the experiments and their results, as well as other written resources in various Asian languages. Certain interests in the U.S. military diligently guarded the records Dr. Sheldon requested, while the Japanese government simply denied any knowledge or involvement pertaining to the issue. In spite of these roadblocks, Dr. Harris continued his research and his pursuit of the truth.

By 1994, Dr. Harris was ready to share his research with the world. He published ''Factories of Death'' based on years of study, travel, and interviews. The book is as influential as it is unsettling. Dr. Harris established as fact that Unit 731 of the Japanese Army tested live human beings, both military and civilians, with agents such as anthrax, dysentery, cholera, and typhoid. Throughout the Japanese occupied region of Manchuria, guarded buildings were erected to host the experiments, as well as the incarceration and eventual execution of the prisoners held there. Sometimes, neighboring villages would be infected outright with various germs, then burned to the ground once the inhabitants were overcome with the symptoms.

According to Dr. Harris' research, the men in charge of these experiments and mass exterminations escaped prosecution as part of a deal made with certain U.S. intelligence agencies. In exchange for the data from the experiments, the leaders of the biological weapons programs received complete immunity—an exchange that was kept secret within the highest levels of the international intelligence community. During the decades that followed, the Japanese government denied any involvement with the experiments carried out in China; U.S. intelligence kept the data secret and stonewalled outsiders pursuing it. These policies have been largely maintained to this day, but in a remarkable turn of events, a Japanese court finally proclaimed that Japan's government had been involved in developing biological weapons in China from 1932-45. The court's decision, based in part on Dr. Harris' work, was delivered four days before Dr. Harris' death.

Mr. Speaker, I ask my colleagues in the House to join me in honoring Dr. Sheldon Harris and the important work he has done for the international community. He was never vindictive in his efforts to bring closure to those hurt by this horrible chapter of human history. His harsh indictment against chemical weapons is relevant to all peoples and governments, as it extracts a meaningful lesson from so much senseless violence and cruelty. The importance of Dr. Harris' work may be demonstrated again and again as the issue of biological weapons is addressed today and in the future.

## PAYING TRIBUTE TO DOUG AND TYLER MELZER

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MCINNIS. Mr. Speaker, it is with great enthusiasm that I recognize the alpine accomplishments of Doug and Tyler Melzer of Lakewood, Colorado. Doug and Tyler have recently joined other family members as part of an elite group of individuals who have hiked the entire Colorado Continental Divide. As they celebrate their journey's completion, I would like to pay tribute to their family legacy and their extraordinary accomplishment.

The Melzer family tradition began in the summer of 1936 when Doug and Tyler's great-grandfather and grandfather, Carl and Bob Melzer, first hiked the 800-mile journey along the Continental Divide. They embarked on this journey solely in the pursuit of adventure. They wanted to experience the outdoors, breathe the fresh air and experience the mountains in a way few ever have. Bob was only 8 years old when he completed the trip with his father, and together they became the first people to complete the hike in its entirety. In the summer of 1976, Doug and Tyler's parents, Tom and Judy Melzer, accomplished the same feat, and Judy Melzer became the first women to ever complete the hike.

Last summer, Doug and Tyler joined their family, becoming the fourth generation of Melzer's to make the journey. Tyler was able to hike over 800 miles from New Mexico to Wyoming, while his brother had to suspend part of the trip to recover from a leg injury. After Doug recovered from his injury, he rejoined his brother just outside of Rocky Mountain National Park to complete the journey. After making it into Wyoming, the two brothers then drove back to the San Juan Mountain range to complete the 70-mile portion they missed due to the injury.

Although Doug and Tyler represent a proud legacy of Melzers who have hiked the Continental Divide, they also represent something much more profound and significant: an entire population of proud Coloradoans who love their state and its incredible natural beauty. It is of profound significance that four generations of the Melzer family have been able to make such an incredible journey through such a rugged terrain.

Mr. Speaker, it is with great respect that I recognize Doug and Tyler Melzer before this body of Congress and this nation for their outstanding accomplishment in hiking the Colorado Continental Divide last summer. After hearing the many stories told by their parents and grandparents of experiences on the Divide, Doug and Tyler can finally add to that legacy with some unique stories of their own. I wish them the best of luck in all of their future endeavors.

## IN HONOR OF MILES PARK ELEMENTARY SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Miles Park Elementary School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. I would like to offer special thanks to Cleveland School Municipal District CEO Barbara Byrd-Bennett, Superintendent Debra Brathwaite and Principal William Bauer for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Miles Park Elementary School has set forth major academic goals for the year, which include increasing the percentage of students passing all five parts of the Ohio Proficiency and off-grade tests to meet targets at each grade level; creating a safe, nurturing environment; and improving the academic and social performance of all special needs students. Recent accomplishments from last year include above average on proficiency tests, and receipt of the Ohio Reads Literacy Grant.

I commend the Miles Park Elementary School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO MRS. MARY SULIMAN

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise to honor Mrs. Mary Suliman, born September 2, 1898, in recognition of her 104th birthday celebration.

Mary Suliman migrated from Newbern, North Carolina to New York over sixty-two years ago. She married Mr. Samona Suliman from New Jersey and had two beautiful children, two grandchildren and three great grandchildren. All of Mary's loved ones call her ''Nana.''

She worked as a hairdresser in her Brooklyn community for several years. As a retired person her hobbies have included dancing, reading, watching television and singing. Mrs. Suliman's favorite songs are ''Down by the Cross'' and ''Bye—Bye Black Bird.'' She continues to be loved by her family unconditionally and admired by others in the community.

Mr. Speaker. Mrs. Mary Suliman, who now resides at the Marcus Garvey Nursing Home, has devoted her life to serving her family and community. As such, she is more than worthy of receiving recognition today.

## HONORING THE DEDICATED PUBLIC SERVICE OF ALFRED S. PATE

### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KIRK. Mr. Speaker, I rise to commemorate the retirement of a dedicated public servant and good friend, Mr. Al Pate, Director of the North Chicago Veterans Affairs Medical Center (NCVAMC). Mr. Pate will be retiring on November 2, ending 30 years of service to our nation's veterans.

For the last 12 years, Al Pate has served as director of NCVAMC, a facility serving the veterans of northern Illinois with 150 operating hospital care beds, 204 nursing home care beds, a 60-bed domiciliary for homeless veterans, and 89 drug and alcohol treatment beds. With an annual budget of $100 million, Al oversaw a staff of 1,130 and 700 volunteers who handle in excess of 180,000 outpatient visits a year.

Al has been recognized as a national leader in developing resource sharing agreements between the VA and the Department of Defense. Working with Captain John Fahey, Al led the initiative to jointly offer common services with Naval Hospital Great Lakes, located less than a mile away. Acting with little or no support from his immediate supervisor, Al has successfully laid the foundation for the establishment of a jointly operated, federal hospital in North Chicago serving both active duty military and veterans. This will result not only in better service for beneficiaries, but better value for the American taxpayer.

Prior to coming to North Chicago, Al Pate served as the Associate Medical Center Director at the Hines VA Hospital in Chicago. In his six years at Hines, Al coordinated several administrative services and chaired a number of hospital committees. He also served as Special Assistant to the Director at Lakeside VAMC, Administrative Resident at VAMC Cincinnati, Ohio, and as an adjudicator at the VA Regional Office in Indianapolis, Indiana.

Al received a Bachelors of Science degree in Secondary Education from Ball State University in 1971. He received a Master of Science degree in Public Administration from Ball State the following year. He also received a Master of Science degree in Hospital Administration as part of the VA Graduate Education Program.

Al Pate served in Vietnam with the United States Marine Corps as part of the all volunteer Combined Action Program. Wounded in combat, he received the Purple Heart, and was honorably discharged in 1969.

It is Al's dedication to veterans that distinguishes his career. This dedication earned him the respect of his colleagues, veterans advocates and, most of all, of the veterans he serves. I admire Al for the work he does, for his service to our country, and for his friendship. He will be sorely missed in North Chicago and I will pledge to work to see that his vision of a joint federal hospital in North Chicago is realized. I wish Al and his wife Patricia a happy retirement and thank them for their service.

## TRIBUTE TO LOUISE BEAUDOIN IN CELEBRATION OF HER FIFTY YEARS OF SERVICE IN THE UNITED STATES POSTAL SERVICE

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to a constituent of mine, a true ''yooper'' in the Upper Peninsula of Michigan who has served in the United States Postal Service for more than a half century. Mr. Speaker, I rise to honor Louise Beaudoin in recognition of her fifty years of working at the post office in Trout Lake, Michigan.

Born in 1927, in Moran, Michigan, Louise married Neil Beaudoin 58 years ago and has lived in Trout Lake ever since.

Louise Beaudoin began her career in the United States Post Office in Trout Lake on February 22, 1952. Trout Lake, a small resort town in the Eastern Upper Peninsula, is located approximately 30 miles northwest of the Mackinac Bridge, in the heart of the Eastern U.P. snowmobile country. This resort town consists of three lakes—perfect for fishing, boating, and swimming, a number of small resorts and restaurants, as well as a campground and park. Truly a vacationer's delight.

While Trout Lake is too small to support a school, it does rely heavily on its local post office as a means of contact with the outside world. Louise Beaudoin, the current Postmaster, has overseen operations at Trout Lake postal center for 19 years. This post office, which has no computers, manually processes all mail sent to and received by the town of approximately 600.

Louise began her career in Trout Lake as a part time flex employee. She was converted to a career appointment in November of 1971, and has served as Postmaster since 1983. Affectionately referred to as ''Aunt Louise,'' ''Weezie'' or ''Weezer'' by townspeople and friends, Louise Beaudoin has served under seven Postmasters. Throughout her tenure in the post office, Louise has received numerous awards including: ''Beyond the Call of Duty'' lapel pin, the Superior Achievement Award; a 30 year service pin, a 45 year ruby service pin; and in June of this year, the 50 year diamond lapel pin as well as a resolution from the Michigan Legislature.

Louise has two sons Richard and Mark Beaudoin. Richard has followed in his mother's footsteps, working for the USPS in West Palm Beach, Florida, while Mark owns Beaudoin Sanitation in Trout Lake. She has two granddaughters in Trout Lake, Amy and Erin, who actively help Louise by washing windows, sweeping sidewalks and shoveling snow. Outside of her work in the post office, Louise is actively involved in St. Mary's Catholic Church, and the Trout Lake Women's Club.

Mr. Speaker, on June 21, 2002, Louise Beaudoin officially celebrated her fifty years of service to the United States Postal Service in Trout Lake. She was joined by her friends and family as well as several other postmasters in the Eastern Upper Peninsula recognizing her tireless dedication to the community of Trout Lake and the United States Postal Service. Mr. Speaker, I ask you and my House colleagues to join me in saluting, Louise Beaudoin, a woman who exemplifies the very best qualities of the good people residing in the First Congressional District of Michigan.

## PAYING TRIBUTE TO DOROTHY PACHECO

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, it is with great admiration that I recognize Dorothy Pacheco of Pueblo, Colorado for the outstanding contributions she has made in caring for the elderly. Mrs. Pacheco has recently been named the Colorado Health Care Association's 2002 Nurse of the Year and, as she receives this distinguished honor, I would like to pay tribute to her outstanding career before this body of Congress.

The way Dorothy Pacheco began her nursing career was anything but conventional. After she married, Dorothy and her husband soon started a family and her hectic schedule as a full time mother made finding the time to attend nursing school extremely difficult. However, by the time her youngest daughter was one year old, with the support of her husband, children, and friends she was able to meet the challenge and go back to school.

While still fulfilling her responsibilities as a full time mother, Mrs. Pacheco simultaneously invested long hours toward nursing school and holding down a part time nursing job. In 1982, all of Dorothy's hard work paid off when she received her degree to become a registered nurse. Although Dorothy believed her true passion was in hospital care, she soon found that caring for elderly patients was a most satisfying responsibility. After only a year of working as a hospital nurse, Dorothy returned to caring for the elderly and that is where she remained for the duration of her career.

Mr. Speaker, it is with genuine appreciation that I recognize Mrs. Dorothy Pacheco before this body of Congress and this nation for the selfless contributions she has made toward the welfare of Colorado's elderly. Her great works are an inspiration to us all and her optimism, good will and compassion have touched the lives of thousands of senior citizens throughout my state.

## IN HONOR OF BUCKEYE-WOODLAND ELEMENTARY SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, I rise to honor the Buckeye-Woodland Elementary School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. 1 would like to offer special thanks to Cleveland Schools Municipal District CEO Barbara Byrd-Bennett, Superintendent Debra Brathwaite and Principal Barbara A. Kozak for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Buckeye-Woodland Elementary School has set forth major academic goals for the year, which include establishing a focus on literary implementation of a comprehensive reading program; developing high standards for mathematics and science skills concepts; assessing student progress on an ongoing basis; and providing focused, organized opportunities for professional development. Recent accomplishments from last year include measuring student progress on an ongoing basis using the information to help students learn; providing individual student support; and providing teachers with organized and focused opportunities for professional development.

I commend the Buckeye-Woodland Elementary School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO MRS. GRACE WEST-PAYNE

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise to honor Mrs. Grace West-Payne, who was born in Portsmouth, Virginia, on September 4, 1902 in recognition of her 100th birthday celebration.

Once Mrs. West-Payne completed her elementary education, she worked as a domestic helper and married Mr. Thomas Payne. They moved to Brooklyn, New York over sixty years ago, where she continued her trade as a domestic worker.

Mrs. Grace West-Payne is an active member of Bethel Baptist Church. Her hobbies include singing and reading. Her favorite song is: ''If it wasn't for him (God) I'd be nothing.'' Mrs. Grace West-Payne also has a favorite saying: ''Let Good Girls Be Good and Boys Be Good''.

Mr. Speaker. Mrs. West-Payne, who now resides at the Marcus Garvey Nursing Home, has devoted her life to serving her family and being a community leader, and as such, she is more than worthy of receiving recognition today.

## IN RECOGNITION OF THE NAPA COUNTY BOARD OF EDUCATION'S ''OPERATION RECOGNITION''

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize a new program being implemented in California's Napa Valley. Operation Recognition grants high school diplomas to persons who were unable to complete high school due to World War II, the Korean War or Japanese American internment. Diplomas will be presented November 9, 2002 at the California Veteran's home in Yountville.

From September 16, 1940 to December 31, 1946 and from June 25, 1950 to January 31, 1955 millions of high schoolers were not thinking about the prom or their upcoming graduations. Instead these high school students were sleeping in fox holes, being shot at on foreign battle fields and fighting to defend the freedoms of the United States of America.

Mr. Speaker there is no doubt that our veterans are heroes. When our country called on them for protection and dedication during war they answered the call and gave us all they had. Too often this included sacrificing their lives. For most of the veterans who did return home reenrolling in high school was not a plausible option, rather they entered the job force and were forced to accept that their educational pursuits had come to a screeching halt.

Mr. Speaker, Operation Recognition gives back to our veterans what they rightfully deserve—but never had the opportunity to attain—their high school diplomas. A diploma is more than a piece of paper it is a treasure, one no nation, military or individual can take away. More than anything, Mr. Speaker, Operation Recognition seeks to give back to our veterans a piece of their lives that was taken from them for a time. Thanks to this program, that time is over.

Mr. Speaker, it is appropriate at a time when we are increasingly calling on our service men and women to protect America that we acknowledge Operation Recognition for the outstanding hope, joy and educational satisfaction it is bringing to our nation's beloved heroes by presenting them with the high school diplomas they so richly deserve.

## SUPPORT FOR NATO EXPANSION

### HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MATSUI. Mr. Speaker, I rise to express my support for House Resolution 468, which this body overwhelmingly passed on October 7, 2002. This resolution expresses the support of the House for enlargement of NATO that will take place at the Prague Summit next month. The resolution endorses the candidacy of countries that satisfy the membership criteria of the alliance and are willing and able to contribute to the security of the North Atlantic community and the war against terrorism. An enlarged NATO that is prepared to grapple with the challenges presented by conventional and unconventional threats is in America's vital interest.

Only a vibrant and strong NATO will be able to meet these formidable challenges. And this requires the candidate countries to remain committed to the shared democratic values of respect for the rule of law and minority rights. The full protection of minority rights of the ethnic communities of Central and Eastern Europe will extend the zone of democracy and ensure the security that is a direct consequence of genuine stability.

An important but not exclusive element of the respect for civil and minority rights is the restoration of religious and educational properties to those ethnic communities, such as the Hungarian minorities in Romania and Slovakia, where they had been confiscated by earlier totalitarian regimes. Restitution of these communal properties has been too slow.

I urge these new democracies to immediately and vigorously pursue the process of restitution until satisfactorily and fully completed. Resolution of this important question will constitute the kind of demonstrable commitment to democracy and shared Western values that will serve these countries well both before and after Prague. It will also be favorably received by the United States that deems fair treatment of religious and national minorities to be indispensable for a democracy.

## TRIBUTE TO THE MONTROSE COLORADO STAKE RELIEF SOCIETY

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor an organization of women that works to strengthen its members and their communities through compassionate and kind service. The women of the Relief Society in the Montrose Colorado Stake of The Church of Jesus Christ of Latter-day Saints recently gathered together to complete humanitarian projects in conjunction with their annual worldwide women's conference. It is my privilege today to highlight the service efforts of these local women before this body of Congress and this nation.

Originally founded in Nauvoo, Illinois in 1842 as the women's organization within the Church of Jesus Christ of Latter-day Saints, the Relief Society today boasts a membership of over 4 million women worldwide. Recently, some 150 LDS women from of Montrose, Colorado and its surrounding communities gathered together to put into action the principles of charity and service that their organization seeks to embody. Seeking a way to contribute to society, the women made hand activity books to give Alzheimer's patients in nearby nursing homes—something to help keep their minds active in the face of a debilitating disease. They also made dolls, stitching some parts by hand and others by machine, for the Church's Humanitarian Services to distribute to children affected by disasters throughout the world.

Mr. Speaker, I rise today to pay tribute to the women of the Montrose Colorado Stake of the Church of Jesus Christ of Latter-day Saints and to their work in the Relief Society organization. The efforts of these women have

brightened lives throughout their communities, across our country, and around the world. Such organizations are the backbone of our society and deserve our praise and admiration. Thank you for your kind service. The communities around Montrose, and those living there, are better because of the efforts of their women, and they deserve our thanks.

## IN HONOR OF CHARLES ORR MIDDLE SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Charles Orr Middle School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. I would like to offer special thanks to Cleveland Schools Municipal District CEO Barbara Byrd-Bennett, Superintendent Kathy Wayne Carter and Principal Greg Henderson for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Charles Orr Middle School has set forth major academic goals for the year, which include offering outstanding opportunities for field testing and innovative learning strategies to turn students into life-long learners; becoming more apt at meeting the educational needs of a diverse student population through comprehensive, long-range data-based planning; and seeking to recruit and train a special team of educators to learn how to reach and teach students regardless of where they are academically. Recent accomplishments from last year include significant improvement in students passing one or more portions of the state proficiency test, and more than 60 percent of students being eligible for promotion by the end of the first semester.

I commend the Charles Orr Middle School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO PASTOR JACOB N. UNDERWOOD

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise today to honor Pastor Jacob N. Underwood, Sr. for instigating many innovative programs to help the ones in need within his community.

Pastor Underwood answered the call to the Christian ministry in 1960. In 1962, he was ordained a Baptist minister at the Holy Sacred Baptist Church in Brooklyn, New York. He began to evangelize in the community doing outreach and persistently seeking unity of his community. He had a vision of a church in the community that would teach ''God's Plan of Salvation'' and relating this plan to the needs of the total person.

Encouraged by his church and family's support, he organized what is currently Grace Baptist Church of Christ, located in the East New York section of Brooklyn. He also organized the Grace Housing Development Fund Inc., from which the church sponsored community housing which was built in 1972 to accommodate 168 families.

He has contributed to his community in several aspects by serving on local, state, and national committees. He has served on the local school board, and on the East New York Civil Rights Committee. Pastor Underwood was also the first elected Chairman of East New York Community Cooperation, and President of the New York Progressive State Congress.

He also twice served as Moderator of the N.Y.M.B.A.; as Chairman of the Brownsville/East New York Clergy Association, as President of the New York Progressive State Convention from 1992–1995, as Corresponding Secretary of the Presidents' Department of the Progressive National Baptist Convention and he served as the President of the African American Clergy and Elected officials of Brooklyn from 1998 to 2000.

Pastor Underwood has also contributed by sponsoring housing and food programs in East New York. He was able to feed and provide clothing to 125 people in need by establishing a soup kitchen. In 1973, he instituted one of the first day care centers in East New York. Today, his vision has been expanded to an elementary and junior high school that currently serves approximately 300 students.

In 1995, Pastor Underwood led the church in a $1.5 million bond drive to enlarge the Grace Baptist Church of Christ with 12 multipurpose rooms for the benefit of the school and church. In order to increase the educational facilities to accommodate at least an additional 100 students, Pastor Underwood is presently leading the way for a $2.5 million drive.

Mr. Speaker, I ask my colleagues to join me in honoring Pastor Jacob N. Underwood, Sr. for his leadership and contribution to his community. Pastor Underwood is a Doer of the Word. For over four decades, he has served as a preacher, teacher, leader, brother, mentor, friend, comforter, advocate, counselor, and innovator. His endeavors and accomplishments deserve our praise and appreciation.

## TRIBUTE TO RICHARD TUISKU ON THE OCCASION OF HIS INDUCTION INTO THE MICHIGAN ASSOCIATION OF BROADCASTERS HALL OF FAME

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to a person whose voice is the sound of news for generations of radio listeners in Michigan's Upper Peninsula Copper Country. Mr. Speaker, I rise to honor Richard Tuisku, known to his listeners as Dick Storm, on the occasion of his recent induction into the Michigan Association of Broadcasters Hall of Fame.

Richard Tuisku was born 59 years ago in a small town called Toivola in Houghton County Michigan. He graduated from Michigan Technological University in Houghton and also went to broadcasting school in Minneapolis, Minnesota. In 1962 he began his broadcasting career at WSWW in Platteville, Wisconsin, using the name Dick Storm because he thought his Finnish last name, Tuisku, would be too difficult for his co-workers and listeners to pronounce correctly.

He chose the radio name ''Storm'' because it is a reasonably close English word for his given last name, Tuisku, which roughly translates to blizzard in Finnish. Two years later Dick Storm moved back to the Upper Peninsula and began working at a radio station in Hancock. He changed jobs but still did news at WCCY an AM/FM combo station in Houghton. Copper Country radio audiences have been getting their news from Dick for almost forty years.

In 1994 he and a partner purchased the Houghton AM/FM stations he worked at and they are now WCCY AM and WOLV FM. Despite being an owner of the stations, Dick continues to work six days a week doing the news and hosting a weekly public affairs program.

Dick is not the only public spirited member of the household. Mary Tuisku, his wife, served as mayor of Hancock from 1990 until 1995.

In recognition of his many years of radio news and public affairs broadcasting, Dick was inducted into the Michigan Association of Broadcasters Hall of Fame in the summer of 2002.

Mr. Speaker, many people complain when they have to get up early to go to work, Dick Storm has been getting up before dawn for forty years to do radio news. I ask you and my House colleagues to join me in saluting a legendary broadcaster and a long time friend of mine, Richard Tuisku (a/k/a Dick Storm) on the occasion of his induction into the Michigan Association of Broadcasters Hall of Fame.

## TRIBUTE TO JAMES LEONARD MILLER

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, it is with deep respect that I recognize the life and passing of James Leonard Miller, who lived nearly his whole life in Center, Colorado for the many contributions he has made to his community and to his country. Mr. Miller recently passed away in September and, as his family mourns their loss, I would like to pay tribute to his life and memory.

Mr. Miller was born in 1943 in Monte Vista, Colorado where he grew up on his family's dairy farm. James attended Center High School and then received his Bachelor's degree from Colorado State University. He enlisted as a soldier in the U.S. Army during the Vietnam War. After his service in our nation's military, James returned to the family business of farming. In 1985 while running his own farming business, James also worked as a sales agent for Lawson Products, Inc. His friendly demeanor and reputation for fair dealing won him the respect of his customers throughout the San Luis Valley.

Despite the constraints of a busy career, Mr. Miller also found the time to be active in his community. James was a member of Kiwanis

International, a volunteer organization dedicated to enhancing the quality of life of children throughout the world, for over thirty years. In fact, Mr. Miller's contributions to the organization and the greater community were so significant that the Kiwanis Club of Center honored his efforts with a lifetime membership in 1993. He served in the group's Rampart Range sector as its president and club secretary for many years, and was known as ''Mr. Kiwanis'' at his town's community center.

Mr. Speaker, it is with great admiration that I recognize the life and passing of James Leonard Miller before this body of Congress and this nation for his service to his community and country. I extend my sincere condolences to his wife, children, and grandchildren. James Miller's life and memory will live on among the many people he inspired.

## BORDER COMMUTER STUDENT ACT OF 2002

SPEECH OF

### HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 15, 2002*

Mr. RODRIGUEZ. Mr. Speaker, I rise in support of HR 4967, the ''Border Commuter Student Act of 2002.'' I am a proud co-sponsor of this bill which amends the Immigration and Nationality Act to establish a new category of non-immigrant students from Mexico and Canada who commute for study at a school or college in the United States.

Current law prohibits border residents of Mexico and Canada from coming into the U.S. to study on a part-time basis. Students are required to have an Fl student visa and be enrolled for full time study. This act makes their admission for part-time study permanent and creates a new F3 category designed to meet the needs of border commuter students seeking academic training. Further, HR 4967 would create an M3 visa classification for border students seeking vocational training.

Institutions of higher education and vocational training along the border have provided invaluable educational opportunities for Mexican citizens for many years. This has served the political and economic interests of both countries. However, many citizens of Mexico and Canada who commute along the border are unable to take the time from work and family to attend as a full-time student. Rather, they attend on a part-time basis during the day or at night when the opportunity presents itself. This measure allows these students to continue commuting and improving the quality of their lives.

Enhancing the educational level of Mexican citizens along the U.S./Mexico border provides these students with the tools necessary to create and take advantage of expanding economic opportunities in Mexico. This advances their contributions to the Mexican economy and serves the strategic interests of both countries.

I represent the 28th Congressional District of Texas, from San Antonio south to the border communities of Starr County, and I have heard directly from my constituents and elected officials of the many benefits of enactment of the Border Commuter Act will bring to this region. The border economies of both Texas and Mexico gain from the improvement of skills and education among border residents. The enhancement of partnerships among these two communities will enrich the quality of lives for all of the residents in South Texas and our entire country.

## COMMENDING FRANCISCO JIMENEZ

### HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. HONDA. Mr. Speaker, I rise today to honor the achievements of a remarkable man, Francisco Jimenez. Born to Mexican migrant farm workers, he has become a professor of Modern Languages at Santa Clara University, an acclaimed author, and the winner of numerous awards including this year's National Professor of the Year Award. He is a credit to Silicon Valley, to California, and to our nation.

At the age of 4, Professor Jimenez crawled under a fence crossing the border between Mexico and America with his family. They made their way to the San Joaquin Valley where they picked strawberries in Santa Maria during the summer, grapes in Fresno during September, and cotton in Corcoran and Bakersfield during the winter. Working from sunrise to sunset, the entire family made only $15 a day by following the harvest throughout the year. The family, which eventually grew to nine children, lived in one room shacks and tents without electricity or running water. When they visited the local dump, they collected discarded clothes, wood for floors, and Francisco Jimenez would pick up books.

As a result of his family's illiteracy, persistent poverty, and transient lifestyle, Professor Jimenez' education was sporadic at best. He struggled to keep up with his classmates, was labeled ''mentally retarded'' by one of his teachers, and flunked first grade. His classmates were unforgiving and often cruel. Nevertheless, he loved school. His alternatives were spending the day in his family's shack or working in the fields, an experience his brother, Roberto, lived every day.

Mr. Jimenez's sixth-grade teacher, Mr. Lema recognized Francisco's desire to learn and helped him with his English during lunch. Unfortunately, not long after connecting with Mr. Lema, Francisco's family needed to move again to follow the harvest. Mr. Jimenez continued his education by teaching himself using as a guide the discarded books he found at the dump.

Eventually, he and his brother were able to get jobs working for a janitorial company. The stable job allowed him to stay in school. His junior year in high school, an INS agent entered his classroom and arrested him as an undocumented immigrant. He and his family were deported to Mexico, but returned only weeks later with visas. After his return, Francisco went on to become the student body president of his high school and graduated with a 3.7 GPA. A guidance counselor recognized his talent and helped him obtain the scholarships and student loans he would need to attend Santa Clara University. He became a U.S. citizen during his junior year in college.

Francisco Jimenez went on to receive his Masters from Santa Clara University and his Ph.D. from Columbia University. He is the author of the award winning book, ''The Circuit: Stories from the Life of a Migrant Child,'' which tells the story of his childhood experiences. Before accepting a professorship at Santa Clara University, he taught at Columbia University and the University of Cincinnati. While his dedication to teaching is worthy of praise in and of itself, he has been recognized locally and nationally for his skills. Santa Clara County gave him the Dia del Maestro Teacher of the Year Award and Santa Clara University awarded him the Dave Logathetti Award for Excellence in Teaching among others. I am privileged to represent a man who can now add to this exceptional list of honors, the National Professor of the Year Award.

Professor Jimenez was given the award because of his outstanding teaching. He tailors his lessons to his students' backgrounds and works with them one on one. He tries to instill in each of them a global consciousness and an understanding of the human condition. Moreover, he believes it is important to bridge the gap between the university and society. To achieve this, he visits communities of migrant farm workers to talk to them about education. As a leader of the Hispanic community and an advocate of human rights, he is concerned with the current anti-immigration backlash, particularly efforts to deny education to the children of undocumented immigrants.

Mr. Speaker and my colleagues, please join me in honoring Professor Francisco Jimenez for being awarded the National Professor of the Year Award. He has dedicated his life to others and his achievements reflect his dedication. He is a citizen of the world who I am humbled to call a constituent.

## COMMEMORATING THE 150TH ANNIVERSARY OF THE BAHÁ'Í FAITH

### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KIRK. Mr. Speaker, this month the American Bahá'í community, which has its national headquarters in Illinois, will be commemorating the 150th Anniversary of the beginnings of the Bahá'í Faith in Iran. The Bahá'í Faith is a world religion with more than 5 million adherents in some 230 countries and territories including more than 140,000 members here in the United States. The Bahá'í House of Worship in my district of Illinois is registered as a national historic site that has drawn more than five million visitors to enjoy its unique architecture and serene gardens since its completion in 1953.

This October is a special time for the American Bahá'í community because it was during this month that the founder of the Bahá'í Faith, Bahá'u'lláh, was first overwhelmed with the Bahá'í message of love and unity while unjustly imprisoned in one of Persia's (now Iran) worst dungeons, the Síyáh Chál. After his release from this dungeon, Bahád'u'lláh promoted this message despite being banished from Baghdad to Istanbul, from Istanbul to Edirne, and eventually from Edirne to the prison city of Acre where he died in 1892 after having lived in exile for forty years for his belief in the oneness of humanity.

The Bahá'í Faith is based on the principles of cooperation and peace outlined by

Bahád'u'lláh. He taught that there is only one God, that the conscience of man is sacred and to be respected, that racial diversity contributes to the overall beauty of mankind, and that women and men are equals in God's sight. He taught that a spiritual solution is required to address the disparities of wealth distribution and that religion and science must agree. He was among the first to express the need for an international auxiliary language, emphasize the importance of universal education, and advise that a commonwealth of nations was needed for establishing global peace and security. The significance of these principles could not be overemphasized in today's volatile world.

It is astounding to think how advanced these concepts were 150 years ago not only in an ancient Persian culture, but also in the United States. Slavery and persecution based on race were widely accepted facts of life at that time. Women in the United States were still 70 years away from getting the vote. Global literacy was low and universal education was unheard of in most places. Colonial exploitation was on the rise and workers enjoyed few protections.

Unfortunately, just as the Bahá'í message was met with hostility in Persia in 1852, it still faces persecution in that region today. The Islamic Republic of Iran regards Bahá'ís as heretics who, according to Islamic law, should be executed. Bahá'ís, along with Iran's other religious minorities, are prevented from exercising their right to religious freedom. They are excluded from institutions of higher education, denied jobs, and have had many of their holy places, cemeteries and properties seized or destroyed. They are denied their most basic human rights.

Since 1982, Congress has adopted eight resolutions condemning Iran's treatment of the Bahá'ís, its largest religious minority. With the support of the U.S. government, the UN General Assembly has adopted annual resolutions condemning these human rights abuses. Yet, Bahá'ís still await the religious freedom called for in those UN resolutions and promised in Iran's constitution. The Bahá'í community remains an oppressed religious minority and is denied rights to organize, elect leaders, and to conduct freely its religious activities.

On the 150th anniversary of Bahá'u'lláh's imprisonment and the founding of the Bahá'í faith, we salute along with the American Bahá'í community the ideals of universal brotherhood, peace, cooperation, and understanding espoused by Bahá'u'lláh, These are Bahá'í values, they are American values, and they are universal values. I also would like to recognize the immense sacrifices that many around the world have made striving to ensure that true liberty and justice for all becomes not just an American dream, but also a global reality.

## TRIBUTE TO JO-ANNE LEE COE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, I rise today to honor the memory of a great American who dedicated her life to supporting this country's democratic process. Jo-Anne Lee Coe recently passed away, but she has left behind a legacy of service and loyalty. It is an honor for me to stand and pay my respects to her and her family before this body of Congress and this nation.

Jo-Anne was born in 1933 to a Navy family dedicated to serving their nation. Her father, Admiral Roy Lee Johnson, commanded the U.S.S Forrestal and served as the Commander in Chief of the U.S. Pacific Fleet during Vietnam. Her mother, Margaret Louise Gross, was a sixth generation Washingtonian and installed in Jo-Anne deep patriotic roots. Jo-Anne built on the heritage of her family as she served in an assortment of federal capacities. Turning down a career as a stockbroker, Jo-Anne worked first for Congressman Harold D. Cooley, then as a secretary in the Navy and Air Force, and finally teamed up with Congressman Bob Dole as he ran for the United States Senate. She worked diligently through the ranks, moving quickly from office caseworker to office manager.

After serving briefly in the Ford Administration, Jo-Anne returned to the Dole team as Office Manager for his Vice Presidential Campaign, and continued on as the Senator's office manager and political liaison. Then, in 1985, Senator Dole nominated Jo-Anne to become the first woman ever to serve as Secretary of the Senate. For two years, Ms. Coe made history as she was responsible for supervising the Senate's interparlimentary relations, archives, and administration, as well as presiding over the body during a President Pro Tempore election.

She continued to work with Senator Dole after her time as the Secretary of the Senate and eventually was tapped to lead the leadership PAC, Campaign America, which she helped found. Jo-Anne led Campaign America as it became a top independent PAC contributor to congressional and gubernatorial candidates. Jo-Anne also served as the Finance Director for Senator Dole's 1995 Presidential Exploratory Committee, and then as the Deputy Finance Chairman of the Republican National Committee, two positions in which her skills and commitment were clearly evident.

Mr. Speaker, I stand today to pay tribute to the memory of this outstanding woman. Jo-Anne Lee Coe spent her life supporting, serving, and participating in the democratic process. Her efforts and loyalty over these many years made American history and Jo-Anne's life illustrates the positive impact a dedicated citizen can have on the destiny of her country. My sincere condolences go out to her daughter, Kathryn Lee Coe Combs. Jo-Anne Lee Coe has given much to this country and she will be sorely missed.

## IN HONOR OF JAMES ADDAMS HIGH SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the James Addams High School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. I would like to offer special thanks to Cleveland School Municipal District CEO Barbara Byrd-Bennett, Superintendent Kathy Freilino and Principal Judith Leveckis for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

James Addams High School has set forth major academic goals for the year, which include increasing the percentage of students passing all five parts of the proficiency test to meet targets; creating a safe environment as indicated by significant increase in rates of attendance and parent involvement; and increasing the number of students graduating and successfully transitioning into post-secondary education and/or employment. Recent accomplishments from last year include a grant providing the school with long-distance learning; Read 180, which was established to build reading skills; grants awarded to fund the Accelerated Math program; and the addition of chemistry to the science offerings.

I commend the James Addams High School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## A TRIBUTE TO MS. TESSIE REED

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. TOWNS. Mr. Speaker, I rise today to honor Ms. Tessie Reed who was born on September 5, 1897 in New York City.

Her parents, William and Mary Reed, were originally from the Commonwealth of Virginia. She attended school in New York City until the age of 9. After the death of her mother, she moved to Virginia to live with her maternal grandmother. Ms. Reed worked as a Nurse's Aide at the Brooklyn Jewish Hospital fourteen years, as well as at the movie theatres for some years.

Her hobbies include poetry, church activities and gospel music. Ms. Reed's favorite poem is ''REST AT THE END OF MY JOURNEY'' by Sally Martin. Her loved ones reside in New York, New Jersey, and Virginia. Ms. Reed has been a member of Cornerstone Baptist Church in Brooklyn since 1932. She is known, for her gospel songwriting and her musicals, which are prized by Cornerstone's members. One of her dearest songs is ''Something Changed Me.'' Ms. Reed was a member of the Metropolis Gospel Union Choir and its President for three years. It was one of the first gospel choirs in Brooklyn. Ms. Reed is still a member of Cornerstone's Gospel Choir and she served on the Board of the Atlantic Terminal Senior Citizens Center. She was also a member of Queen Esther Chapter # 21 Eastern Stars.

Mr. Speaker. Ms. Tessie Reed, who now resides at the Marcus Garvey Nursing Home, at the young age of 105, is more than worthy of our recognition today.

## TRIBUTE TO ED MARSTON, PUBLISHER OF THE HIGH COUNTRY NEWS

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge Ed Marston, who recently stepped down from the post of publisher of the High Country News, after serving in this role for nearly 20 years.

I understand that Ed is staying on with the paper for a little longer as a senior journalist, and that his wife, Betsy Marston also is staying on as editor of the Writers on the Range, a syndicated column service created by High Country News.

The High Country News has focused on the balance between the resource bounty that the west provides, all the people who have a stake in those resources, or realize that bounty, and the importance of proper management of those resources. Over the years, the paper has become a notable part of the journalism of Colorado and other western States—and Ed and Betsy Marston have become synonymous with its probing coverage and analysis of environmental and natural resource issues. Under their leadership, the paper has become essential reading for everyone—policy makers, business people, government agencies, and students of the west—seeking to understand what is involved in these issues and why they so often prompt passionate views.

As publisher, Ed Marston has worked hard to provide space for diverse voices and diverse views of people who share a love for the west even though that love takes different forms. The High Country News does not just examine issues and controversies from a purely theoretical or rhetorical perspective. Instead, it tries to obtain and report the perspectives of people who are directly affected, whether they raise cattle in New Mexico, live in timber-mill communities, or keep stores in small western towns. At the same time, the paper never lets its readers forget that these perspectives are part of a larger context of issues related to proper management of our public lands and the need to protect them while preserving the opportunity for people to make a livelihood from them.

The paper was founded by Wyoming rancher Tom Bell. Ed and Betsy were involved in its relocation to Paonia, a small town in scenic Delta County, on Colorado's Western Slope. From there they have maintained a west-wide focus—covering issues related to pacific northwest salmon, farming in southern California, timber policies in Idaho and Montana, and such Colorado staples as water projects and wildlife management. I know many other Coloradans share my pride that a paper of such renown is based in our state. I know that the staff and journalists at the High Country News will continue the legacy of Ed Marston and will continue to be a part of the ongoing debates and challenges we face in the west. I wish Ed all the best and hope he and Betsy remain engaged in public policy debates and will continue to work to protect and enhance the western landscapes that we all cherish.

A column written by Paul Larmer, interim publisher of the High Country News, about Ed's tenure as publisher of the paper follows.

HE SEES THE SOCIETY BEHIND THE SCENERY

I first met Ed Marston when I was a wet-behind-the-ears, wannabe journalist starting an internship at the funky little newspaper called High Country News. It was January 1984, less than a year after the paper had moved to Paonia, Colo., from its birthplace in Lander, Wyo. I arrived fresh from the nation's capital, where I had quickly learned that, despite my college ambitions, I was not cut out for the grinding life of an environmental lobbyist on Capitol Hill.

Paonia, with its orchards and mountains and partially boarded-up two-block downtown, seemed the perfect antidote to Washington, D.C. So did a job working on an environmental newspaper that covered the most blood-stirring wildlands left in the country.

My first impression of Ed Marston was this: How can this man be the publisher of a Western environmental rag? Ed was quiet-spoken, bookish and clearly from the East Coast, despite the sideburns and unruly hair. But after a few days working in the dingy, creaky-floored rooms of HCN's downtown office, my perception began to change. The man possessed a quiet intelligence and a razor-sharp editing pen. He also seemed to know how to operate the paper's only computer. Editor Betsy Marston (Ed's wife) and I pounded out copy on typewriters.

Ed worked that Radio Shack computer hard. Issue after issue, he wrote long articles and essays, tackling everything from wilderness and water to mining and logging. He admitted that he was plunging in where he ought to fear to tread; he lacked the background of HCN's earlier generation of environmentalist editors. Yet the growing power of his words showed he was a very quick study.

It also became apparent that Ed's interests were far broader than the public-lands issues that had long been the paper's meat and potatoes. One of my first assignments was to find out how rural hospitals were faring in the grim energy bust that had settled on the region's rural communities. I thought it was an odd story for HCN. I had come to write about the environment, not health care. Yet the story was interesting, and it opened my eyes to the people and communities that live next door to the public lands. The land has a human context that cannot be ignored even if you care more about the wild than about humanity. That lesson stuck with me long after I left Paonia in late May. I carried it, and the memory of mountain air thickened with the smell of blossoming cherry trees, through graduate school and even through a stint at the Sierra Club in San Francisco.

And I still had it when I returned to Paonia in 1992, this time as a husband, father and assistant editor, with a desk in HCN's new office, across the street from the old one.

The paper's circulation had grown—from a hard-core 3,000 subscribers to nearly 10,000—and it was more sophisticated. Ed no longer wrote every other cover story; he had help from an extensive network of freelance writers and photographers.

Yet Ed's ever-expanding vision of the region remained central to the operation. Environmental issues remained at the core of HCNs coverage—stories about lawsuit-wielding activists and right-wing, anti-government conservatives continued. But a more diverse menagerie of Westerners started appearing in these pages: green-hearted ranchers and blue-collar environmentalists, hotel workers, economists, historians, and scientists of all stripes.

Since then, Ed's expanded vision of environmentalism in the West has become embedded in this place. High Country News' editors and writers now look for the story beyond the story, for the strings that bind the West to itself and to the world, as a matter of course. I can hardly talk about any event without asking: ''So what does this mean for the West?''

That may make for dull conversation around the family dinner table, but it nurtures an important dialogue for those of us who live in this unique and rapidly changing part of the country. For this, and many other fine things not mentioned here, I thank Ed Marston.

## HONORING RON JAMES, MARINE VETERAN AND OUR INTREPID DEFENDER OF THE AMERICAN FLAG

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GILMAN. Mr. Speaker, as the 107th Congress draws to a close, I would like to take this opportunity to recognize a great friend of the American people, a Marine Veteran, and our nation's intrepid defender of the American Flag, Mr. Ron James.

Mr. James, who we also know as Mr. Ronald M. Sorenson, a Marine veteran of the Korean War era, and a great friend is a true American Patriot. Ron has dedicated his life to preserving, the core values of what our great nation stands for and for more than two-decades has educated our nation on flag etiquette, while paving the way and leading our nation in seeking a constitutional amendment prohibiting the desecration of our flag, the symbol of our great nation.

Ron is a familiar face in the halls of Congress where he regularly visits our offices to seek our support for his noble endeavors. In addition to fighting for our flag, Ron also fights for the rights of our veterans and is active in numerous veterans organization and assists patients in our VA hospitals. Over the past twenty years Ron has walked thousands and thousands of miles carrying our flag, to garner support for not only a constitutional amendment protecting it from desecration, but also to raise awareness of its importance to our nation's youth.

Following the horrific events of barbarity perpetrated against our nation by forces of true evil on September 11, 2001, Ron met with me to discuss legislation that would benefit the families of our everyday American heroes. On March 14, 2002, I sponsored H.R. 3968, the Fallen Heroes Flag Act of 2002, which provides a flag flown over the U.S. Capitol to the immediate family of our nation's brave firefighters, law enforcement officers, emergency medical technicians (EMT) and to other relief and rescue workers whose lives are lost in the line of duty. This important legislation ensures that our future generations of public servants who may pay the ultimate price for their service to our nation and to our communities are accorded the respect and honor that they deserve.

Mr. Speaker, I ask my colleagues to join me in recognizing Ron's hard work and dedication that enabled us to turn an idea into a reality with our ''Fallen Heroes Flag Act of 2002.'' This is yet another selfless act of patriotism by Ron James, a true friend and a great American who lives his life to serve our nation, our veterans, and our flag.

## TRIBUTE TO MICHAEL O'HANLON

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor the memory and life of an avid outdoorsman and preservationist. Michael O'Hanlon, of Rosita, Colorado, recently lost his life in a climbing accident while exploring Mt. Adams, Colorado's highest peak under fourteen thousand feet in the Sangre de Cristo mountains. As his family mourns their loss, I would like to take this moment to pay tribute to Michael's life before this body of Congress and this nation.

Mike has given a lot to his community, his state, and his nation through his preservation efforts. As an experienced climber, Mike explored all of Colorado's fourteen-thousand-footers, climbing 70 peaks in the Sangre de Cristo mountain range alone. He shared his knowledge and his experience with visitors to his Westcliffe bookstore, Hungry Gulch Books and Trails, as well as through his own trail guidebook dedicated to the Sangre de Cristo mountains.

Mike and his wife Susan Tichy were active in preservation efforts of Colorado's vast land and water resources. They were both board members of the San Isabel Foundation and Mike served on the board for the Sangre de Cristo Mountain Council, as well as spending ten years on the Custer County Search and Rescue's first-response team.

Mr. Speaker, I stand today to honor the memory of Michael O'Hanlon and his efforts toward preserving Colorado's remarkable natural resources in a responsible manner. My sincere condolences go out to his family and friends. Mike has done a lot for Southern Colorado and will be sorely missed.

## TRIBUTE TO A GREAT AMERICAN—DON F. ANDREW

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. ETHERIDGE. Mr. Speaker, I rise today to pay tribute to a great American, my good friend Don F. Andrews, who passed away last week at the young age of fifty-six.

Don Andrews was born in Goldsboro, North Carolina on December 20, 1945 and grew up in Faison. He was drafted into the Army during the Vietnam War. He was a highly decorated Green Beret in the U.S. Army Special Forces and served ten years in uniform. He completed a remarkable four campaigns in Vietnam where he earned two Silver Stars, four Bronze Stars with valor, three Purple Hearts, two Air Medals with valor and was recommended for the Distinguished Service Cross.

He met and married Frances Kennedy from Lee County while he was running the Special Forces School at Fort Bragg. During a tour in Bangkok, Thailand, Frances'father, Haskell Kennedy, passed away, and Don changed his plans to make a career of the military to return home to be near his wife's mother, Evelyn Wade Kennedy.

After leaving the Army, armed with the discipline and the drive the military had taught him, he started a grocery business, for which his father had taught him. Don grew the business to 32 stores in two states and employed approximately 1800 people. He later sold his chain to a Fortune 500 company.

Don's life was filled with many accomplishments. He volunteered for the Faison Volunteer Fire Department. He had been a member of the Faison Jaycees. He was named Lee County Small Business Person of the Year in 1988. He was a former member of the NC State University Agricultural Advisory Board. He had testified before the United States Congress on small business affairs. He was past president of the N.C. Food Dealers Association. He was named Grocer of the Year in 1990. He was a former director of the Whiteville Chamber of Commerce. He was a director of the Broadway Lions Club. He was commander of the Broadway American Legion. He was a lifetime member of the Veterans of Foreign Wars. He served on the board of directors for RBC Centura. He was a member of the N.C. Veterans Memorial Pavilion. And he was a member of Broadway Presbyterian Church. He was a savvy businessman. His latest endeavors included several developments in the Broadway area and a vigorously run campaign for Lee County Commissioner.

Among his greatest accomplishments was his family. He leaves behind his wife, Dr. Frances K. Andrews and mother-in-law, Evelyn W. ''Grandma'' Kennedy. He had two grown children. One son, Donald F. Andrews, Jr and wife Lori of Broadway, NC; one daughter, Lisa A. Radford and husband Brian of Faison, NC. And he was a doting grandfather of three: Cherish, Christopher and Dylan. He also leaves behind one brother, James E. Andrews and wife Joyce of Faison, NC and one sister, Mary R. Garafola of Hammonds, LA.

Mr. Speaker, The Second Congressional District of North Carolina, which I have the honor of serving in this House, has lost one of its leading citizens. And I have lost a dear friend.

## A SPECIAL TRIBUTE TO THE CITY OF FOSTORIA, OHIO AND THEIR HONORABLE DESIGNATION AS TRAIN CITY, USA

### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GILLMOR. Mr. Speaker, it is my distinct privilege to stand before my colleagues in the House to pay special tribute to a special community in Ohio's Fifth Congressional District. On November 2, 2002, the community of Fostoria, Ohio will be designated as ''Train City, USA.''

Mr. Speaker, the City of Fostoria has been blessed with a rich train heritage, dating back to the 1800's. In the beginning, five great railroads radiated like the spokes of a wheel, with Fostoria as the hub. The freight, mail, and passenger trains that passed through Fostoria on their way to Indiana and Illinois helped play a major role in the early development of Fostoria. In fact, the history of Fostoria is essentially the history of the development of transportation and its associated industry, and the chapters in history will reveal Fostoria's thrilling history as a railroad thoroughfare.

The first railroad through Fostoria, originally named the Fremont and Indiana Rail Road Co., was planned to extend from Fremont through Fostoria, by way of Findlay, to the Indiana state line. Construction began in 1854, but did not reach its destination until 1859.

Today, trains are still an indelible part of the Fostoria landscape. The community experiences an average of 160 trains each day-making it one of the busiest rail intersections in the United States. Affectionately known as the ''iron triangle,'' trains are dispersed on three separate rail lines that converge in the center of the city.

This built-in hub of train activity, which makes for ideal viewing and photography by rail enthusiasts of all ages. The Fostoria Area Visitors Bureau along with the City of Fostoria, have formed a Train Tourism Committee. Plans are also underway for rail-based murals on all overpasses, celebrating the historical significance of the train to Fostoria.

Fostoria embraces their significant rail heritage and will continue to share this with visitors and members of their community. It is a labor of love, pride, and dedication.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the diligent effort and unwavering spirit of those individuals determined to see this project through to completion. Our communities are served well by having such honorable and giving citizens who care about the education that future generations receive so that our historical heritages are preserved well into the future. I am confident that this designation of ''Train City, USA'' will serve as an essential link to a piece of American, and Ohio, history.

## IN HONOR OF LUIS MUNOS MARIN MIDDLE SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Luis Munos Marin Middle School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. I would like to offer, special thanks to Cleveland School Municipal District CEO Barbara Byrd Bennett, Superintendent Esther Johnson and Principal Eva Valez-Torres for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Luis Munos Marin Middle School has set forth major academic goals for the year, which include targets to exceed standards by 5 percent in all parts of the proficiency test; improve attendance rate to 95 percent; and continue to increase parent involvement by 10 percent. Recent accomplishments from last year include being a Corridors of Excellence School; an across the board increase in test scores by seventh grade students; an increase in attendance by 7 percent; and an increase in parent involvement by 10 percent.

I commend the Luis Munos Marin Middle School for its commitment to education and

will continue to fight for increased funding to improve the quality of public education for all students.

## RECOGNIZING THE WORK AND CAREER OF DR. TADEO AOKI, MD

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. LEE. Mr. Speaker, I rise today to note the significant achievements of Dr. Tadeo Aoki, MD and Doctor of Medical Science. Dr. Aoki has made important medical and scientific research contributions to Japan, the United States and the world.

Dr. Aoki was born in Higashibori-Dori, Niigata Japan. He graduated from Niigata University, School of Medicine in 1955. He completed his internship at the Hospital of Niigata School of Medicine in 1956. He graduated from the Post-Graduate course of the 2nd Department of Internal Medicine at the Niigata University, School of Medicine in 1961, and he was awarded a Doctor of Medical Science degree.

In 1962, Dr. Aoki was sent by the Japanese Government, as a visiting fellow in cancer research, to Sloane-Kettering in New York. He worked at the Sloane-Kettering Institute as a Scientist and then as Section Head of Immunology.

In 1971 Dr. Aoki was appointed as the Head of the Immunology section of the National Cancer Institute, NIH. At NIH, he also served as the Associate Editor of the Journal of the National Cancer Institute and as a Scientific Consultant to the ''Chiba Cancer Center''.

In 1977, Dr Aoki left NIH to return to Japan. There, he was named Chief, Department of Research and Internal Medicine, Shinrkuen Hospital, Niigata City, Japan.

In 1988, Dr. Aoki came back to the United States, and established the Laboratory of Medical Science in Rockville, Maryland.

Dr. Aoki has been a consultant to the Argentina Medical Association, as a Visiting Scholar, Department of Pathology, University of Pittsburgh, School of Medicine, and as an Additional Member of the ''Niigata Association of Labor Health'', in Japan. Dr. Aoki presently resides in Niigata, Japan.

During his long and very distinguished carrier, Dr. Aoki has made significant contributions to science and medicine. Before the development of molecular biology, he discovered the genetical control of host resistance and sensitivity to murine Gross leukemia virus transmission in mouse systems, using very complicated immunofluorecent microscopy by absorption of soluble antigen in plasma. He discovered the Ly-1, 2 isologous antigen system, which has been used for organ transplantation matching testing. He was the innovator of a new immuno-electronmicroscopy using hybrid antibody with anti-various markers to analyze the relation of location between different cell surface antigens. He was centrally involved in the discovery of a new illness ''Low NK Syndrome (LNKS). Many across the world have sought his advice on LN-KS and Chronic Fatigue Syndrome (CFS). His consultation was requested regarding diagnosis and treatment for LNKS from the U.S., France, Argentina and Croatia. His published medical papers include more than 200 books and articles.

I now ask that you join me in recognizing and honoring Dr. Tadeo Aoki.

## TRIBUTE TO FRANCIE SMILES

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, it is with great respect that I recognize Francie Smiles of Montrose, Colorado for the selfless contributions she has made for breast cancer awareness. Francie, a breast cancer survivor, has tirelessly dedicated her time and energy toward helping others in her community inflicted with the illness. Today, I would like to pay tribute to Francie for the commitment and compassion she has given to such a worthwhile endeavor.

Francie has been a member of the Bosom Buddies Breast Cancer Support group since her diagnosis in 1997. The group was formed ten years ago to provide a support network for women in Southwestern Colorado who are living with the disease. Now that Francie's cancer has gone into remission, she has continued to remain active within the group, helping to raise money and provide emotional support for other breast cancer patients.

Every year, the Bosom Buddies Support Group holds their annual walk/run fundraiser and Francie is one of the events' chief promoters. In 2001, 341 people attended the fundraiser, helping to raise over 11,000 dollars for 68 women in need of medical and financial assistance. Hoping to build on last year's success, Francie expects to register 375 people this year.

Mr. Speaker, it is with great admiration that I recognize Francie Smiles before this body of Congress and this nation for all of her efforts in the fight against breast cancer. Francie has redirected the misfortune of her own diagnosis of breast cancer in a positive direction and used it to raise money and awareness to help others to overcome the disease. I commend Francie on her efforts and wish her the best in all of her future endeavors.

## MOTION TO INSTRUCT CONFEREES ON H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

SPEECH OF

### HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. RODRIGUEZ. Mr. Speaker, I would like to thank my friend, Congressman GENE TAYLOR from Mississippi, for introducing this important motion to instruct conferees on the issue of concurrent receipt.

As I meet with constituents throughout my district—from San Antonio to the border cities of Starr County—the number one issue consistently raised is concurrent receipt.

Whether at town hall meetings, school visits, church lectures, or in one on one meetings, military retirees and their families remind me about this injustice.

Concurrent receipt is a century old law which forces military retirees to forfeit one dollar of retired pay for each dollar of disability compensation received from the Department of Veterans Affairs.

That's retired pay they earned by years of service, and that's disability compensation they receive for injuries sustained in the service of our Nation.

This system forces our sailors, soldiers, marines and airmen to subsidize their own disability. This is an outrage.

I urge my colleagues to eliminate this disgraceful system completely, once and for all.

Time is really of the essence. It is wrong of us to wait one more year.

It is appalling to know that disabled veterans, who have sacrificed so much for this country, are not receiving the benefits and support they are entitled to upon retirement.

I, like more than 400 members of this House, have added my support as a co-sponsor of legislation which would end this unfair practice.

The time for lip service has ended. Now we must act.

In recent months this country has called upon our military personal to serve our country, and they have responded quickly, forcefully and without hesitation.

Just earlier today this House voted to authorize a full-scale war against Iraq. Many more of our brave sons and daughters will return with disabilities.

I urge the defense authorization conferees to end this shameful practice now and provide for the total elimination of concurrent receipt restrictions.

I urge the White House to stop threatening to veto the defense bill.

We should not balance our defense budget on the backs of disabled retirees.

Let's stand up to veto threats.

Let's stand up for our heroes.

Let's stand up for what we know is right.

## IN HONOR OF JACK LICK

### HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. PETERSON of Minnesota. Mr. Speaker, Jack Lick retired one year ago as vice president of the Bakery, Confectionery, Tobacco Workers and Grain Millers International Union of Minnesota and North Dakota. Jack was dedicated to the union that he served for many years and he made the needs of working people a top priority.

Jack took the time to administer to the needs of his members by helping them through difficult professional and personal times. He enabled new members to develop their leadership skills to better ensure the future success of all members. You could see Jack swell with well-deserved pride as those he mentored excelled and led with both passion and authority.

Over the past many years, I worked closely with BCTWGM on several important issues, including fair trade and agricultural policy. Jack was always by my side as we sought to improve conditions for workers. We fought against NAFTA, the WTO, and other policies that protected corporations and governments at the expense of workers and farmers. We forged new partnerships between labor and

farmers to enhance the future for everyone in rural America.

Our work is not done but I know that, although Jack has retired, he will always remain an active and important voice for labor.

I thank Jack Lick for his years of hard work and dedication. I extend my appreciation to his wife, Mary Lou, and their children, Carolyn, Jennifer, and Jeff. We will not forget your kindness and love for your fellow union workers.

## CONGRATULATIONS TO CALVIN COLLEGE ON THE DEDICATION OF THE PRINCE CONFERENCE CENTER AND THE DEVOS COMMUNICATIONS CENTER

### HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. EHLERS. Mr. Speaker, I would like to take this opportunity to congratulate Calvin College on the dedication of its two newest facilities, the Prince Conference Center and the DeVos Communications Center, the new home for the college's Communications Arts and Sciences and Political Science departments. These facilities will be formally dedicated in ceremonies to be held on Calvin's campus October 25 and 26.

I am thrilled to see the college's new growth and the new opportunities these facilities will afford Calvin's students, faculty, alumni and visitors. I especially want to thank Ren and Elsa Broekhuizen and the entire Prince family as well as Richard and Helen DeVos for their incredible gifts that made these facilities a reality.

The services rendered through these facilities will serve not only those associated with Calvin, but the rest of the Grand Rapids and West Michigan community, which will be able to participate in public events staged in these facilities. Furthermore, the students who are taught in these facilities will disperse throughout the world with the knowledge and skills gained here. These facilities are truly gifts to the entire world.

As a former student and faculty member, a past recipient of Calvin's Distinguished Alumni Award, and a neighbor of this campus, I am proud my congressional colleagues and I played a part in this expansion, as we provided some of the funding for the 380-foot pedestrian overpass known as Calvin's Crossing. This overpass of the East Beltilne provides a safe crossing for people traveling from Calvin's main Knollcrest campus to the new East Campus. In that vein, I would like to offer words of remembrance and condolence to the family of Kevin DeRose, a Calvin student who was killed in 1989 while attempting to cross the East Beltline. Part of these ceremonies involves the planting of a tree near Calvin's Crossing in Kevin's memory. My prayerful hope is that never again will we have to plant another tree on this campus for a similar reason.

Calvin College has come a long way since my days as a student in the 1950s and my years as a professor in the 1960s and 1970s. My student time was spent on the ''old'' Franklin Street campus. As a member of the faculty and as a neighbor, I have watched the college grow on the ''new'' Knollcrest campus. And now, with the opening of the DeVos Communications Center and the Prince Conference Center, we are witnessing the beginning of a new chapter in the life of Calvin College.

My congratulations to Calvin College President Gaylen Byker who helped make these facilities a reality. Congratulations to former president William Spoelhof, whose vision brought Calvin College to the Knollcrest campus and to former president Anthony Diekema, who ably guided the campus through twenty years of expansion. Finally, best wishes to the faculty and students who will be able to enjoy the fruits of these generous gifts.

## THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP) ALLOTMENT EXTENSION AVAILABILITY ACT

### HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BENTSEN. Mr. Speaker, I rise today to introduce legislation, the State Children's Health Insurance Program (SCHIP) Allotment Extension Availability Act of 2002, that would preserve funding for this critically important health insurance program. On October 1, 2002, 25 states nationwide forfeited $1.2 billion in SCHIP funds because the Balanced Budget Act of 1997 included a provision that recaptured funds from those states which do not fully spend their SCHIP allotment in a timely manner. In addition, if we do not act to correct this inequity, states will lose an additional $1.6 billion next year.

We simply cannot afford to reduce funding for SCHIP at a time when so many children remain uninsured. In essence, we will be hurting those programs which have helped so many children to get the health care services they need. A recent Census Bureau report found that the number of uninsured children is 8.5 million, a level equal to the previous year survey. In Texas, it is estimated that 11.7 percent of children or approximately 600,000 children lack health insurance.

I believe that the SCHIP program has proven to be a valuable program for our nation's children. It was designed to cover those children whose family income is too high for Medicaid but not sufficient to pay for health insurance. As of 2000, an estimated 3.3 million children have been enrolled in SCHIP which is more than the 25 percent we estimated would benefit from this program when it was created. In Texas, it is estimated that at least 508,000 children are enrolled in the SCHIP program with more than 90,000 children enrolled in SCHIP in Harris County in my local area. If we penalize states for not moving fast enough to cover children, it is very likely that they will make changes to reduce the scope of coverage and discourage families from enrolling their children in this program.

In the past, I and others have spearheaded efforts to expand and improve the SCHIP program and ensure that Texas was not shortchanged in the distribution of SCHIP funding because of the late start in establishing the program. In 2000, Congress, with my support, approved the Benefits Improvement and Protection Act (BIPA) of 2002 which included a provision to guarantee Texas extra funds for SCHIP. This law provided Texas an additional two years to spend $267 million of their 1998 and 1999 allotments. Without this change, Texas would have lost $446 million in federal funds.

I am now offering this legislation to correct the inequity that my state and others face for their Fiscal Year 2000 SCHIP allotment. According to Jason Cooke, Director of the Children's Health Insurance Program in Texas, as of October 1, 2002, Texas will lose $285 million due to this provision included in the Balanced Budget Act of 1997. Under my bill, the allotments for FY 1998 and 1998 would continue to be split between those states who have used their allotments and those who have not. The current ratio is 60 percent of unspent funds is returned to those states which have not used their allotments while 40 percent of unspent funds are forwarded to those states who have fully spent their allotments. However, my legislation would guarantee that states could keep all of their SCHIP allotments for FY 2000, 2001, and 2002.

Some will argue that the states should have spent their SCHIP allotment within the three year time period provided for in the Balanced Budget Act of 1997. In fact, Texas and several other States did take longer to establish their program. At the time, I along with many of my colleagues urged the Texas Legislature and Governor to act quickly to help uninsured children and penalizing the states will have the unintended consequences of penalizing the children. However, I believe that we should remember the underlying goal of the SCHIP program is to expand coverage for uninsured children. In Texas, where many of these uninsured children live, this penalty will be harshly felt by these working families who simply cannot provide health insurance for their children. In my judgment, the goal of the expanding coverage outweighs the need to encourage quick development of such programs.

I would also argue that we cannot afford to lose these funds in a time of shrinking state budgets. I am very concerned that the result of this reallocation will be to reduce health care services for children. With fewer dollars to spend on the SCHIP program, I believe states will makes changes to their programs which will reduce the number of SCHIP enrollees and discourage working families from joining this important program. For instance, states may decide to make enrollment more difficult for working families or states may act to restrict enrollment to lower income families. In Texas, where 11.7 percent of the children lack insurance, I believe we cannot afford to put up barriers to coverage.

I also want to highlight that this legislation is similar to legislation included in President Bush's Fiscal Year 2003 budget that would ensure that states can keep their SCHIP allotments. The President's proposal would provide up to three additional years for states to spend their SCHIP funds through Fiscal Year 2006. The Office of Management and Budget has estimated that up to 900,000 children may lose their coverage due to this funding shortfall and would deprive states of $3 billion over two years.

I urge my colleagues to support this effort to preserve and strengthen the SCHIP program.

## HONORING NEIL REDUZZI

### HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. MORELLA. Mr. Speaker, I rise today to recognize and to honor a constituent of mine, Mr. Neil Reduzzi upon his retirement. For twenty-six years Mr. Reduzzi has been a devoted employee of United Parcel Service in Maryland and the District of Columbia. For the last twenty-three of these years, Neil has dutifully provided pick-up and delivery service to the United States House of Representatives.

Mr. Reduzzi was recently inducted into the prestigious UPS Circle of Honor. The Circle of Honor recognizes UPS drivers who have completed a minimum of twenty-five years of active service without an avoidable traffic accident.

During his many years with UPS, Mr. Reduzzi has come to be respected and well liked by his customers and co-workers. Neil's warm disposition, diligence and dedication have been recognized and appreciated by numerous Members of Congress and Congressional staffers alike. He is looking forward to his retirement in Clearwater, Florida and to spending more time with his wife Lynn, and his family.

It is an honor to commend Neil Reduzzi on his remarkable record of service to United Parcel Service, his customers, and to the United States House of Representatives.

## FIXATION ON IRAQ DOES NOT MAKE US SAFER

### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McDERMOTT. Mr. Speaker, I submit the following article.

(By Stimson Bullitt)

How best can we defend our territory, our government and our lives from present threats?

The big threat comes from the author of the most serious attack on us, al-Qaida, the network of cells scattered across much of the world.

Rather than a conventional war against another nation, to defeat this enemy calls for police action against a criminal gang, and its members through an integrated program: Intelligence to track and discover, and action to prosecute, those who undertake and plan attacks on us.

Second, restrict the most dreadful weapons. For this, we must cease our Lone Ranger approach, refusing to cooperate to limit creation and spread of nuclear, chemical and biological weapons. As a step toward observance of a rule of law between nations, we should cease to refuse to join the International Criminal Court. Our expressed fear of being prosecuted recalls the Old Testament verse: ''The guilty flee when no man pursueth.''

It has been proposed that we shift our concentration to Iraq because its brutal and ruthless leadership is hostile to us and has a record of seeking to develop deadly weapons. The proposal is to remove both the leadership and the weapons and to do so by making war against that country, How does Iraq threaten us, and what price may we pay to remove the threat?

Far off, and with no navy, Iraq cannot invade us. Nor does it have the only other means by which it directly could attack us: long-range planes or missiles. An ICBM silo can't be trundled around between hiding places and is easy to spot and to destroy. If Iraq were to undertake some, as soon as they were observed under construction, our forces should and would dispatch them like the proverbial ducks in a barrel. That's the place for preemptive strikes.

Iraq could seek to attack us indirectly by assisting al-Qaida to smuggle weapons across our border. The most destructive means would be an atom bomb in a ship's hold, incinerating one of our port cities.

However, like Egypt, Syria, Jordan and Algeria, Iraq has a Muslim population but a secular government, not a theocracy. By contrast, al-Qaida is composed of impassioned Islamist fanatics. Iraq's government may hesitate to entrust weapons to those whose dislike and distrust may turn them back against it.

Rather than seeking such a weapon from Iraq's government, disinclined to furnish one even if it had one, a]-Qaida agents may be more likely to seek one from territory of the former Soviet Union, where countless and uncounted nukes are under the charge of lowpaid bureaucrats, many of whom are incompetent or criminal.

Would our prospective gain from reducing or avoiding the foregoing modest risk exceed the price that a solo invasion would impose on us?

Quantities of American soldiers' lives and taxpayers'dollars would depend on war's uncertainties, among which would be the weapons Iraq may have available to use against our invading troops. If its armed force is as strong as we are told it is, to overcome it will impose a heavy cost.

Going alone would demonstrate such disagreement that would lead to refusals of the needed cooperative action for the long, long war on international terrorism. When we act without allies, where international law calls for some degree of consent among the leading nations, our disregard of such law impairs our influence, reduces our power. If we think we can protect ourselves from cells of zealots without the willing cooperation of governments where they are located, we are nuts.

Prospective allies' unwillingness to commit combat troops to the endeavor would give us pause, raising doubt in reasonable minds. Are we really the only one right, and all others wrong?

Left with the job of rebuilding a nation unfamiliar with democratic processes or government under law, we would risk the chaos that would set Iraq's neighbors at war,

It would not stop al-Qaida's war on us but would intensify its energies. Terrorists are widespread. Iraq did not send Mohammed Atta or Timothy McVeigh, nor did it organize al-Qaida or the Aryan Nations. After Oklahoma City, we convicted two men. We did not attack Aryan Nations communities in northern Idaho or in Michigan. If England struck Boston, from which some of the IRA bombings in England have been financed, we would not approve.

To assault a nation, whether Afghanistan, Iraq or another, fails to protect our country from terrorist attacks. And it kills an unnecessary number of people. Violating human morality reduces our claim to stand for civilized decency as a nation. Others should be killed only when necessary to defend our liberty or lives.

By violating our duty of ''a decent respect to the opinions of mankind,'' in Jefferson's phrase, we terrify and offend other nations and thereby increase the numbers and passions of those who will aim terrorist attacks against us.

Stimson Bullitt is a lawyer, developer of Harbor Steps in downtown Seattle, and former president of KING Broadcasting. He has written several books, including ''To Be A Politician.''

## TRIBUTE TO PETER BARTON

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the memory of an accomplished broadcaster, great musician, and loving father. Peter Barton recently passed away after a long fight with cancer, leaving behind a legacy of proven leadership and innovation. As his family mourns his loss, I would like to take this time to highlight his life before this body of Congress and this nation.

Peter Barton rose to prominence through his business savvy and media industry innovations. Peter stood out because of his resourcefulness whether he was holding meetings while skiing down a mountain or making calls at 3 a.m. to discuss with a night shift manager how a show's host was behaving. His talent and inventiveness led him to the top of an array of companies, including Liberty Media Corporation, Telecommunications Concepts, Inc., as well as founding what later developed into the home shopping channel, QVC. For these impressive accomplishments, it is no wonder he will be inducted into the Broadcasting and Cable Hall of Fame in New York City.

But Peter's ability in business did not outshine his other natural gifts. After learning to play the boogie-woogie on the piano, Peter went on to learn both the electric guitar and keyboard. Throughout his life, he crossed paths with prominent musicians, playing with the E Street Band's guitarist in a middle school rock band, opening for Sha Na Na in college, and filling in for a pianist at the Brown Palace. His artistic side showed up again in his paintings and sculptures he created and used to decorate his Colorado home.

But the position Peter treasured most was his role as a husband and father. Peter's close relationship with his wife, Laura, and their three children, Kate, Jeffrey, and Christopher, influenced every aspect of his life and he often liked to credit his family as his greatest joy.

Mr. Speaker, I stand today to honor Peter Barton's memory before this body of Congress and this nation. Peter stood out as a business and community leader, he took his own path to the top and did it in a unique way. Although Peter Barton has left us after a long battle with cancer, the many ways in which he changed the lives of family and friends and the larger community will endure.

## ACCESS TO CARE PROBLEMS IN THE MEDICARE PROGRAM

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BEREUTER. Mr. Speaker, this year, physicians and other skilled health care professionals absorbed a 5.4 percent cut in Medicare reimbursements. The cut went into effect in January, and the signs of access problems are already showing.

Since rural physicians already receive less reimbursement for services provided to Medicare patients than urban physicians, this is a critical issue.

Medicare patients in this Member's Congressional District are finding it increasingly difficult to find a physician. Some physicians will not accept patients who are 60 years old, because they are nearing Medicare-eligibility age.

Lincoln, the second largest city in Nebraska, has a population of 225,581. We have 27 internists. According to estimates, only five to seven of these internists are accepting new Medicare patients. Where are new Medicare patients supposed to go to obtain the health care services they need when these internists cannot accept any more Medicare patients? Will these Medicare patients end up in hospital emergency rooms to obtain necessary health care services? Will they go untreated?

The House passed corrective legislation already on June 28, 2002. The Senate has not acted. We cannot throw our hands up in the air, and give up. We cannot leave our senior citizens behind. We must protect our senior citizens and preserve access to physician services.

## CELEBRATING THE 50TH ANNIVERSARY OF THE GERMAN-AMERICAN FULBRIGHT EDUCATIONAL EXCHANGE PROGRAM

### HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BOOZMAN. Mr. Speaker, I rise today to make note of the 50th Anniversary of the German-American Fulbright Educational Exchange Program.

Our former colleague, Senator J. William Fulbright, was a champion of education and cultural exchange. In 1946, Senator Fulbright passed legislation creating the Fulbright Program, an international educational exchange program.

Prior to that, the German-American Fulbright Program was created based on an agreement signed in 1952 by the US High Commissioner, John J. McCloy, and the German Chancellor, Konrad Adenauer. The German-American Fulbright Program is an educational exchange organization funded by both the German and American governments that seeks to promote academic excellence and cultural understanding between the United States and Germany through scholarly exchanges.

Since its inception, the German-American Fulbright Program has played a leading role being both the largest and most varied Fulbright program in the world. The year 2002 marks the 50th Anniversary of the creation of the bilateral German-American program.

I am proud that this program of peace and education stemmed from the work of Senator Fulbright, a fellow Arkansan. It has fostered not only educational exchange but symbolizes the strength of the alliance between our nations.

Mr. Speaker, Senator Fulbright best described this excellent program when he said, ''The Fulbright Program aims to bring a little more knowledge, a little more reason, and a little more compassion into world affairs and thereby to increase the chance that nations will learn at last to live in peace and friendship.''

I yield back the balance of my time.

## IN HONOR OF ORCHARD SCHOOL OF SCIENCE ELEMENTARY SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, Today, I rise to honor the Orchard School of Science Elementary School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. 1 would like to offer special thanks to Cleveland School Municipal District CEO Barbara Byrd-Bennett, Superintendent Debra Brathwaite and Principal Mary Ann Knapp for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Orchard School of Science Elementary School has set forth major academic goals for the year, which include fostering improvement of the safe school environment; improving the passage rate on the reading/writing, science, mathematics and citizenship portions of the Fourth Grade Proficiency Test and/or the Off-Grade Proficiency Test by 6.5 percent. Recent accomplishments from last year include all grades making improvement gains on the reading portion of the Proficiency Test and the Off-Grade Proficiency Tests; a $12,000 teaching grant to take fifth grade students camping; and students being able to attend the Space Camp in Orlando, Florida.

I commend the Orchard School of Science Elementary School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## HONORING MARY CIANCIO AND THE ADAMS COMMUNITY MENTAL HEALTH CENTER

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to commend the Adams Community Mental Health Center for their outstanding service and to honor one of their earliest and staunchest supporters, Mary Ciancio.

Adams Community Mental Health Center is one of the most respected mental health service providers in the Denver-metro area. ACMHC has been providing high quality care to low income families and individuals in Adams County since 1957. They have given the gift of hope to over 115,000 members of the community. ACMHC provides counseling to people who are having a difficult time dealing with life stress. They give people the tools they need to stop hurting themselves, their families and their communities. Countless people in the community owe a huge debt of thanks to ACMHC for helping loved ones and healing families. They provide an invaluable service to the community because helping people to lead mentally healthy lives uplifts the entire community.

One person who believed this implicitly was Mary Ciancio. Mary Ciancio is one of the most respected citizens in Adams County history. Growing up, Mrs. Ciancio had to overcome many trials and tribulations. She overcame painful family tragedies. With dignity, she fought racism as she worked tirelessly and in her always-gentle way, to overcome prejudice against Catholics, against Italian-Americans, against people with disabilities and on behalf of community service. There is little doubt that these experiences helped shape her into the strong, compassionate altruist that she became. She helped the March of Dimes, the American Cancer Society and the Colorado Easter Seals, in addition to many other organizations.

She had a special interest in helping people with mental illness. One of her top priorities was the Adams Community Mental Health Center. She was one of the Center's earliest supporters and sat on the Board of Directors for a number of years. The largest annual fund-raiser for the Center is the Mary Ciancio Memorial Golf & Tennis Tournament, the Tournament raises over $100,000 annually and was organized by her son, Don Ciancio, in 1981. ACMHC has honored her importance to the Center by naming its administrative building the Mary Ciancio Memorial Building.

The support of Mary Ciancio was instrumental in helping to establish the Adams Community Mental Health Center. The Center has been of paramount importance to its community. The care that they have provided has given individuals hope and uplifted the community in the process. I ask my colleagues to join me today in thanking ACMHC for their good work and honoring the life of Mary Ciancio. Our community is better because of them.

## RECOGNIZING SENATOR FRANK MADLA'S 30 YEARS OF SERVICE

### HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. RODRIGUEZ. Mr. Speaker, I rise with great humility to honor a friend and colleague, Texas Senator Frank Madla, as he marks 30 years of dedicated service to our community as a state legislator, I had the privilege to serve with him in the Texas House of Representatives and then work with him when he moved on to the Texas Senate. Even today, Senator Madla and I continue to work together to improve the lives of our mutual constituents.

I remember when Frank Madla first won his seat in the Texas House. I had only recently

graduated from his alma mater, St. Mary's University in San Antonio, and was at the beginning of my own career. His was in full swing, a career that includes not only politics, but also teaching and providing home health services. We are fortunate that Frank Madla has dedicated so much of his life and heart to us.

Frank Madla has distinguished himself greatly these past 30 years as a leader in many areas. He has served on numerous committees, been honored by scores of organizations as ''legislator of the year,'' and has distinguished himself as a dedicated servant of his constituents. Senator Madla has been an outspoken advocate of improving access to quality health care services, working especially hard to make sure that children have access to the care they need. He is proud of his efforts to simplify Medicaid so that more people can enroll, create incentives to encourage more health care providers to move into underserved areas, and improve the care provided in Texas' nursing homes.

Along with health care, Senator Madla has made improving education for Texas' children a top priority. With the determination for which he is known, Senator Madla successfully led the charge to bring a four-year university to the Southside of San Antonio. In the next few years, I look forward to the grand opening of the Texas A&M campus in San Antonio, making the dream of higher education available to his neighbors and constituents. Whether helping at-risk students stay in school or improving the incentives for retaining high quality teachers, Senator Madla has been there for us.

Greatness can be measured in many ways. Frank Madla has demonstrated greatness in his steadfast dedication to the people he represents, placing the future of our children at the forefront of his agenda. I look forward to many more years of working together with Senator Madla as he tackles the challenges that confront our state.

## MISS AMERICA 2003 ERICKA HAROLD

### HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to introduce and congratulate Miss America 2003, Erika Harold. Raised in Urbana, Illinois, Erika has succeeded in every stage of her life and as a personal friend of her family, I know she has the support and determination to succeed in everything she puts her mind to. As the National Spokesperson for the Teen Victims Project of the National Center for Victims of Crime, the National Spokesperson for Fight Crime: Invest in Kids, a member of the National Board of Directors for the Center of Youth as Resources, and a member of the Advisory Board for Peace Games, Erika's leadership and determination have proven invaluable in her ambition to end crime and violence against children. The amount of pride our community and I feel right now is immense in knowing that Erika has been crowned Miss America 2003 and I cannot think of a more deserving person to carry this honor and be a role model for every citizen; female and male, young and old. Erika has most recently attended the University of Illinois where she was named Phi Beta Kappa and a Truman Scholarship finalist. Her ambition of pursuing a career in the fields of Public Interest Law and Public Policy was given a huge boost when she was recently accepted into the Harvard School of Law. However, as a result of her new endeavor as Miss America, Erika will place her education on hold for a year and pursue her duties as Miss America and her goal to ''Empower Youth Against Violence''. Erika recently wrote in a letter to USA Today, ''As Miss America 2003, I am issuing a national call to action, challenging every segment of American society to take a proactive, comprehensive approach to eradicating this culture of degradation and indifference''. I not only ask for you, my colleagues, to take this time to congratulate Erika, but I call you to stand hand in hand with her, supporting her, working with her, and finding inspiration in her, as we continue to move this country forward until our nation is truly and completely one of hope, peace, and unity. Let us take heed in the lessons we can learn from her and so many other of our citizens; that we should live our daily lives with a strong will, a loving heart, and a fearlessness to change that which we know is wrong.

## INTRODUCING AIRLINE WORKER RELIEF ACT

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. OBERSTAR. Mr. Speaker, today I and 28 of my colleagues from the Transportation and Infrastructure Committee have introduced the ''Airline Worker Relief Act,'' legislation to deal with inequities in our treatment of companies in the aviation industry, on the one hand, and their employees on the other. While we have given $15 billion of financial assistance to the aviation industry to help them recover from the impact of September 11, we have not give any relief to industry workers who lost their jobs as a result of September 11. Now legislation is being developed to help the aviation industry to weather the difficulties it will face if there is a war with Iraq. Regrettably, the bills which have been developed do not include relief for displaced aviation industry workers. My bill will establish a framework for providing this relief.

Although the events of September 11 had effects throughout our economy, the effects on the aviation industry were direct and far-reaching. The airlines were totally grounded for several days and realized no revenues while incurring hundreds of millions of dollars in expenses. Even after the industry resumed flying, passenger traffic was slow to recover because of public anxiety over security. The events of 9/11 have also added to the industry's expenses, including a billion dollars a year in increased insurance costs, and loss of substantial revenues because of security limitations on the carriage of freight and mail. A coming war with Iraq is also likely to have a significant impact on the industry, including increased fuel costs, loss of revenue from the reluctance of passengers to fly, and from need of our military to use the airlines' aircraft to carry troops and equipment to the war zone.

Shortly after September 11, Congress responded to the aviation industry's financial problems by passing a $15 billion package of direct assistance and loans. More recently, legislation has been reported by the Aviation Subcommittee of the House Committee on Transportation and Infrastructure to provide airlines with low cost war risk insurance from the federal government, enhanced opportunities to carry freight and mail, and loan guarantees to assist the carriers in coping with any major increases in fuel costs resulting from a war with Iraq.

While I have supported these efforts to aid the industry for the problems created by terrorism and war, I and many of my colleagues are deeply disappointed that there has not been the same fair treatment of aviation industry employees who have also suffered from terrorism and war.

Aviation industry workers, including employees of airlines, aircraft manufacturers and suppliers, and airports, have suffered unprecedented job loss and economic uncertainty. Some 100,000 airline employees are out of work or facing imminent lay-off Another 30,000 Boeing workers have been laid-off, along with 51,000 additional aerospace employees. And with bankruptcies looming large, the staggering job losses may grow.

The issue of aiding aviation employees is not new. When we passed the $15 billion assistance bill soon after September 11, I, and many of my colleagues, insisted that if the airline companies were to be afforded relief, so should employees who had lost their jobs. The Republican leadership told us that there was no time to develop a consensus proposal on employee relief, but on the House floor, Speaker HASTERT promised prompt consideration of employee relief, including financial assistance, ability to retain health insurance, and training for new careers. Regrettably, the leadership has not followed through, and the House has never considered assistance for displaced airline employees.

Mr. Speaker, if the airline industry is entitled to special relief because it has suffered disproportionately from terrorism and war, its displaced workers are equally deserving of relief My bill will help to redress the imbalance, and help the 'industry's employees cope with difficulties arising from events outside their control.

My bill provides unemployment benefits, training, job search assistance, and healthcare assistance for airline workers displaced from their jobs as a result of reductions service by air carriers and closures of airports caused by the terrorist attack on September 11, 2001, security measures taken in response to the attacks, or a military conflict with Iraq authorized by the Congress. Benefits would be extended to employees of airlines, airports, commercial aircraft manufacturers and airline suppliers.

To summarize the benefits in greater detail: *Unemployment Benefits:* This bill would extend the Temporary Extended Unemployment Compensation Act of March 2002 and provide an additional 13 weeks of benefits for eligible aviation workers who have already exhausted their initial 13 weeks of benefits.

*Training:* In the present economy, many laid off aviation workers will be unable to return to the industry in which they are employed. Under my bill, individuals who would not be expected to return to their jobs within the aviation industry would be eligible for retraining

benefits and adjustment allowances. Individuals who would not be expected to return to their jobs, but who may find some alternative job within the various sectors of the aviation industry, would also be eligible for training.

*Health Care:* COBRA coverage, which continues health insurance for displaced workers, is prohibitively expensive and beyond the ability of many workers to pay. My bill requires the Secretary of Treasury, in consultation with the Secretary of Labor, to establish a program under which 75% of the premium for COBRA continuation coverage shall be provided for a displaced aviation employee. Payment of such premium assistance may be made through appropriate direct payment arrangements with a group health plan or health insurance issuer. Individuals who do not qualify-for COBRA and are otherwise uninsured might be able to benefit from a state option to provide temporary Medicaid coverage. Furthermore, a state could provide temporary coverage under Medicaid for the unsubsidized portion of COBRA continuation premiums.

*Hiring Preferences for Laid Off Workers:* Thousands of federal security screener jobs remain unfilled at the Transportation Security Administration. Title III of my bill establishes a preference for displaced airline workers for TSA airport security screening jobs. Additionally, the Under Secretary of Transportation Security is directed to develop a program of performance incentive awards to Federal Security Managers, to encourage the hiring of eligible airline employees for TSA positions.

Mr. Speaker, my bill is designed to furnish assistance to aviation industry workers who have suffered severe economic damage from the terrorist attacks of September 11, and those who may suffer as a result of a war with Iraq. This assistance can tide them over the initial period of economic distress, and help them find new jobs. just as we found it appropriate to recognize the plight of our airlines as economic victims of a terrorist attack on our entire nation, we should also recognize the plight of that industry's employees.

I urge my colleagues to Join me in working to pass this important and equitable legislation.

## IN RECOGNITION OF THE LONG ISLAND CITY YMCA

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I would like to pay tribute to the The Long Island City YMCA on the occasion of their Third Annual Frank J. Tempone Service to Youth Dinner Dance. For their unwavering commitment and many charitable endeavors, Assemblyman Brian McLaughlin, Al Samilenko,, and Joseph Previte will be honored this evening.

The LIC YMCA opened its first full-service facility on March 1, 1999. This multi-service family center, the first in the area, represents a major commitment to the families, residents, businesses, and employees of Western Queens.

Since his election to the Legislature in 1992, Assemblyman McLaughlin has been an outstanding representative for Queens, focusing on criminal justice reform, renovating aging infrastructure to promote economic development and job growth, consumer protection, housing, and programs and services for older adults. An effective legislator, Assemblyman McLaughlin has authored more than a dozen state laws, including measures toughening crime laws and improving health care in the community. For his unyielding commitment to community service, numerous organizations have honored Assemblyman McLaughlin, including the East Flushing Civic Association, the Flushing Council on Culture and the Arts, and the Flushing Hospital Medical Center. Assemblyman McLaughlin has also been a community activist in Queens and a leading figure in New York City's labor movement for more than two decades. He currently serves as the President of the New York City Central Labor Council, which represents more than 1.5 million working men and women.

In 1958, while attending Rutgers University, Albert J. Samilenko started his own company, Garden State Electric. He subsequently was employed in managerial positions in prominent electrical construction firms, where he honed his project management skills and engineering abilities. In 1993, Mr. Samilenko purchased Fred Geller Electrical, expanding the firm so that it is engaged in all aspects of electrical construction and engineering. In addition, Mr. Samilenko currently serves as President of the Association of Electrical Contractors of New York City, an organization that represents 140 companies in the New York Metropolitan Area. Always committed to the advancement of youth, Mr. Samilenko has been actively involved in a wide range of organizations, including Friends of Saint Dominic's, The Boy Scouts of America, and Covenant House.

Joseph Previte has been a member of the Queens County Bar Association for 30 years, a member of the Columbian Lawyers Association for 12 years, and a past Vice Chairman and member of the Long Island City YMCA for 22 years. Mr. Previte has devoted his free time to public service, working as the Director of the Queens Library Foundation, participating in the Queens District Attorney's Business Advisory Council, and serving on the Judiciary Advisory Council Unified Court System of New York State. In addition, he was Commissioner and President of the New York City Board of Elections for 11 years, a past member of the Board of Directors of the Queens Botanical Gardens, and a past Vice President of the Queens Museum of Art. Mr. Previte is presently counsel to the law firm of Pennisi, Daniels and Norelli, LLC, and Former Senior Partner of the law firm of Previte, Farber, and Rosen, P.C.

I ask my colleagues to join me in recognizing the selfless efforts of Assemblyman McLaughlin, Al Samilenko, and Joseph Previte, and Long Island City YMCA's outstanding contributions to the community, and wishing them a wonderful evening at this Third Annual Frank J. Tempone Service to Youth Dinner Dance.

## SUNBEAM ELEMENTARY SCHOOL

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. JONES of Ohio. Mr. Speaker, today, I rise to honor the Sunbeam Elementary School in Cleveland, Ohio for affording me the opportunity to visit with young students during my Third Annual Back-to-School Tour on Monday, September 23rd and Monday, September 30th of 2002. 1 would like to offer special thanks to Cleveland School Municipal District CEO Barbara Byrd-Bennett, Superintendent Deborah Ward and Principal Hollis Munoz for their leadership and kind hospitality. The tour was an educational experience for all who were in attendance.

Sunbeam Elementary School has set forth major academic goals for the year, which include creating a safe, nurturing environment for students; improving academic and/or functional living skills of all students; and implementing a middle school program within a K–8 structure. Recent accomplishments from last year include relocating the media center to a larger space; offering onsite social services; and 60 percent of sixth graders passing the reading portion of the Ohio Proficiency exam.

I commend the Sunbeam Elementary School for its commitment to education and will continue to fight for increased funding to improve the quality of public education for all students.

## THE INCLUSIVE HOME DESIGN ACT

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased to announce that today I introduced the Inclusive Home Design Act. This legislation will greatly increase the number of homes that are accessible to people with disabilities. The legislation requires all newly-built single family homes receiving federal funds to meet three specific accessibility standards: an accessible route, or ''zero step,'' into the home, 32'' clearance doorways on the main level, and one wheel chair accessible bathroom.

It defies logic to build new homes that block people out when it's so easy and cheap to build new homes that let people in. Many states and localities have already incorporated visitability standards. This list includes Naperville, Bollingbrook, and Champagne, Illinois, Atlanta, Vermont, Texas, Kansas, Arizona and others. Also the United Kingdom passed a law in March 1998 mandating that every new home become accessible. A federal law will build on the momentum that has already been created.

The proposed legislation is based on the concept of Visitability, an affordable, sustainable and inclusive design approach for integrating basic accessibility features into all newly built homes and housing. While serving as a member of the Illinois State House I introduced similar legislation.

When homes are accessible, it benefits not only today's disability community, but also all of us who are friends and family members of people with disabilities. Often, the prohibitive cost of making an existing home accessible deprives seniors of their independence and pushes them into nursing homes. It can cost several thousand dollars for someone to retrofit their home. However, on average it only costs $300 to add visitability features into a new home.

By making new homes accessible, we guarantee that many seniors can age at home. As

the population becomes older this will become more important. Fifty-eight percent of people over eighty-years-old suffer from physical impairments. This legislation will allow people to age in place. In 2000 there were 30.5 million people between 65–84 years old. This number will grow to 47 million by 2020. Today over 4.3 million are over 85 by 2020 this number is projected to grow to 6.8 million. Fifty eight percent of people over eighty years old are physically impaired.

Homes that meet visitability standards are essential for people with disabilities, and sensible because 3 out of 10 people will face a disability before they are 67, and practical if you want to invite a friend or a family member over for dinner who is disabled. I am looking forward to working with my colleagues to pass this legislation, the Inclusive Home Design Act into law.

## TRIBUTE TO JAMES Z. HERNANDEZ

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BACA. Mr. Speaker, I would like to commend the accomplishments, devout commitment, and exceptional service of James Z. Hernandez.

James is a remarkable individual who has devoted his life to helping people throughout his community. His proactive approach and passionate spirit render him a vital resource and beloved community member. His innovative drug and alcohol prevention programs have triggered a domino effect of initiatives that can only be described as pure genius rooted in deep concern for others.

James witnessed the devastating effects of drug and alcohol abuse that had been plaguing families and communities and understood the magnitude of the problem. Being the passionate spirit that he is, it comes to no surprise that he was a pivotal force in bringing access to culture-specific substance abuse prevention and treatment services to America's Spanish-speaking population. On a crusade to further his cause, James took the issue to the political arena and became involved with legislation affecting Latino youth and adults. He collaborated with government agencies and elected officials to bring much needed attention to drug and alcohol abuse within his Latino community. I had the pleasure of working with James, on groundbreaking legislation while I served in the California State Assembly. AB 1784, The Alcohol and Drug Treatment For Adolescents Act, was the first legislation of its kind to provide assistance to youth with drug problems. The legislation became law and set precedent for other youth rehabilitation programs. James has consistently focused on finding ways to help curb the rapidly growing rate of drug dependent Latinos. His work in this field has been tremendous in paving the way to for a drug-free tomorrow.

In 2001, his credentials and expertise led him to become an appointed member of the Los Angeles County Narcotics and Dangerous Drugs Commission. Throughout his career, James has demonstrated his effectiveness in addressing the problem and finding a solution.

James is now the Executive Director of the California Hispanic Commission on Alcohol and Drug Abuse, Inc.(CHCADA), which maintains over 20 substance abuse prevention and treatment contracts throughout Los Angeles, Orange, Sacramento, and Solano counties.

It is only appropriate that James receive praise from so many as he approaches 30 years of devoting his life to serving others. His ardent work in the field of drug and substance abuse deserves to be commended. It is because of his relentless persistence and astounding vision that a multitude of preventative services exists. Throughout counties in California, individuals with addiction problems can receive professional assistance in fighting a crippling disease. His life's work means so much to so many people. And, in the words of Jackie Robinson, ''A life is not important except in the impact it has on other lives.''

And so Mr. Speaker, I submit this commendation of James Z. Hernandez to be included in the archives of the history of this great nation, for individuals like James are what make this nation great. His life represents hope for countless people across California who have confronted the perils of drug and alcohol abuse and can now be comforted with hope.

## HONORING SHERIFF CHARLES C. PLUMMER

### HON. FORTNEY PETE STARK

OF CALIFORNIA

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. STARK. Mr. Speaker, we rise today to honor Alameda County Sheriff, Charles Plummer for 50 years of exemplary law enforcement service.

Sheriff Plummer's law enforcement career began in 1952 as a patrolman for the Berkeley Police Department. He was appointed to Operations Commander during the ''People's Park'' uprising in 1969 and coordinated the activities of 2,500 National Guardsmen and 750 mutual aid officers. Charles eventually rose through the ranks to become Acting Chief in 1974.

In 1976, Charles Plummer was appointed Chief of Police for the Hayward Police Department. He obtained accreditation for the Hayward Police Department for excellence in police standards and procedures, the first police agency west of the Mississippi to do so and ninth in the nation. As Chief of Police, Charles' dedicated hard work and commitment led to the institution of many successful and worthwhile programs such as the Youth and Family Service Bureau; ComputerAided Dispatch System; Traffic Bureau; Crime Analysis Bureau; Stay-In-School Program; Traffic School; Crime Prevention Program and the Community Access Team.

Charles Plummer was elected and swom in as Alameda County Sheriff in 1987. Since then, he has run unopposed and has been reelected four times. Sheriff Plummer's most recent accomplishments include establishing contracting for medical services, the most cost-effective method of delivering first-rate medical care to inmates; developing three year contracts for security services with AC Transit District, Peralta College District and Oakland Airport; researching, developing, and implementing the Electronic Monitoring Program for minimum security imnates; and opening a state-of-the-art Office of Emergency Services building.

Sheriff Plummer is a graduate of the FBI Academy, the National Executive Institute and the University of San Francisco where he earned his Bachelors Degree in public service.

Sheriff Plummer's leadership and commitment to public service are inspiring to all of us. We ask Congress to join us and the constituents of the Ninth and Thirteenth Congressional Districts as we congratulate Sheriff Plummer on a tremendous 50 year career and wish him another 50 years to come.

## HONORING MORRIS COTTINGHAM

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor Mr. Morris W. Cottingham for his decades-long commitment to democracy and good citizenship. I want to thank Mr. Cottingham, known affectionately to his many friends as ''Morrie'', for his many years of service to the Democratic Party and the contributions he has made to so many Coloradans. He reminds us of the importance of citizen participation in the democratic process and of how one person can make a big difference in their local community, their state, and their nation.

Morrie's 70-some years have been involved in politics from the beginning. Although raised in a Republican household, he realized early on that his politics were quite different than those of his parents. In the 1930's. when Franklin Roosevelt rode a train through his parent's farm, Morrie remembers being impressed and inspired by Roosevelt's Democratic message. He will be the first to tell you that one of his most significant and motivating pieces of memorabilia is a Chicago Tribune with a headline that reads, ''Dewey defeats Truman.'' In every election since then, Morrie has poured blood, sweat, and tears into helping Democratic candidates win office.

He is a veritable institution in Boulder County politics, having served in nearly every position from Precinct Committee Person to the Second Congressional District Presidential Elector in 1996 and 2000. For the Party, Morrie has done everything from fundraising at bingo games to playing for the Mighty Dems softball team. He has often said of himself that one would be hard-pressed to find someone to the left of him on political issues. Those who know Boulder County, know that that is quite a statement.

Morrie's presence as a volunteer during campaigns could turn potentially stressful and chaotic events into smoothly functioning and enjoyable experiences. During a 1996 campaign, when over a hundred people needed supplies of yard signs for distribution, Morrie personally delivered thousands of signs to them within two days. He helped set the standard of excellence and volunteerism in the Boulder County Democratic Party, and his dedication is unequaled.

Many elected officials in my district owe a huge debt to Morrie for his hard work in helping them get into office. No one is more grateful than myself, and I ask my colleagues to join me today in honoring someone who has truly participated in the democratic process. Thank you, Mr. Cottingham. I wish you continued health and happiness.

## IN TRIBUTE TO MOOSE LODGE NO. 169, BAY CITY, MICHIGAN

### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to Moose Lodge No. 169 of Bay City, Michigan, as its members prepare to celebrate another successful year of service since the founding of the international organization in the early 20th Century. In Bay City, Lodge No. 169 has been providing outstanding community service, particularly in its mission to serve the needs of children and families, since 1945.

The Loyal Order of the Moose was founded by Dr. John Henry Wilson as a fraternal organization and social club, but it wasn't until James J. Davis, a young government clerk from Elwood, Indiana, became a member that the group took root as a force to look after the interests of working families. Davis initiated a program to pay benefits to members too ill to work and made plans for an institute to provide a home, schooling and vocational training to the children of deceased members.

Since 1913, one of the primary missions of Moose members has been to fund and operate Mooseheart, a 1,200-acre Illinois home and school for children in need. In addition, they run Moosehaven, a 65-acre Florida retirement community for senior members in need. These residents, entrusted to the care and support provided by Lodge members, are living reminders of the humanitarian efforts put forth by Moose members worldwide.

In Bay City, Moose members have been instrumental in providing assistance to young boys and girls in our community for many years with programs to donate toys to disadvantaged children and in many other ways. Under the leadership of Governor Tom Centala, Bill Schram and other leaders past and present, the Lodge has dedicated itself to responding to the needs of children in Bay County and beyond. We owe them a debt of gratitude for the work. The organization stands as a shining example of how a group of individuals can join together for the greater good and smooth the paths of those who follow in their footsteps. They have not only served their membership well, but they also set a high standard of excellence for the entire community.

Finally, Mr. Speaker, I ask my colleagues to join me in congratulating Moose Lodge No. 169 for their significant contributions and in congratulating them for many years of success. I am confident they will continue to make Bay City proud by nurturing and caring for disadvantaged children for many years to come.

## HEALTH INSURANCE FAIRNESS ACT OF 2002

### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. POMEROY. Mr. Speaker, I am pleased to introduce the ''Health Insurance Fairness Act of 2002.'' Today, Senator BOB GRAHAM and I are introducing this legislation to prohibit the practice of reunderwriting health insurance at renewal, to protect some 16 million Americans who rely on individual health insurance policies.

You can easily understand what reunderwriting is by thinking about your car insurance. If you have a couple of accidents, or get a couple of tickets, your rates go up. Similarly, reunderwriting at renewal of health insurance forces people who become ill to accept substantial premium increases or face losing their coverage. The difference is, people have virtually no control over whether they get cancer, or develop asthma, or if their child is diagnosed with diabetes.

Most insurers evaluate an individual's medical history only when he or she applies for coverage. Recently, however, some insurers have adopted the practice of reviewing customers' health status annually and adjusting premiums according to what kind of year the individual had. If a person has developed a costly medical condition or has filed a large number of claims, the insurer raises the individual's premium.

As a former state insurance commissioner, I believe that this practice, left unchecked, will make it more difficult, if not impossible, for people who have paid insurance premiums for years to maintain coverage when they need it the most. In my view, reunderwriting undermines the risk pools that are necessary to make health insurance possible. Balanced risk pools are essential to affordable, accessible coverage for the greatest number of Americans because they balance the risks of the healthy with the less healthy. Diverse risk pools also provide stability to the insurance industry by spreading liability. If we allow a system that creates incentives for ''cherry picking'' the healthy, who will insure the unhealthy when they can no longer afford coverage?

Reunderwriting at renewal also violates the spirit of health insurance guaranteed renewability requirements under state and federal law. In the 1990's, the National Association of Insurance Commissioners (NAIC) developed model laws to prohibit insurance companies from canceling policies once an individual became sick. In 1997, the Health Insurance Portability and Accountability Act (HIPAA) applied this requirement to all health insurance policies subject to HIPAA. Reunderwriting at renewal attempts to circumvent these important consumer protections.

Mr. Speaker, the Health Insurance Fairness Act I am introducing today would make health insurance more secure. The bill clarifies that guaranteed renewal of health insurance in current law means that insurers are prohibited from targeting individuals for premium increases based on their health in the preceding year.

I realize the late hour of this session of Congress, but I think it is important to introduce this bill now to send a message to those who are monitoring this process with an interest in developing this type of business line. Reunderwriting at renewal violates the spirit of consumer protections for health insurance and Congress should act to protect consumers from this type of business practice.

## THE GRAPES OF WRATH

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. SOLIS. Mr. Speaker, I rise today to join my colleague Congressma SAM FARR and voice my support for the California Stories Project, The Grapes of Wrath.

The project is encouraging Californians to read The Grapes of Wrath and celebrate the 100th anniversary of John Steinbeck's birth.

I share the goal of the California Stories project having Californians read this book will help to cultivate discussion and enable Californians of diverging backgrounds to connect with each other.

I believe that The Grapes of Wrath illustrates how times of hardship and struggle can bring people together and forge a common bond.

It is my hope that Californians will realize although they may be of different ethnicities, many share similar pasts and have more in common than at first glance.

In being able to relate to each other's stories, a connection may be made, and they will be able to bond as neighbors and as Californians.

In one of my favorite passages, we can see that despite the trials and tribulations the migrant workers in this story experienced during the day, there was a closeness formed during the night hours.

The many families shared more than their material goods, they shared their joys and their heartaches.

They became a true community, a perfect example of living for each other, instead of for one's self.

Here is a quote from that passage.

> In the evening a strange thing happened: the twenty families became one family, the children were the children of all. The loss of home became one loss, and the golden time in the West was one dream. And it might be that a sick child threw despair into the hearts of twenty families, of a hundred people; that a birth there in a tent kept a hundred people quiet and awestruck through the night and filled a hundred people with the birth-joy in the morning. A family which the night before had been lost and fearful might search its goods to find a present for a new baby. In the evening, sitting about the fires, the twenty were one. They grew to be units of the camps, units of the evenings and the nights.

1 think this illustrates the camaraderie and good will of the migrant community, something all Californian's can be proud of.

## HONORING JOHN STEINBECK AND CALIFORNIANS' COMMITMENT TO DISCUSSION, DIVERSITY AND COMMUNITY THROUGH ''THE GRAPES OF WRATH''

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. FARR of California. Mr. Speaker, during this centennial anniversary of John Steinbeck's birth, I would like to honor the efforts of the Californians participating in the statewide reading and discussion of ''The Grapes of Wrath.'' Steinbeck's powerful novel details the difficulties and blessings involved in diversity, migration, and the pursuit of the American Dream. By reading ''The Grapes of Wrath,'' we are all able to see the continuing relevance of these issues and the necessity of encouraging dialog within our communities. One of my favorite passages, in Chapter 25, addresses the richness of the land and the bountiful produce that can be grown through the effort and determination of hard-working people. Here is a quote from that passage:

The spring is beautiful in California. Valleys in which the fruit blossoms are fragrant pink and white waters in a shallow sea. Then the first tendrils of the grapes, swelling from the old gnarled vines, cascade down to cover the trunks. The full green hills are round and soft as breasts. And on the level vegetable lands are the mile-long rows of pale green lettuce and the spindly little cauliflowers, the gray-green unearthly artichoke plants.

And then the leaves break out on the trees, and the petals drop from the trees and carpet the earth with pink and white. The centers of the blossoms swell and grow in color: cherries and apples, peaches and pears, figs which close the flower in the fruit. All California quickens with produce, and the fruit grows heavy, and the limbs bend gradually under the fruit so that little crutches must be placed under them to support the weight. . . .

. . . And all the time the fruit swells and the flowers break out in long clusters on the vines. And in the growing year the warmth grows and the leaves turn dark green. The prunes lengthen like little green bird's eggs, and the limbs sag down against the crutches under the weight. And the hard little pears take shape, and the beginning of the fuzz comes out on the peaches. Grape blossoms shed their tiny petals and the hard little beads become green buttons, and the buttons grow heavy. The men who work in the fields, the owners of the little orchards, watch and calculate. The year is heavy with produce. And men are proud, for of their knowledge they can make the year heavy. They have transformed the world with their knowledge. The short, lean wheat has been made big and productive. Little sour apples have grown large and sweet, and that old grape that grew among, the trees and fed the birds its tiny fruit has mothered a thousand varieties, red and black, green and pale pink, purple and yellow; and each variety with its own flavor. The men who work in the experimental farms have made new fruits: nectarines, and forty kinds of plums, walnuts, with paper shells. And always they work, selecting, grafting, changing, driving themselves, driving the earth to produce.

I thank my California colleagues for rising with me in honor of this classic novel and the enduring spirit of Californians.

## THE GRAPES OF WRATH

### HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. DAVIS of California. Mr. Speaker, I rise to celebrate the settling of California as part of the California Council for the Humanities literature project. It is a pleasure to join fellow Californians in reading a common work, John Steinbeck's ''The Grapes of Wrath.'' It is a project rich not only as a piece of literature that explores the history of a specific group of immigrants to California but also the common immigrant experience.

So many of us are only a generation or two away from that immigrant experience. My grandparents came to this country from Lithuania—also migrating to a land of hoped-for prosperity.

I have selected some passages from Chapter 17 detailing that heart-breaking period of traveling to the unknown new land and also the wonderful experience of developing community that came from sharing that challenge.

The cars of the migrant people crawled out of the side roads onto the great cross-country highway, and they took the migrant way to the West. In the daylight they scuttled like bugs to the westward; and as the dark caught them, they clustered like bugs near to shelter and to water. And because they were lonely and perplexed, because they had all come from a place of sadness and worry and defeat, and because they were all going to a new mysterious place, they huddled together; they talked together; they shared their lives, their food, and the things they hoped for in the new country. Thus it might be that one family camped near a spring, and another camped for the spring and for company, and a third because two families had pioneered the place and found it good. And when the sun went down, perhaps twenty families and twenty cars were there.

In the evening a strange thing happened: the twenty families became one family, the children were the children of all. The loss of home became one loss, and the golden time in the West was one dream And it might be that a sick child threw despair into the hearts of twenty families, of a hundred people; that a birth there in a tent kept a hundred people quiet and awe-struck through the night and filled a hundred people with the birth-joy in the morning. A family which the night before had been lost and fearful might search its goods to find a present for a new baby. In the evening, sitting about the fires, the twenty were one. They grew to be units of the camps, units of the evenings and the nights. A guitar unwrapped from a blanket and tuned-and the songs, which were all of the people, were sung in the nights. Men sang the words, and women hummed the tunes.

Every night a world created, complete with furniture—-friends made and enemies established; a world complete with braggarts and with cowards, with quiet men, with humble men, with kindly men. Every night relationships that make a world, established; and every morning the world torn down like a circus.

At first the families were timid in the building and tumbling worlds, but gradually the technique of building worlds became their technique. Then leaders emerged, then laws were made, then codes came into being. And as the worlds moved westward they were more complete and better furnished, for their builders were more experienced in building them.

The families learned what rights must be observed—the right of privacy in the tent; . . . the right to talk and to listen; the right to refuse help or to accept, to offer help or to decline it; the right of son to court and daughter to be courted; the right of the hungry to be fed; the rights of the pregnant and the sick to transcend all other rights.

And the families learned, although no one told them, what rights are monstrous and must be destroyed. . . .

And as the worlds moved westward, rules became laws, although no one told the families. It is unlawful to foul near the camp; it is unlawful to eat good rich food near one who is hungry, unless he is asked to share.

And with the laws, the punishments. . .

The families moved westward, and the technique of building the worlds improved so that the people could be safe in their worlds; and the form was so fixed that a family acting in the rules knew it was safe in the rules.

There grew up government in the worlds, with leaders, with elders. A man who was wise found that his wisdom was needed in every camp; a man who was a fool could not change his folly with his world. And a kind of insurance developed in these nights. A man with food fed a hungry man, and thus insured himself against hunger. And when a baby died a pile of silver coins grew at the door flap, for a baby must be well buried, since it has had nothing, else of life. An old man may be left in a potter's field, but not a baby.

## HONORING JOHN STEINBECK ON THE CENTENNIAL ANNIVERSARY OF HIS BIRTHDAY

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mrs. CAPPS. Mr. Speaker, I rise today with my California colleagues to recognize the remarkable contributions that John Steinbeck made to literature on the occasion of the Centennial Anniversary of his birthday. Below is one of my favorite passages from ''The Grapes of Wrath,'' which commemorates the beauty of California.

They drove through Tehachapi in the-morning glow, and the sun came up behind them, and then—suddenly they saw the great valley below them. Al jammed on the brake and stopped in the middle of the road, and, ''Jesus Christ! Look!'' he said. The vineyards, the orchards, the great flat valley, green and beautiful, the trees set in rows, and the farm houses.

And Pa said, ''God Almighty!'' The distant cities, the little towns in the orchard land, and the morning sun, golden on the valley, A car honked behind them. Al pulled to the side of the road and parked.

''I want ta look at her.'' The grain fields golden in the morning, and the willow lines, the eucalyptus trees in rows.

Pa sighed, ''I never knowed they was anything like her.'' The peach trees and the walnut groves, and the dark green patches of oranges. And red roofs among the trees, and barns—rich barns. Al got out and stretched his legs.

He called, ''Ma—come look. We're there!''

Ruthie and Winfield scrambled down from the car, and then they stood, silent and awe-struck, embarrassed before the great valley.

The distance was thinned with haze, and the land grew softer and softer in the distance. A windmill flashed in the sun, and its turning blades were like a little heliograph, far away. Ruthie and Winfield looked at it, and Ruthie whispered, ''It's California.''

## PROTECT OUR YOUTH FROM MEDICALLY INACCURATE AND MISLEADING SEX EDUCATION IN CLASSROOMS ACROSS THE NATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GUTIERREZ. Mr. Speaker, today, I am introducing the ''Medically Accurate and Objective Sex Education Act,'' a bill that would require our schools to teach medically accurate and objective factual information as part of any sex education course.

There has been an increase in the number of schools using curricula that provide medically inaccurate and misleading information. Some of these medical inaccuracies include calling condoms ''antiquated'' or citing failure rates as high as 70 percent, as well as giving, erroneous symptoms and outcomes of sexually transmitted diseases. Other specific examples of medically inaccurate information in current sex education courses include:

A program indicating that the ''published condom failure rates for pregnancy prevention are between 10 and 30 percent.''

It has been documented that if used consistently and correctly, condoms are 98 percent effective in preventing pregnancies.

A program incorrectly stating that Human Papilloma Virus (HPV) can only be passed through sexual intercourse.

It has been documented that HPV can be passed through female-to-female genital sex.

Without using statistics, one program concluded that ''infectious syphilis rates have more than doubled among teens since the mid-1980s.''

However, the Centers for Disease Control and Prevention and the U.S. Department of Health and Human Services announced that ''the U.S. has a unique but narrow window of opportunity to eliminate syphilis while cases are still declining.''

Inaccurate information regarding contraception and STD/HIV prevention can make sex education both dangerous and counterproductive. Responsible sex education, by contrast, is an important component of a strategy to reduce unintended pregnancies, reduce the number of abortions and reduce STD incidence. The American Medical Association, the Institute of Medicine and the National Institutes of Health support the use of sex education that is medically accurate.

Mr. Speaker, I urge my colleagues to join me in ensuring that sex education curricula contain accurate medical information that can help young people develop a healthy understanding of their sexuality, so they can make responsible and educated decisions throughout their lives.

## TRIBUTE TO MARY ANN TYNAN

### HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. LYNCH. Mr. Speaker, I rise today to honor Mary Ann Tynan upon the occasion of her retirement as Senior Vice President and Partner at Wellington Management Company. Over the course of her long career, Mrs. Tynan has been a driving force in the financial services industry for the establishment and maintenance of ethical standards. Quietly and persistently, she has helped shape a culture of commitment to investors, commitment to community, and commitment to excellence at Wellington Management Company and also in the mutual fund industry.

Mrs. Tynan graduated cum laude from Smith College and entered the financial services industry in the late 1960's. She was one of the first women to hold a high-ranking position in this industry and has been a role model and mentor for many other women. Mrs. Tynan has been instrumental in opening up the traditionally male leadership of the financial services industry for women and in promoting diversity. Mrs. Tynan began her work in the mutual fund industry early in her career and it is partly through her efforts that this segment of the financial services industry has grown from a small, obscure niche of the economy to a major economic force and the key way many citizens plan for their retirement and financial security. Mrs. Tynan's leadership roles in the Investment Company Institute and in representing the investment advisor industry with the Securities and Exchange Commission helped build the foundation for and a culture of informed regulation, strict compliance, and high ethical standards that define the mutual fund industry today.

Mrs. Tynan's enormous impact in shaping the growth and standards of Wellington Management has helped make Wellington a beacon of integrity and durability. In addition to her commitments to Wellington Management and the mutual fund industry, Mrs. Tynan has helped create a deep connection to community at Wellington, and had lead by her own example of community involvement through her work with important greater Boston nonprofit institutions including Brigham & Women's and Faulkner Hospitals, and the Middlesex School. In addition to her many contributions to these institutions, she's been particularly instrumental in ensuring that their resources are managed in a manner that will guarantee the existence and financial stability of the institutions for many generations. The fruits of her distinguished professional life and many philanthropic commitments will continue to benefit the financial services industry, Wellington Management, and the greater Boston area for many years to come.

Mr. Speaker, I am certain that the entire House of Representatives joins me in honoring Mrs. Tynan for her many accomplishments and wishes her the best of luck in her future endeavors.

## INTRODUCTION OF THE HAITIAN ECONOMIC RECOVERY OPPORTUNITY ACT

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. GILMAN. Mr. Speaker, I am pleased to introduce the Haitian Economic Recovery Opportunity (HERO) Act H.R. 5650. This bill is intended to provide tangible economic benefits to Haiti, the Western Hemisphere's poorest nation. If the people of Haiti are to be able to earn a living wage, provide for their children's welfare, and have hope for the future, then there needs to be real jobs in Haiti.

In my congressional district, there are many hundreds of Haitian-American families. They are hardworking citizens who have done well for themselves and added substantially to our local communities. These good Haitian-American citizens prove that what Haitians need most is opportunities. That is what this HERO Act does.

This bill would provide that apparel articles imported directly into the United States from Haiti would be free of duty. To be eligible, the apparel article must be assembled in Haiti from any combination of fabrics and yarns manufactured in the United States, members of Free Trade Agreements with the United States, future members of Free Trade Agreements with the United States, as well from eligible countries under the Africa Growth & Opportunity Act, the Andean Trade Preferences Act and the Caribbean Basin Initiative.

In past years, the apparel industry employed tens of thousands of people in Haiti. The earnings from these jobs supported many more tens of thousands of Haitians. This legislation will help bring that economic activity back to Haiti. It will also send a unequivocal message of support to those in Haiti's private sector who have joined in the long struggle for democracy in that island nation.

As is the case under the Africa Growth & Opportunity Act, in order for Haiti to be eligible for benefits, the President must first certify that Haiti has established, or is making continual progress to satisfy, a number of important conditions. The economic conditions spelled out in the HERO Act include establishing a market-based economy, eliminating barriers to United States trade and investment (including creation of an environment conducive to domestic and foreign investment), the protection of intellectual property, and the resolution of bilateral trade and investment disputes.

Furthermore, the government of Haiti must meet important political conditions including establishing democracy as evidenced by free and fair elections, the rule of law, political pluralism, freedom of the press, the right to due process, a fair trial, and equal protection under the law, economic policies to reduce poverty, a system that combats corruption and bribery and protections for internationally recognized worker and human rights. In addition, the President would have to certify that Haiti does not provide support for acts of international terrorism and cooperates in efforts to eliminate human rights violations and terrorist activities.

We must not forget Haiti. This bill sends a clear message to Haitians of good will that America cares what happens in Haiti. With this legislation, we can join together as Republicans and Democrats to do the right thing for

Haiti by tangibly promoting prosperity and democracy in that nation.

Mr. Speaker, I request that a copy of the full text of H.R. 5650 be inserted at this point in the RECORD:

H.R. 5650

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Haiti Economic Recovery, Opportunity Act of 2002''.

**SEC. 2. TRADE BENEFITS TO HAITI.**

(a) IN GENERAL—The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.) is amended by inserting after section 213 the following new section:

**''SEC. 213A. SPECIAL RULE FOR HAITI.**

''(a) IN GENERAL—In addition to any other preferential treatment under this Act, in each 12-month period beginning on October 1, 2002, apparel articles described in subsections (b) that are imported directly into the customs territory of the United States from Haiti shall enter the United States free of duty, subject to the limitations described in subsections (b) and (c), if Haiti has satisfied the requirements set forth in subsection (d).

''(b) APPAREL ARTICLES DESCRIBED.—Apparel articles described in this subsection are apparel articles that are wholly assembled or knit-to-shape in Haiti exclusively from any, combination of fabrics, fabric components, components knit-to-shape, and yarns formed in one or more of the following countries:

''(1) The United States.

''(2) Any, country, that is party to a, free trade agreement with the United States, on January 1, 2002.

''(3) Any country that enters into a free trade agreement with the United States subject to the provisions of title XXI of the Trade Act of 2002 (Public Law 107–210).

''(4) Any country designated as a beneficiary country under—

''(A) section 213(b)(5)(B) of this Act;

''(B) section 506A(a)(1) of the Trade Act of 1974 (19 U.S.C. 2466a(a)(1)); or

''(C) section 204(b)(6)(B) of the Andean Trade Preference Act (19 U.S.C. 3203(b)(6)(B)).

''(5) Any country, if the fabrics or yarns are designated as not being commercially available in the United States for the purposes of NAFTA (Annex 401), the Caribbean Basin Trade Partnership Act, the African Opportunity and Growth Act, or the Andean Trade Promotion and Drug Eradication Act.

''(c) Preferential Treatment.—The preferential treatment described in subsection (a), shall be extended

''(1) during the 12-month period beginning on October 1, 2002, to a quantity of apparel articles that is equal to 1.5 percent of the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period beginning October 1, 2001; and

''(2) during the 12-month period beginning on October 1 of each succeeding year, to a quantity of apparel articles that is equal to the product of—

''(A) the percentage applicable during the previous 12-month period plus 0.5 percent (but not over 3.5 percent); and

''(B) the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period that ends on September 30 of that year.

''(d) ELIGIBILITY REQUIREMENTS.—Haiti shall be eligible for preferential treatment under this section if the President determines and certifies to Congress that Haiti—

''(1) has established, or is making continual progress toward establishing—

''(A) a market-based economy, that protects private property rights, incorporates an open rules-based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;

''(B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;

''(C) the elimination of barriers to United States trade and investment, including by—

''(i) the provision of national treatment and measures to create an environment conducive to domestic and foreign investment;

''(ii) the protection of intellectual property; and

''(iii) the resolution of bilateral trade and investment disputes;

''(D) economic policies to reduce poverty, increase the availability of health care and educational opportunities, expand physical infrastructure, promote the development of private enterprise, and encourage the formation of capital markets through microcredit or other programs,

''(E) a system to combat corruption and bribery, such as signing and implementing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; and

''(F) protection of internationally recognized worker rights, including the right of association, the right to organize and bargain collectively, a prohibition on the use of any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;

''(2) does not engage in activities that undermine United States national security or foreign policy interests; and

''(3) does not engage in gross violations of internationally recognized human rights or provide support for acts of international terrorism and cooperates in international efforts to eliminate human rights violations and terrorist activities.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after October 1, 2002.

(2) RETROACTIVE APPLICATION TO CERTAIN ENTRIES.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption, of any goods described in the amendment made by subsection (a)—

(A) that was made on or after October 1, 2002, and before the date of the enactment of this Act, and

(B) with respect to which there would have been no duty if the amendment made by subsection (a) applied to such entry or withdrawal, shall be liquidated or reliquidated as though such amendment applied to such entry or withdrawal.

## RECOGNIZING THE WORK OF THE STUDENTS AT VETERANS MEMORIAL ELEMENTARY SCHOOL IN BRICK TOWNSHIP, NJ

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to honor the hard work and community service exhibited during the past school year by the students of Veterans Memorial Elementary School in Brick Township, New Jersey. It is my honor and privilege of representing these students, and their parents and teachers in Congress.

During this past year, the students invested many hours of service in projects to help make life better for their school and greater community. For example, in the aftermath of the September 11th terrorist attacks, the students honored local fire fighters who participated in rescue and recovery operations at Ground Zero. They also sent thank you notes to New York City police and fire fighters, and wrote letters to a local serviceman stationed overseas.

It is important to note, Mr. Speaker, that the students'community service did not just begin, nor will it end, with their outstanding efforts related to September 11th.

To highlight the importance of a clean and safe environment, the students commemorated Earth Day by decorating grocery bags with environment-friendly messages. These bags were then used by patrons of a local supermarket so they could take home the students'messages about how we must protect for our environment.

They also implemented a school-wide paper recycling program, and worked to beautify the school's grounds.

To enhance their own understanding of the challenges that older Americans face, the students visit with senior citizens in their community, exchanging ideas, and striking up new friendships. They make special holiday gifts for the seniors and also put on concerts, including one full of patriotic songs. It's the students' way of thanking America's ''greatest generation''; a generation that risked all to secure freedom at home and abroad. As chairman of the House Committee on Veterans Affairs, I am especially grateful for the outreach our students have initiated with seniors and veterans—the namesakes of their school.

When a peer's house tragically burned to the ground, the students of Veterans Memorial Elementary School responded by holding an emergency fund-raiser. They also collected warm winter coats for students in need and helped their school buy new books and playground equipment.

While this is only a small sampling of community service activities performed by the students of Veterans Elementary, it is clear that these children, while learning the subjects and skills they need to succeed in academia, are also learning the generosity, compassion, and service needed to be outstanding members of their community.

I am proud to congratulate the students of Veterans Elementary School. Their leader and my friend, Principal Joe Vicari also deserves our thanks for his many years of hard work and generosity and the dedicated teachers and support staff at Veterans Elementary School also deserve high praise and recognition. I wish them all the very best of success for another year of outstanding community service, and I look forward to working with them in their endeavors in the years to come,

## AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

SPEECH OF

### HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. FOSSELLA. Mr. Speaker, every so often, a people is forced to choose between fighting oppression and hoping to survive at the whim of evil.

Against all odds, facing down the world's only superpower, our forefathers fought and died to establish a nation conceived in liberty and freedom. Some years later, our nation turned upon itself so that all could bask in the glow of those freedoms. The ''greatest'' generation chose to go to war, and their sons and daughters endured a frosty confrontation so that people around the world would have the same opportunity to enjoy those freedoms.

Today, we are asked that very same question.

Do we have the same commitment, as did our ancestors, to beat down the forces of evil and give future generations the opportunity to live in freedom?

Over the years, Saddam Hussein has ruled Iraq as an absolute dictator. He has shackled the Iraqi people to an existence of oppression and poverty. Free speech has been banished, elections held as a sham, opposition terrorized and ethnic and religious minorities brutally and mercilessly oppressed. Hussein's tools of governance include torture, murder, rape, and poison gas.

Saddam Hussein has acted as a destabilizing force in the Middle East, often with violent and tragic results. He has used violence to repress the Kurdish minority, invaded Iran and Kuwait, and attacked Saudi Arabia and Israel. He has even attempted to assassinate current and former Heads of State including former President George Bush. In his mad blood lust, Hussein has used chemical weapons, biological weapons and ballistic missiles. By his own admission, Hussein has funded weapons programs to develop chemical, biological and nuclear weapons.

Over the years, in violation of numerous United Nations Security Council Resolutions it had agreed to abide by, Saddam Hussein has continued to develop weapons of mass destruction, refused to account for and return prisoners captured during the Persian Gulf war, refused to return property stolen during the Persian Gulf war and continued to repress its people and harbor terrorists.

Unfortunately, Saddam Hussein has intensified his efforts to develop nuclear weapons. Iraq has also sought to build and enhance delivery systems that can be used to deliver chemical, biological or nuclear weapons. The development of these weapons and systems will not only affect the Middle East, but it will give Saddam Hussein the ability to extend his influence around the world. Because the United Nations abdicated its role to enforce the various Security Council resolutions, we do not know the status of these weapons programs or how close they may be to completion and no one has been able to act as a restraint against the wishes of this dictator.

Over the past century, only two world leaders have used poison gas against their own people and launched ballistic missiles to attack other nations. When confronted with the choice of stopping Adolf Hitler or appeasing him, the civilized world chose appeasement. Tens of millions of people paid a terrible price for that inaction.

We face a similar choice today. If we choose not to stop Saddam Hussein, history will consign on us a price for our appeasement, the cost of which will only be known with the passage of time. That price will not only be borne by us, but others as well, and we have no idea when that bill will become due. If nothing else, the tragic events of September 11, 2001, reinforced the lessons so painfully learned years ago.

If we can topple this madman through peaceful means, we shall. However, if military means are necessary, so be it. We must be open to all options to provide for the common defense of our nation and to ensure that future generations, here and abroad, have the same opportunities to live in freedom without the looming specter of fear and tyranny.

This resolution must be passed so that future generations can state—yes they were challenged, and they met the challenge—for the betterment of mankind.

Thank you Mr. Speaker and I yield the balance of my time.

## H.R. 5400

SPEECH OF

### HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. GONZALEZ. Mr. Speaker, I am glad that this important legislation was promptly brought to the floor and passed by unanimous consent. The North American Development Bank, NADBank, is the only development bank specifically dedicated to the infrastructure challenges of the U.S./Mexico border. This bill provides the Department of Treasury requested authorization to complete negotiations with the Mexican government by providing authorization for a new low interest loan facility and expanding the grant-making capacity of the bank. In addition it requires the Department of Treasury to annually report to the House Committee on Financial Services on efforts to improve the effectiveness of this important institution.

Mr. Speaker, I was disappointed in Treasury's initial lack of willingness to fully discuss with Congress on how best to improve NADBank. The public finance needs of the U.S./Mexico border are complex and are growing at an exponential rate. Treasury and Congress must communicate in a regular and frank basis on how best to improve this institution. I view this legislation as offering a tremendous opportunity for Treasury to work in concert with Congress on addressing the public finance challenges of the U.S./Mexico border. This is the intent of the annual reporting provisions of this bill and I thank Congressman DOUG BEREUTER for his assistance in inserting this provision.

Mr. Speaker, H.R. 5400 is one step out of many that will have to be taken to ensure that NADBank achieves its intended goal of providing a flexible, competitive option for infrastructure financing for struggling U.S./Mexico border communities. I look forward to working with my fellow Members on the Financial Services Committee on ensuring that NADBank lives up to its full potential and encourage the Senate to quickly consider this important legislation.

## H.R. 5400

SPEECH OF

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 5400, legislation which makes necessary changes to the charter agreement of the North American Development Bank (NADBank). The bill, which this Member introduced on September 18, 2002, is being considered under unanimous consent. This important legislation contains the legislative changes requested by the Administration.

First, this Member would like to thank both the distinguished gentleman from Texas (Mr. ARMEY), the Majority Leader of the House, for initiating this unanimous consent request for H.R. 5400, and to the distinguished gentleman from Missouri (Mr. GEPHARDT) for supporting this request. Furthermore, this Member would also like to thank both the distinguished gentleman from Ohio (Mr. OXLEY), the Chairman of the House Financial Services Committee, and the distinguished gentleman from New York (Mr. LAFALCE), the Ranking Member of this Committee, for their support to this Member in my effort to bring this measure to the House Floor.

As the Chairman of the House Financial Services Subcommittee on International Monetary Policy and Trade, this Member would also like to thank the distinguished gentleman from Vermont (Mr. SANDERS), the Ranking Member of this Subcommittee, for his support of H.R. 5400. This Member especially would also like to thank the following three original cosponsors of this legislation, who are all Members of the Financial Services Committee: Mr. OSE (R–CA), Mr. GONZALEZ (D–TX), and Mr. HINOJOSA (D–TX). All three of these Members provided valuable input into the initial drafting of H.R. 5400. Subsequently, the House Financial Services Committee passed H.R. 5400 by voice vote.

With regard to H.R. 5400, this Member would like to discuss the following three items: Background on the NADBank; administration's request on the NADBank; and contents of H.R. 5400.

BACKGROUND ON THE NADBANK

During the 1993 debate of the North American Free Trade Agreement (NAFTA), environmental issues emerged. A particular concern was that NAFTA could result in the industrialization and population growth in the U.S.-Mexico border region, which could further exacerbate pollution problems in this area. In addition, during the NAFTA debate, some Members of Congress were concerned that the perceived lax enforcement of environmental laws by Mexico could create a competitive advantage and give U.S. businesses incentives to relocate to Mexico. In fact, for some Members of Congress support for NAFTA was partially contingent on the identification of a structure to finance border environmental projects.

As a result of these factors, which were raised in the NAFTA debate, the United States and Mexico agreed to the creation of a new institutional structure to promote the environmental health of the border region. As such, the Border Environment Cooperation Agreement established the NADBank and the Border Environment Cooperation Commission (BECC). These institutions currently work together to assist communities within 100 kilometers (km) on either side of the U.S.-Mexico border by financing environmental infrastructure projects that address the need for wastewater treatment, drinking water, and disposal of municipal solid waste. Spanning 2100 miles from the Gulf of Mexico to the Pacific Ocean, the NADBank border region includes territory in the four U.S. states of Texas, New Mexico, Arizona, and California.

Under the Border Environment Cooperation Agreement, the BECC is to certify the validity of environmental infrastructure projects. Alternatively, the NADBank determines the feasibility of BECC certified projects, and subsequently provides the appropriate financing. Since its inception, the BECC has certified 57 projects with a total construction cost of $1.2 billion. The NADBank has committed Environmental Protection Agency grant funds to 37 of these projects.

However, as the Administration has testified, NADBank's overall performance has been inadequate and unsatisfactory. NADBank has approved only $23.5 million and disbursed only $11 million in loans to projects, despite having $450 million in authorized paid-in capital and a total lending capacity of $2.7 billion.

ADMINISTRATION'S REQUEST ON THE NADBANK

Second, with regard to the Administration's request, in order to address the inadequacies of the NADBank, U.S. President George Bush and Mexican President Vicente Fox formed a bi-national working group that held a series of discussions with states, communities, and other stakeholders in the border region with the purpose of generating plans for reform to strengthen the performance of the NADBank and the BECC. As a result of this working group, President Bush and President Fox came forth with a joint agreement, which was announced in Monterrey, Mexico, in March 2002. Two of the provisions in this joint agreement require U.S. congressional approval as they are amendments to the Border Environment Cooperation Agreement which established the NADBank.

As a result, on July 19, 2002, the Administration made an official request for congressional action to make the following two changes:

1. The NADBank would be able to make grants and non-market rate loans out of its paid-in capital resources with the approval of its Board of Directors. (Currently, NADBank can only finance market rate loans.)

2. The region that the NADBank serves would be expanded on only the Mexican side from 100 km of the international boundary line to within 300 km of the international boundary line.

With respect to the first requested legislative change, the Administration's rationale is that NADBank's current financial framework is having a limited impact in regions with high poverty rates. Communities in the border regions in many instances have been unable to afford market-rate financing for environmental infrastructure projects. The NADBank will have greater flexibility to address the environmental needs of the border region if they are also able to use non-market rate loans and grants.

With regard to the second requested legislative change, the Administration's rationale is that the geographic expansion on the Mexican side of the international boundary will give the NADBank more opportunities to address a greater scope of environmental issues that affect communities along the United States and Mexican border. For example, with this change, the NADBank will be better able to undertake projects that improve water use over a broader geographic area, which would increase water supply in its shared rivers. It is important to note that, according to the Administration, this reform will be linked with a system that concentrates grants and low interest loans in the poorest communities within 100 km of the border.

CONTENTS OF H.R. 5400

Third, as this Member mentioned earlier, on September 18, 2002, this Member introduced H.R. 5400 which makes necessary changes to the charter agreement of the NADBank. Before introducing H.R. 5400, this Member's Subcommittee conducted two hearings which, in part, addressed the subject of the NADBank.

On May 2, 2002, the Subcommittee on International Monetary Policy and Trade conducted a hearing that included testimony from private sector panelists on the subject of the NADBank. At this hearing, the Subcommittee heard testimony from the Mayor of Eagle Pass, Texas, and the City Manager of Mercedes, Texas—communities along the U.S./Mexico international boundary. Testimony was also given by the former Chief Executive Officer of the NADBank and an investment banker who has worked with the NADBank.

Furthermore, on July 25, 2002, the Subcommittee on International Monetary Policy and Trade conducted a hearing where Undersecretary of the Department of Treasury for International Affairs, Dr. John Taylor, provided testimony, which included his opinion as to the importance of the Administration's request on the NADBank.

This legislation being considered under unanimous consent, includes the two previously discussed changes which the Administration requested. As such, H.R. 5400 would allow the NADBank to offer grant and non-market-rate financing and would expand the service area of the NADBank on the Mexican side to within 300 km of the U.S./Mexican international boundary line.

Furthermore, H.R. 5400 would enhance congressional oversight through an annual reporting requirement on the subject of the NADBank by the Secretary of the Treasury to both the House Committee on Financial Services and the Senate Committee on Foreign Relations. Currently, there is no such reporting requirement.

This bill also includes different sense of the Congress resolutions. There is a sense of Congress, which was in the bill as introduced, that water conservation projects are eligible for funding from the NADBank and that the Board of the NADBank should support such qualified water conservation projects which assist Texas irrigators and agricultural producers in the lower Rio Grande River Valley.

Furthermore, a sense of Congress was successfully offered by the distinguished gentleman from Arizona (Mr. SHADEGG) during the full Committee markup. The provision expresses the sense of Congress that the Board of the NADBank should take into consideration the needs of all the border states before approving funding for water conservation projects, and strive to fund water conservation projects in each of the border states.

A different sense of Congress was successfully offered by the distinguished gentleman from California (Mr. ROYCE) during the full Committee markup. This provision states the sense of Congress that the Board of the NADBank should support the development of qualified water conservation projects in southern California and the other eligible areas in the four U.S. border states for the desalination of ocean saltwater and other enumerated uses listed in the bill.

Lastly, a sense of Congress amendment was successfully offered by the distinguished gentleman from California (Mr. OSE) during the full Committee markup. As such, the resolution would express the sense of Congress that the Board of the NADBank should support the financing of projects which address coastal issues and the problem of pollution in both the U.S. and Mexico having an environmental impact along the shores of the Pacific Ocean and the Gulf of Mexico. In addition, the resolution states that it is a sense of Congress that the NADBank should support the financing of projects which address air pollution.

Mr. Speaker, in conclusion, for the reasons stated and many others, it is very important that the House pass H.R. 5400 by unanimous consent. Furthermore, this Member is hopeful that the President can sign this legislation into law this year. Thank you.

## EDUCATION SCIENCES REFORM ACT OF 2002

SPEECH OF

### HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. McKEON. Mr. Speaker, I rise in support of H.R. 5598, the Education Sciences Reform Act of 2002, which will provide for the improvement of Federal education research.

We all know that educational research in all disciplines is critical to the education of America's youth. By requiring that research be based on valid scientific findings, H.R. 5598 will greatly improve the quality of federal scientific research in education.

As has been talked about today, the Education Sciences Reform Act will streamline and strengthen education research by replacing the current Office of Educational Research and Improvement with a new, more independent Institute of Education Science. The institute will provide the infrastructure necessary to undertake coordinated, high quality education research and statistical and program evaluation activities within the Department of Education.

Furthermore, H.R. 5598 establishes quality standards that will put an end to trends in education that masquerade as sensible science, requiring all federally funded activities to meet these new standards of quality, including scientifically based research. H.R. 5598 also makes certain that research priorities focus on solving key problems and are informed by the

needs of teachers, parents and school administrators, rather than political pressure.

Finally, this bill makes technical assistance, including support in carrying out the conditions of No Child Left Behind, ''customer-driven'' and accountable to school districts, states and regions.

With that in mind, I would like to thank the Chairman of the Education Reform Subcommittee, the gentleman from Delaware, Mr. CASTLE, for his assistance and support of the Southern California Comprehensive Assistance Center (SCCAC). Because of the language included in the bill, regional education agencies like the Los Angeles County Office of Education (LACOE), California's largest regional educational agency, which have been critical in providing hands on technical assistance to low-performing schools and districts, will be competitive for grant funding under the technical assistance title.

Under the leadership of the Los Angeles County Office of Education, the SCCAC provides support, training and assistance to local schools and communities in an effort to improve teaching and learning for all children, including those who live in poverty, have limited-English proficiency, are neglected, delinquent, or have disabilities.

As the gentleman is aware, section 203 of the bill ensures that local entities or consortia eligible to receive grants includes regional educational agencies as well. I want to, once again, thank the Chairman for his assistance in ensuring that our local regional entities are eligible. We are very proud of the work done by our eight county comprehensive assistance center and the value it can bring to this new system.

In closing, I urge the House to vote yes on H.R. 5598, a bill that builds on the Administration's plans to reform America's education system—through accountability, flexibility and local control, research-based reform and expanded parental options. I believe that the passage of this bill will significantly ensure that our children have access to the most advanced educational opportunities possible.

## KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2002

SPEECH OF

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. GEORGE MILLER of California. Mr. Speaker, the Child Abuse Protection and Treatment Act (CAPTA) is the only federal law that focuses on the prevention of child abuse and neglect and the improvement of child protective services to better address the critical needs of children who have been reported as abused and neglected. I am pleased that we have been able to reauthorize this vital program with several key new features that will help facilitate better prevention and treatment efforts.

There are approximately three million reports of child abuse every year. Of these 3 million, nearly 1 million are substantiated. In 1999, an estimated 1,137 children died as a result of abuse and neglect. Children who are abused and neglected are more likely to suffer mental health problems, such as depression, delinquency, and suicide. Child abuse is also likely to lead to school failure in adolescence and economic instability as adults. With such serious and life-long consequences from child abuse and neglect, clearly greater attention must be given to effective prevention and intervention services.

Our nation's current system of protecting children is heavily weighted toward protecting children who have been so seriously maltreated they are no longer safe at home and must be placed in foster care or adoptive homes. These are children whose safety is in danger; they demand our immediate attention. Unfortunately, far less attention is directed at preventing harm to these children from happening in the first place, or providing the appropriate services and treatment needed by families and children victimized by abuse or neglect.

CAPTA plays an important role in the federal response to protecting children and preventing child maltreatment. CAPTA provides resources for strengthening child protective services systems, so that children and families can be better protected and served. It provides resources for state grants that provide for prevention and treatment services for abused children and children at risk of abuse.

I strongly support Congress' on-going efforts to reauthorize this important legislation to better meet the needs of children, families and communities.

I am especially pleased that in this reauthorization significant improvements have been made to CAPTA overall and that important provisions have been added to Title 1 that that encourage and support new linkages between child protective services, and health, mental health and developmental services. These linkages will prove critical to ensuring that the youngest, most vulnerable children receive the help they need before problems escalate to tragedy. I would urge grantees in implementing these critical linkages to look to the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) protocol in the Medicaid Program to help ensure that comprehensive services are being delivered.

I also support modifications to Title II of the Act to strengthen state support for community-based child abuse and neglect prevention activities. I am disappointed, however, that while the H.R. 5601 includes respite and home visiting in its definition of community-based child abuse and neglect programs and activities, the modifications do eliminate some of the references to respite care and home visiting. Children with disabilities, whose families rely on respite for support, are nearly four times more likely than children without disabilities to be abused or neglected.

I would also like to register my disagreement with language in the Senate report accompanying the CAPTA bill approved by the Senate HELP committee that singled out respite care by saying that it is too expensive and that states should rely on other funding sources to support it. The Senate report cited no data or information to support this misconception.

In fact, there is ample evidence to suggest that respite is a proven, cost-effective approach to child abuse and neglect prevention. Research overwhelmingly demonstrates that respite and crisis nurseries are directly linked to reductions in abuse and neglect and in avoiding much more costly out-of-home institutional or foster care placements.

One Iowa crisis program found a 13% decrease in the reported incidence of child abuse and neglect in the initial four pilot counties after the program's implementation (Cowen, Perle Slavik, 1992).

In a recent evaluation study of families of children at risk of abuse or neglect who utilized Family Support Services of the Bay Area's Respite Care Program in northern California, over 90% of the families using the service reported reduced stress (93%), improved family relationships (90%), improved positive attitudes toward child (93%), and other significant benefits that can help reduce the risk of abuse (Owens, Sandra, et al, School of Social Welfare, Berkeley, California, 1999).

In April, 1999, the Minnesota Dept. of Human Services, Family and Children's Services Division, reported that crisis nursery clients in 15 crisis nursery programs serving 18 counties showed a 67% reduction in child protection involvement after using nursery services. The Hennepin County Children and Family Services Department's evaluation of the Greater Minneapolis Crisis Nursery found that families with no prior child protection involvement had a 0% risk of subsequent child protection involvement six months after using the Nursery's services. Families with prior child protection involvement who used the Nursery had only an 8% risk compared with an 84% risk for families who did not use the Nursery.

The Relief Nursery in Eugene, Oregon, reports that in 1997–98, 91.3% of children attending the Nursery were free of any reports of abuse, and 89% had no involvement with foster care. This is remarkable, because two-thirds of the families had more than ten risk factors, and 95% had five or more. A family with five risk factors is deemed to be at extremely high risk for abuse and neglect.

An evaluation of the Iowa Respite Child Care Project for families parenting a child with developmental disabilities found that respite care results in a statistically significant decrease in foster care placement (Cowen, Perle Slavik, 1996).

A study of Vermont's respite care program for families of children or adolescents with serious emotional disturbance found that participating families experience fewer out-of-home placements than nonusers and were more optimistic about their future ability to care for their children (Bruns, Eric, November, 15, 1999).

Preliminary data from the ARCH National Resource Center Outcome Evaluation project in which seventeen respite and crisis care programs nationwide participated, show that over 80% of caregivers using crisis respite services for their children reported that the crisis care they received helped protect their child from danger. Nearly half of those caring for children said without respite they would have had to leave their child in unsafe or inappropriate care or requested foster care.

Contrary to the Senate report, respite care can be very cost effective. According to the ARCH National Resource Center on Respite and Crisis Care, an average monthly cost of planned respite care can be estimated by multiplying the average number of hours a family receives respite per month (12), by the average cost of respite per hour ($10.02). This model suggests an average cost of $120.24 to provide respite to one individual per month or $1,442.88 per year. The Child Welfare League of America reports that the average monthly

cost of foster care for children up to age 16 with special needs is $971.00 per month or $11,651 per year.

The average cost of crisis respite for families at risk of abuse or neglect is $8.71 per hour. While the average number of hours a family receives crisis nursery or crisis respite services per month is not available, it can be assumed that it is significantly less than the average number of hours a family might receive planned respite, since crisis respite is used only in extreme emergencies when the family is at imminent risk of abuse or neglect. As a result, it can be estimated that the annual cost per family using crisis nursery or crisis respite services would be significantly lower than $1,400.

The Senate Committee Report also suggests CAPTA Title II resources are better spent on services other than crisis respite, but like all important prevention and treatment services for at-risk families, crisis respite lacks sufficient resources to meet community need. ARCH reports that 63% of surveyed crisis respite programs and 48% of surveyed planned respite programs had to turn families away in a given year. Nationally, this represents a conservative estimate of 258,000 families who were on waiting lists for planned respite care last year alone, and 840,000 families who were turned away.

I would urge the Department of Health and Human Services to consider this evidence when it writes the program instructions for Title II of CAPTA and urge State and local community-based programs to consider it as well in implementing these services.

With this reauthorization we have made some important changes to these laws that should lead to better prevention and treatment services for children and families who need our help. We must do a better job preventing child abuse and neglect and providing services to children and families in need. Failure to help these children and families cannot be tolerated.

## THE GRAPES OF WRATH

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. LEE. Mr. Speaker, I want to thank Congressman Farr for organizing this tribute to John Steinbeck and this celebration of The Grapes of Wrath. When Steinbeck created the Joads, he created a portrait of the American family at a moment of crisis but also a moment of great strength. His words still resonate, and we still face many of the same challenges: America still has its Hoovervilles. But California is still a land of dreams and promises. I have chosen for my selection, a portion of chapter nineteen, describing the arrival of generations of migrants into California, their hoped for promised land. I am happy to join my colleague in celebrating reading and celebrating this classic novel.

CHAPTER NINETEEN

Once California belonged to Mexico and its land to Mexicans; and a horde of tattered feverish Americans poured in. And such was their hunger for land that they took the land—stole Sutter's land, Guerrero's land, took the grants and broke them up and growled and quarreled over them, those frantic hungry men; and they guarded with guns the land they had stolen. They put up houses and barns, they turned the earth and planted crops. And these things were possession, and possession was ownership.

The Mexicans were weak and fed. They could not resist, because they wanted nothing in the world as frantically as the Americans wanted land.

Then, with time, the squatters were no longer squatters, but owners; and their children grew up and had children on the land. And the hunger was gone from them, the feral hunger, the gnawing, tearing hunger for land, for water and earth and the good sky over it, for the green thrusting grass, for the swelling roots. They had these things so completely that they did not know about them any more. they had no more the stomach-tearing lust for a rich acre and a shining blade to plow it, for seed and a windmill beating its wings in the air. They arose in the dark no more to hear the sleepy birds' first chittering, and the morning wind around the house while they waited for the first light to go out to the dear acres. These things were lost, and crops were reckoned in dollars, and land was valued by principal plus interest, and crops were bought and sold before they were planted. Then crop failure, drought, and flood were no longer little deaths within life, but simple losses of money. And all their love was thinned with money, and all their fierceness dribbled away in interest until they were no longer farmers at all, but little shopkeepers of crops, little manufacturers who must sell before they can make. Then those farmers who were not good shopkeepers lost their land to good shopkeepers. No matter how clever, how loving a man might be with earth and growing things, he could not survive if he were not also a good shopkeeper. And as time went on, the business men had the farms, and the farms grew larger, but there were fewer of them.

Now farming became industry, and the owners followed Rome, although they did not know it. They imported slaves, although they did not call them slaves: Chinese, Japanese, Mexicans, Filipinos. They live on rice and beans, the business men said. They don't need much. They wouldn't know what to do with good wages. Why, look how they live. Why, look what they eat. And if they get funny—deport them.

And all the time the farms grew larger and the owners fewer. And there were pitifully few farmers on the land any more. And the imported serfs were beaten and frightened and starved until some went home again, and some grew fierce and were killed or driven from the country. And the farms grew larger and the owners fewer.

And the crops changed. Fruit trees took the place of grain fields, and vegetables to feed the world spread out on the bottoms: lettuce, cauliflower, artichokes, potatoes—stoop crops. A man may stand to use a scythe, a plow, a pitchfork; but he must crawl like a bug between the rows of lettuce, he must bend his back and pull his long bag between the cotton rows, he must go on his knees like a penitent across a cauliflower patch.

And it came about that owners no longer worked on their farms. They farmed on paper; and they forgot the land, the smell, the feel of it, and remembered only that they owned it, remembered only what they gained and lost by it. And some of the farms grew so large that one man could not even conceive of them any more, so large that it took batteries of bookkeepers to keep track of interest and gain and loss; chemists to test the soil, to replenish; straw bosses to see that the stooping men were moving along the rows as swiftly as the material of their bodies could stand. Then such a farmer really became a storekeeper, and kept a store. He paid the men, and sold them food, and took the money back. And after a while he did not pay the men at all, and saved bookkeeping. These farms gave food on credit. A man might work and feed himself; and when the work was done, he might find that he owned money to the company. And the owners not only did not work the farms any more, many of them had never seen the farms they owned.

And then the dispossessed were drawn west—from Kansas, Oklahoma, Texas, New Mexico; from Nevada and Arkansas families, tribes, dusted out, tractored out. Carloads, caravans, homeless and hungry; twenty thousand and fifty thousand and a hundred thousand and two hundred thousand. They streamed over the mountains, hungry and restless—restless as ants, scurrying to find work to do—to lift, to push, to pull, to pick, to cut—anything, any burden to bear, for food. The kids are hungry. We got no place to live. Like ants scurrying for work, for food, and most of all for land.

We ain't foreign. Seven generations back Americans, and

We ain't foreign. Seven generations back Americans, and beyond that Irish, Scotch, English, German. One of our folks in the Revolution, an' they was lots of our folks in the Civil War—both sides. Americans.

They were hungry, and they were fierce. And they had hoped to find a home, and they found only hatred. Okies—the owners hated them because the owners knew they were soft and the Okies strong, that they were fed and the Okies hungry; and perhaps the owners had heard from their grandfathers how easy it is to steal land from a soft man if you are fierce and hungry and armed. The owners hated them. And in the towns, the storekeepers hated them because they had no money to spend. There is no shorter path to a storekeeper's contempt, and all his admiration are exactly opposite. The town men, little bankers, hated Okies because there was nothing to gain from them. They had nothing. And the laboring people hated Okies because a hungry man must work, and if he must work, if he has to work, the wage payer automatically gives him less for his work; and then no one can get more.

And the dispossessed, the migrants, flowed into California, two hundred and fifty thousand, and three hundred thousand. Behind them new tractors were going on the land and the tenants were being forced off. And new waves were on the way, new waves of the dispossessed and the homeless, hardened, intent, and dangerous.

And while the Californians wanted many things, accumulation, social success, amusement, luxury, and a curious banking security, the new barbarians wanted only two things—land and food; and to them the two were one. And whereas the wants of the Californians were nebulous and undefined, the wants of the Okies were beside the roads, lying there to be seen and coveted: the good fields with water to be dug for, the good green fields, earth to crumble experimentally in the hand, grass to smell, oaten stalks to chew until the sharp sweetness was in the throat. A man might look at a fallow field and know, and see in his mind that his own bending back and his own straining arms would bring the cabbages into the light, and the golden eating corn, the turnips and carrots.

And a homeless hungry man, driving the roads with his wife beside him and his then children in the back seat, could look at the fallow fields which might produce food but not profit, and that man could know how a fallow field is a sin and the unused land a

crime against the thin children. And such a man drove along the roads and knew temptation at every field, and knew the lust to take these fields and make them grow strength for his children and a little comfort for his wife. The temptation was before him always. The fields goaded him, and the company ditches with good water flowing were a goad to him.

And in the south he saw the golden oranges hanging on the trees, the little golden oranges on the dark green trees; and guards with shotguns patrolling the lines so a man might not pick an orange for a thin child, oranges to be dumped if the price was low.

He drove his old car into a town. He scoured the farms for work. Where can we sleep the night?

Well, there's Hooverville on the edge of the river. There's a whole raft of Okies there.

He drove his old car to Hooverville. He never asked again, for there was a Hooverville on the edge of every town.

## THE PASSING OF THE HONORABLE L.H. FOUNTAIN

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. COBLE. Mr. Speaker, as the dean of the North Carolina House delegation, it is my sad duty to inform my colleagues about the death of a previous dean of our congressional delegation, the Honorable L.H. Fountain of Tarboro, North Carolina. L.H.—as he was known by one and all—died on October 10, 2002, after a lengthy illness. Congressman Fountain served the Second District and all of North Carolina with distinction for three decades. He was a member of this body from 1953–1983.

On behalf of the citizens of the Sixth District of North Carolina, I extend our condolences to the entire Fountain family. To my colleagues, I commend to you an excellent article and obituary, both of which appeared in Edgecombe County's The Daily Southerner.

[From the Daily Southerner, Oct. 11, 2002]

EDGECOMBE DIPLOMAT DIES AT 89

(By Calvin Adkins)

TARBORO.—A stretch of highway on US 64-Bypass between Tarboro and Rocky Mount bears the name of one of Edgecombe County's most decorated political leaders—Congressman L.H. Fountain.

Perhaps every yard of road on Fountain's highway could stand for a political contribution that the retired congressman made over three decades.

Fountain, 89, died Thursday after suffering from a lingering illness.

''It is very unfortunate that we have lost Mr. Fountain,'' Donald Morris, Tarboro mayor, said. ''He was excellent in responding to the needs of the people from his district. He will surely be missed.''

During Fountain's tenure as congressman, he served on domestic and foreign committees. Some of them included Advisory Commission on Intergovernmental Relations, Presidential Advisory Committee on Federalism, International Security and Scientific Affairs and senior member of the U.S. House Foreign Affairs Committee. Locally, he was a member of the Kiwanis Club, Jaycees, and the Elks Club.

Because of his outstanding leadership, a portion of US 64-Bypass was named in his honor by the state in 2000.

''That was the last time I remember seeing him.'' said Jenny Taylor, a Tarboro native. ''As a congressman, he was always trying to look out for people. He was very helpful to the people in this area when he was the congressman. We appreciated him. I wish that we can get more people like him in office.''

Fountain was born April 23, 1913, in Leggett. After attending UNC–Chapel Hill, he began his working career practicing law in Tarboro. That stint was shortlived after he entered the U.S. Army in 1942 as a private. He served four years and ended his term in service as a major. Fountain later joined the Army Reserve and retired as a Lt. Colonel.

Fountain's political career dates back prior to World War II when he served as eastern organizer of the Young Democratic Clubs of North Carolina and reading clerk for the North Carolina Senate.

In the early 1940s, the veteran's political popularity began to grow in the state. He ran for and won a North Carolina Senate seat in 1947. Fountain's political career continued to move upward. Five years later, he was elected to the 83rd Congress for North Carolina's Second Congressional District.

After becoming congressman, he was appointed to serve on several committees. One of the most notable occurred in 1967 when he was appointed by Pres. Lyndon B. Johnson as a United States delegate to the 22nd session of the United Nations General Assembly. Fountain served as assistant to U.S. Ambassador Arthur J. Goldberg during the Security Council debate following the Arab-Israeli Six Day War.

Fountain's duties and commitments carried on until he retired in 1982 after serving 30 years in Congress. For his constituents, his legacy will live on.

''What I remember most about Congressman Fountain was he always wore a white suit,'' said Congresswomen Eva Clayton, ''He always dressed nice. He was respectfully quite and a great person. My regret goes out to the family.''

The family will receive friends Saturday at Carlisle Funeral Home in Tarboro. A graveside service for the family will be held on Sunday. A memorial service will also be held 3 p.m. Sunday at Howard Memorial Presbyterian Church in Tarboro following the graveside service.

Memorials in memory of Fountain may be made to Howard Memorial Presbyterian Church in Tarboro or the Institute of Government Foundation, Inc., at UNC.

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TARBORO.—The family of Congressman L.H. Fountain celebrates his 89 years of life, April 23, 1913–Oct. 10, 2002. His family is most proud that his life and career were always guided by a strong and practiced faith in God, and the goodness and value of every human being. He expected only the best of himself and others, while selflessly seeking the best for those he represented. He believed that ''government is and always should be the servant, not the master of the people.'' His love of people guided his strong desire to help those he served. We are grateful to the people of the Second District who allowed him to represent them for 30 years in the U.S. House of Representatives. It was his great joy to serve as your Congressman.

L.H. Fountain was born April 23, 1913, in the village of Leggett, Edgecombe County, N.C. He was the son of the late Lawrence H. and Sallie (Barnes) Fountain. Preceded in death in October of 2001, by his wife of 59 years, the former Christine Dail of Mount Olive, he is survived by one daughter, Nancy Dail Fountain Black of Raleigh.

Congressman Fountain is also survived by his son-in-law, William M. Black Jr.; grandchildren, Christine Chandler Black and William M. Black III, also of Raleigh; sister-in-law, Lucille T. Fountain of Tarboro; a niece, Vernon Fountain Smith of Raleigh; nephews, R.M. ''Reggie'' Fountain of Washington, N.C.; T.T. ''Bubba'' Fountain of Vero Beach, Fla.; Vinton E. Fountain and L. MacDougal Fountain of Raleigh, and George Adrian Dail of Calypso.

Congressman Fountain was elected to the State Senate in 1947, where he served until 1952 when he was elected to the 83rd Congress as Representative from the Second Congressional District of North Carolina. He was reelected to each Congress through the 97th, at which time he did not seek reelection.

During his 30-year tenure in Congress, L.H. Fountain proved to be a strong advocate and creative resource, contributing to important commissions and committees.

Congressman Fountain was a pioneer in the field of federal-state-local relations. The Second District Congressman was a member of the Advisory Commission on Intergovernmental Relations (ACIR) for more than 22 years, serving from the time of its establishment under legislation he introduced in the Congress.

The ACIR was a 26-member local-state-federal organization, composed of the President's Cabinet, members of Congress, governors, state legislators, county commissioners, mayors and private citizens. Congressman Fountain was called the ''father'' of this commission, which had a major impact on improving dealings between our nation's levels of government.

In 1981–82, Congressman Fountain was a member of the Presidential Advisory Committee on Federalism. The committee advised the President on ways to restore proper relationships between federal, state and local governments.

In 1967, Congressman Fountain was appointed by President Lyndon B. Johnson as a United States Delegate to the 22nd Session of the United Nations General Assembly. As a delegate, he served as assistant to U.S. Ambassador Arthur J. Goldberg during the Security Council debate following the June 6 Arab-Israeli Six Day War. Mr. Fountain gained an international reputation for his role in formulating our nation's foreign policy during service as a senior member of the House Foreign Affairs Committee.

As Chairman of the Subcommittee on Intergovernmental Relations and Human Resources, he championed consumer-oriented issues, conducting congressional investigations of the Food and Drug Administration through the 1960s and 1970s, forcing policy changes on birth control pills, recalls of hazardous pesticides, removal of cyclamates from the food supply and a ban on the use of the cancer-causing hormone, diethylstilbestrol (DES).

Congressman Fountain also led the fight in 1977 for the creation of the first independent, Presidentially-appointed Inspector General (''Watchdog'') of the former Department of Health, Education and Welfare. He advocated and secured the establishment of Inspector Generals in key Federal departments and agencies. As of 2000, the total number of Inspectors General in the federal government stood at more than 60. Because of Congressan Fountain's efforts, Inspectors General have played and will continue to play a vital role in saving taxpayers billions of dollars as they uncover waste, fraud, abuse and misconduct in the federal government.

In the 97th Congress, Congressman Fountain served on two Committees of the United States House of Representatives: the Committee on Government Operations and the Committee of Foreign Affairs.

On government operations, he chaired the Intergovernmental Relations and Human Resources Subcommittee. On Foreign Affairs, he was a member of the subcommittees on

International Security and Scientific Affairs, and on Europe and the Middle East. For 14 years, Congressman Fountain was Chairman of the Subcommittee on Near Eastern Affairs.

Educated in the public schools of Edgecombe County, Congressman Fountain devoted his life to public service. He attended the University of North Carolina at Chapel Hill where he received his A.B. degree in 1934 followed by his J.D. in 1936. In 1981, the honorary degree of Doctor of Laws (LL.D.) was conferred upon him by UNC.

He practiced law in Tarboro until March 1942, when he entered the U.S. Army as a private in the infantry. He quickly rose through the ranks and was released from service as a major in the Judge Advocate General's Office on March 4, 1946. He ended his military service with the rank of Lt. Colonel (Ret.) in the Army Reserve.

At the end of World War II, Congressman Fountain returned to his law practice in Tarboro. Prior to the war, he had been eastern organizer of the Young Democratic Clubs of North Carolina, Chairman of the Second Congressional District Executive Committee and Reading Clerk of the North Carolina Senate from 1936–1941.

A lifelong advocate of education, Congressman Fountain was a Charter Member of the Board of Trustees, St. Andrews Presbyterian College, Laurinburg, N.C. and served for more than 17 years.

Congressman Fountain received numerous awards for his commitment to higher learning including the North Carolina Citizens Association Distinguished Public Service award, the UNC School of Medicine Distinguished Service Award, and the Distinguished Service to Higher Education and Scholarly Community Award from the Association of American University Presses.

Mr. Fountain was committed to building a strong community. He had recently celebrated 55 years of service as an Elder in the Presbyterian Church, and, beginning in April 1916, he held a perfect Sunday school attendance record for more than 80 years. From 1961–1964 and again from 1977–1980, he served as a Trustee for the National Presbyterian Church, Washington, D.C.

He was a member of the Executive Committee of the East Carolina Council of the Boy Scouts of America, and a member of the local and other Bar Associations, the Elks and Kiwanis Club. He served as Lt. Governor of the Sixth Division of the Carolinas District of Kiwanis International. He was also a former Jaycee and received the Distinguished Service award (Man of the Year) of the Tarboro Jaycees in 1948.

In 1982, the North Carolina League of Municipalities passed a resolution of deep appreciation and commendation to Mr. Fountain for ''continued efforts to assist local governments . . . throughout the nation.'' Shortly thereafter, the Association of Federal Investigators honored Congressman Fountain with an award for ''unstinting support for law enforcement and investigation, and for his outstanding career in public service to the American People.'' He also received a special citation for Distinguished Congressional Service from the National League of Cities and the Leadership and Distinguished Service award from the Association of Federal Investigators.

Upon his retirement in a tribute on the House floor, his colleagues in the Congress described him as ''a steady, thoughtful, dedicated and thorough legislator who earned and won the respect of all who came to know him,'' ''an easy man to be with, who was blessed with a special dose of kindness, a courtly gentleman and a scholar, who never lost the common touch'', ''tirelessly dedicated, refreshingly honest and always a gentleman, known for his loyalty to principle and his dedication to the interests of his constituents'', ''who faithfully represented the people of North Carolina with great effectiveness,'' ''who cared for the farmers'' not forgetting ''our country's roots or his own.''

As he was in public, so he was at home. After his retirement in 1982, Congressman Fountain dedicated his time to his family. Despite declining health, he was an attentive and loving husband, father and grandfather. He was honest, a strong and loving leader and friend, interesting and interested, tender and forgiving, quick to smile, full of fun and energy, and always able to laugh at himself. An avid sports enthusiast, he rarely missed a UNC football or basketball game.

In 2000, the State of North Carolina honored him by naming a portion of Highway 64 in Edgecombe County the ''Congressman L. H. Fountain Highway''. Congressman Fountain and his family appreciate his being remembered in such a lasting and meaningful way.

The family will receive at Carlisle Funeral Home in Tarboro on Oct. 12, 2002, 7–9 p.m. A graveside service for the family will be followed by a memorial service celebrating his life for all who would like to attend at Howard Memorial Presbyterian Church in Tarboro at 3 p.m. Sunday, Oct. 13, 2002.

The family is deeply grateful to the staff of Mayview Convalescent Center in Raleigh for the gift of nine quality months, the many good and gracious caregivers in Raleigh and Tarboro, the staff at The Albermarle in Tarboro and Hospice of Wake County. Memorials in memory of Congressman L. H. Fountain may be made to Howard Memorial Presbyterian Church (303 E. St. James St., Tarboro, NC 27886) or to the Institute of Government Foundation, Inc., at the University of North Carolina at Chapel Hill to honor his lifelong commitment to public service, (c/o Ann Simpson, Campus Box 3330, Knapp Building, Chapel Hill, NC 27599–3330).

## HONORING CONGRESSWOMAN CARRIE MEEK

### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. OWENS. Mr. Speaker, we respectfully regret the decision of our colleague from Florida, CARRIE MEEK, to bid us all farewell at the end of this 107th Congress. CARRIE MEEK is a unique and tantalizing politician and public servant who came to this body with a wealth of experience and a reservoir of intense dedication. There will be numerous serious tributes paid to this departing member whose spirit will linger long after she returns home. In a serious but lighthearted RAP poem below, I offer my fond sketch of ''Hurricane Carrie'':

MIAMI HURRICANE WONDER

Miami Carrie
Is a hurricane wonder—
Thunder and lightning
On an electric chain,
Admirers line up
For one sip of her magic rain;
She can flood you with sweetness
Or drown you in pain.
In precious flesh tightly wrapped
Hot spices and pepper together trapped.
She initiates no seductive action
But is still a startling attraction;
In politics or life
Will nurse you through strife;
Do your duty
And she'll permit you to stay,
Try a cheap trick
And she'll blow you away,
Renege on a deal
She'll refuse any appeal.
Miami Carrie
Is a hurricane wonder
Before her lightning strikes
She will warn you with thunder.

## INTRODUCTION OF THE STOP TAKING OUR HEALTH PRIVACY (STOHP) ACT

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. MARKEY. Mr. Speaker, when you visit your physician, do you know where your medical records are kept? Do you know how your private health information is being used? Do you know who is disclosing your sensitive medical files, to whom, and for what purposes?

These questions have become increasingly urgent for the majority of Americans. According to a recent Gallup Survey, 78 percent of people in the United States believe it is very important that their medical records be kept confidential. But the time has long passed when patients could feel confident that their medical files were locked safely in the office of the family doctor, protected from prying eyes and unauthorized access. Today, interconnected computer networks link your health provider, health plan and various corporate intermediaries such as ''health care clearinghouses,'' that methodically translate your personal health information into digital bits and bytes to track and store your records in databases over which you have little control.

Consumers are particularly concerned about the unauthorized use of their private health information for marketing purposes. That's because companies have exploited patients' sensitive medical records in pursuit of profits. For example:

The chain drug store Eckard's used the signatures obtained by customers when they picked up their prescriptions as authorization to release their information for marketing purposes. Eckard's eventually settled with the Florida Attorney General's office and agreed to require patients to opt-in before their information can be used for marketing.

Several Florida residents received unsolicited samples of Prozac in the mail from a drugstore. A recipient of the Prozac mailing sued her doctor, pharmacy and the drug company for violating her privacy. Fear of private health information falling into the wrong hands has replaced faith in the confidentiality of personal medical records.

A report by Princeton Survey Research Associates indicates that 1 in 6 people in the United States has done something out of the ordinary to keep personal health information confidential, including withholding information from their doctor, providing inaccurate information, or, in some cases, avoiding care entirely.

A ''stress test'' should not refer to your ability to withstand anxiety over the vulnerability of your medical records.

This summer, the Department of Health and Human Services confirmed consumers' worst fears about threats to the confidentiality of

their health information when it stripped away key privacy protections established during the Clinton Administration. By modifying the Privacy Rule finalized in December 2000, HHS eliminated your right to decide whether your medical information can be shared for the purpose of health care treatment, payment, and so-called ''health care operations.'' These modifications took effect on October 15th.

In the case of treatment, payment and health care operations, the Bush Administration's modifications permit your medical secrets to be used and disclosed to doctors, pharmacists, health insurers, and others without your prior consent.

While treatment and payment are terms that consumers understand and associate with health care, ''health care operations'' is a category tied closely to commerce, not patient care. In fact, the Bush Administration modifications make clear that health care operations is a vast category that has more to do with business mergers than better medicines:

According to Section 164.501 of the Bush modifications, health care operations means: ''The sale, transfer, merger, or consolidation of all or part of the covered entity with another covered entity, or an entity that following such activity will become a covered entity and due diligence related to such activity.''

It is understood that this category includes business planning, underwriting, fundraising, and other activities. This means that your private health information can be used without your permission to serve the commercial interests of health care companies, including during transactions such as the sale of an HMO. The Clinton Administration's definition of health care operations not only was narrower, but it also required patient consent before personal health information could be used and disclosed for this purpose.

The Stop Taking Our Health Privacy, or ''STOHP'', Act puts patients' privacy first by closing massive ''privacy peepholes'' that HHS opened in these three key areas:

1. Consent: The STOHP Act restores the right of patients to decide whether or not to permit the use and disclosure of their personal health information for purposes of health care treatment, payment and ''health care operations.'' The STOHP Act includes commonsense exceptions to the consent requirement for such purposes as filling a prescription and making referrals. In August, HHS eliminated patient consent in these three important cases, denying patients the fundamental right to decide for themselves whether to share their private health information.

2. Marketing: The STOHP Act ensures that pharmacists do not become secret agents for drug companies. When you receive treatment recommendations from your pharmacist, you should not have to wonder who stands to benefit more: you or the pharmacist or drug company. Our bill would reverse the change that HHS made to the marketing definition, which allows health providers to send unsolicited health recommendations to patients that are paid for by drug companies but do not inform patients of the pharmacist's financial incentives or provide patients the opportunity to opt-out of receiving such communications in the future.

3. Disclosures to FDA-regulated entities like drug companies: The STOHP Act narrows the purposes for which personal medical information can be used or disclosed to these entities without patient consent. Our bill limits nonconsensual disclosure to these entities for the purpose of strict public health priorities such as drug recalls. The August modifications created a broader exemption that allows nonconsensual disclosure of patient information to drug companies for a wide range of activities, which may include marketing campaigns.

I am pleased to be joined by my colleagues Representatives DINGELL, WAXMAN, BERMAN and CAPUANO as we introduce the Stop Taking Our Health Privacy Act of 2002.

Today we take steps to apply age-old principles of medical privacy to the realities of the information age. Today we seek to restore longstanding patient protections, ensure the confidentiality of the physician-patient relationship, and rebuild patient trust in the health care system, all of which are essential for the delivery of quality, thorough health care.

## REGARDING H.R. 5646, THE STOP TAKING OUR HEALTH PRIVACY ACT OF 2002

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. WAXMAN. Mr. Speaker, Americans are deeply concerned with ensuring the privacy of their health information. Every day, in fact, the need for medical privacy protections grows more urgent. Advances in information systems are increasing the possibilities for accessing health information, and genetic developments are increasing capabilities to screen for sensitive information regarding an individual's susceptibility to certain conditions or diseases.

Unfortunately, the Bush Administration recently took a major step backward in providing medical privacy protections to American consumers. In August 2002, the Administration opened up large loopholes in medical privacy protection with changes to the Federal medical privacy rule that had been finalized in December 2000 by the Clinton Administration.

The medical privacy rule was the culmination of many years of hearings, study, and analysis in which the Administration, members of Congress, and a multitude of interested parties participated. The rule established a sound foundation for addressing the complex issues relating to medical records privacy.

But the Bush Administration's August 2002 changes undermined the privacy protection provided by the rule. The changes eliminated the rule's requirement that individuals must give consent before their personal health information can be used for treatment, payment, and a broad category of activities called ''health care operations.''

The Bush Administration also decreased privacy protections relating to marketing activities by removing privacy protections for activities that most consumers consider to be marketing.

Further, in a so-called ''public health'' provision, the Bush Administration created a broad exemption that allows disclosures of health information without patient consent to drug companies and other entities regulated by the FDA for a wide range of purposes. The December 2000 rule, in contrast, allowed such disclosures only for a narrowly defined list of health-related activities such as reporting adverse events associated with drugs.

Because of the damage the Bush Administration did to medical privacy in August 2002, I am joining Representative ED MARKEY, Representative JOHN DINGELL, and others in introducing H.R. 5646, the Stop Taking Our Health Privacy Act of 2002. This bill would: (1) reinstate the December 2000 rule's patient consent requirement for treatment, payment, and health care operations while ensuring that this requirement does not undermine essential health care activities such as filling prescriptions and making referrals; (2) strike the Bush Administration's definition of ''marketing,'' thereby ensuring that the rule's privacy protections apply to activities consumers consider marketing; and (3) eliminate the broad exemption the Bush Administration created that would have allowed disclosure without consent to drug companies, while ensuring that disclosures essential for public health purposes are allowed.

This bill is necessary to restore Federal medical privacy protections that were taken away by the Bush Administration. At the least, Congress should ensure that Americans have at least the same medical privacy protections that were established in the December 2000 rule.

Congress of course must go beyond remedying the damage done by the Bush Administration. In large part due to statutory restrictions on the authority of the Secretary of Health and Human Services, gaps in medical privacy protection remained after the December 2000 rule. We need to ensure that all entities that maintain an individual's health records take appropriate steps to protect the privacy of that information. We also need to provide protections against discrimination by employers and health insurers based on an individual's genetic information—protections that are increasingly important as we continue to gain understanding of the human genome.

I will continue to work to enact comprehensive protections regarding the disclosure and use of individuals' personal health information.

## AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

SPEECH OF

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. BECERRA. Mr. Speaker, any nation engaged in a program of building weapons of mass destruction presents a danger to international peace and stability. Any leader who flouts the rule of law is a menace to liberty and democracy.

Over the past couple of months the President has attempted to lay out the case for aggression against Iraq. I agree with the President that the actions of Saddam Hussein in his defiance and deception of the international community reveal a ''history of aggression.''

In my mind, the President has made a strong case that Iraq must disarm, pursuant to the United Nations resolutions enacted following the close of the Persian Gulf War. But the President did not convince me that we should go to war and go it alone. Nor has he made the case that we should change our longstanding policy and defy international law and commit to a first strike.

The threat posed by Iraq is a threat which confronts the entire world, not just America. The voice of the community of civilized nations and the legitimacy to act on their collective word reside in the United Nations. It is through U.N. resolutions, crafted in substantial measure by the U.S., that we have the license to compel Iraq's compliance. And it should be through the U.N. that we should seek to enforce such compliance.

This resolution before us gives the President authorization to send American troops into Iraq to strike unilaterally and, indeed, to strike first when he deems it appropriate. Congress has never before granted this extraordinary power to any previous President. We can address the threat posed by Saddam Hussein without expanding Presidential authority beyond constitutional standards.

The Framers of our Constitution wisely assigned the power to commit America to war not to the President but to the people's democratic representatives in Congress. Our Founding Fathers knew from experience and we should remember today that a declaration of war is the ultimate act of humankind. It presumes to endow the declarant with the right to kill. In many instances, it amounts to a sentence of death, not just for the guilty but for the innocent as well, whether civilian or soldier.

The President should approach Congress and ask for a declaration of war when and only when he determines that war is unavoidable. The resolution before us leaves the question of war open-ended by both expressing support for diplomacy and authorizing the President to use force when he feels it is the correct course of action. Yet, in his own words, President Bush indicated that war is not unavoidable. So why, then, is he insisting on being given now, today, the power to go to war?

We are the lone superpower economically and militarily in the world. Our words have meaning, our actions have consequences beyond what we can see.

The implications of a unilateral first strike authorization for war are chilling. A unilateral attack could lead the world into another dangerous era of polarization and create worldwide instability. It would also set a dangerous precedent that could have a devastating impact on international norms.

Consider India and Pakistan, Armenia and Azerbaijan, Russia and Chechnya, Cyprus, Taiwan, Colombia, Northern Ireland, Central Africa. How might the people or the government in any of these countries which are engaged in or at the brink of hostilities interpret this resolution today? Why should not other countries adopt the President's unilateral and first strike policy to address conflicts or threats?

Would not a unilateral attack galvanize other potential enemies around the globe to strike at the United States and our interests? In our efforts to focus on what the President described as a ''grave and gathering danger'' ten thousand miles away in Iraq, let us not lose sight of the dangers which are grave and present, not gathering but present, here at home: the al Qaeda plots targeting our airports, our water treatment facilities, our nuclear power plants, our agricultural crops.

Just this Tuesday, CIA Director George Tenet told Congress that Saddam Hussein, if provoked by fears that an attack by the United States was imminent, might help Islamic extremists launch an attack on the United States with weapons of mass destruction. We must consider how our actions may impact on the safety of the American people. The answer may not always be what we expect.

We must also ask: will the death and destruction it takes to eliminate a sovereign, albeit rogue, government (what the President has labeled ''regime change'') lead to goodwill by the Iraqi people toward America and Americans?

Well, let us look at the record. During the Persian Gulf War of 1991, we dropped some 250,000 bombs, many of them ''smart'' bombs, over a 6-week period on Iraqi forces. That is close to 6,000 bombs per day. We deployed over 500,000 troops. The war cost over $80 billion. None of that money was spent on reconstruction in Kuwait, and certainly not in Iraq. And all of this is what it took simply to expel Saddam Hussein from tiny Kuwait, which has one-tenth the population and one twenty-fourth the landmass of Iraq.

Today we are told that it would cost the U.S. $200 billion or more if we were to go to war with Iraq. That does not include any costs for reconstruction of post-war Iraq. No matter how ''smart'' or ''surgical,'' bombs will kill civilian non-combatants—children, mothers, the elderly. Two billion dollars in bombs, death and destruction does not sound like the wisest prescription for engendering Iraqi goodwill.

I am eerily reminded of the infamous quote by an American military officer in the Vietnam War that ''we had to destroy the village to save it.'' Are we contending today that we need to destroy Iraq to save it?

And what is our, and for that matter the world's, recent record on supporting postwar reconstruction? Ask the people of Bosnia and of Kosovo, and now ask the Afghanis.

Certainly there are situations where the United States must prepare or be prepared to act alone. I voted in September 2001 to give the President that power to punish those who attacked this nation on 9/11. But the question is, are we at the point on the question of Iraq to go to war without international support? Because that is precisely what the resolution before Congress would authorize the President to do.

Mr. Speaker, the President was clear in his speech to the nation on October 7. There is no doubt that Saddam Hussein is leading Iraq down a dangerous course. That is why the world should come together to confront this destabilizing situation and the United States should do all it can to encourage that effort. It is time for us to recognize that if we do this, we do it together.

The President raised an additional point in his remarks of October 7, and that is that confronting the threat of Iraq is crucial to winning the war on terror. Indeed disarming Iraq and neutralizing Saddam Hussein's ability to share weapons of mass destruction with those who would do us harm is critical. However, should the President take us to war against Iraq, we will find ourselves fighting battles on three fronts: in Iraq, in Afghanistan and other terrorist ''hot spots'' where elements of al Qaeda and evidence related to 9/11 leads us, and finally, here at home. Do we have the resources to carry such a heavy commitment? Does Iraq divert us from winning the fight against terrorism and securing for the American people the safety they seek at home?

Today, as we speak, in the neighborhoods immediately surrounding our nation's Capitol, parents are deciding whether to send their children to school. A calculating, cold-blooded murderer who has already killed 9 people and wounded 2 others in 2 weeks is roaming the streets. One of his victims, a 13-year-old boy, lies in critical condition from a bullet which savaged his abdomen. We must be equally committed to act to safeguard Americans from threats within our borders as we are from threats beyond our borders.

Mr. Speaker, there are few votes as solemn and challenging to each of us and our democracy as a vote to declare war against another people. Can I look at my Maker, my family and the good people who elected me to speak for them and say: this is the cause for which I will cast my vote to sacrifice American lives? . . . the lives of innocent non-combatants? Is this truly the time to ask for the ultimate sacrifice from our men and women in uniform? In Bosnia and Kosovo, I could answer yes. Genocide was being committed as we breathed. On September 11, 2001, and indeed on December 7, 1941, America suffered premeditated, cold-blooded attacks which took thousands of mothers, sons, brothers and sisters from us. We needed to search for justice. But Mr. Speaker, I cannot with clear conscience answer the same way in regards to this resolution. That is why I cast a ''no'' vote. I urge my President and my country to move deliberatively and in concert with our partners in the community of nations as we address the threat that is Iraq.

## ACCESS TO QUALITY HOSPITAL CARE

### HON. TED STRICKLAND

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. STRICKLAND. Mr. Speaker, I come to the floor today to call for action on legislation to ensure that my constituents will continue to have access to quality hospital care. Unfortunately, hospital reimbursements and payments under Medicare and Medicaid are at risk because, despite strong bipartisan support on these specific issues, Congress has failed to

complete work on legislation that will provide the necessary relief and avoid rising costs. Therefore, I call on my colleagues in the leadership of the House to pass H.R. 854 or other provider reimbursement legislation now in order to ensure my constituents continue to have access to quality health care.

The Disproportionate Share Hospital (DSH) program is an essential piece of our country's health care safety net, protecting children's, public, and other safety net hospitals that care for a much larger volume of Medicaid patients than typical hospitals. The DSH cuts were first enacted by the Balanced Budget Act of 1997 but were postponed by the Benefits Improvement and Protection Act (BIPA) in 2000. Despite 190 bipartisan cosponsors on H.R. 854, which would reverse these cuts, they are now scheduled to take full effect, creating financial ruin for public hospitals across the country that provide uncompensated care to those in need.

The scheduled cuts in Medicaid DSH is expected to amount to about $53.2 million for Ohio hospitals in fiscal year 2003 alone. This cut skyrockets to $108 million through fiscal year 2004 and $279 million over the next five years. As a result, hospitals will lose an average of 15.7% in payments from Ohio's Hospital Care Assurance Program (HCAP).

Hospitals in my district cannot afford these cuts. Already, the program reimburses hospitals for less than half of the uncompensated care they provide. Reductions in DSH will hurt my constituents, who will be forced to pay for overall higher health care costs.

I also call on my colleagues to complete our work on relief for hospitals in rural and other small communities. These hospitals face unique challenges compared to those in larger urban areas. Specifically, we should standardize the rural/urban disparity in the Medicare Inpatient Prospective Payment System (PPS) so that all hospitals receive the same payment levels as those in large urban areas. We should also expand Medicare's Critical Access Hospital (CAH) program to allow more hospitals to qualify for CAH status, enabling them to provide care to communities, such as those in rural parts of Ohio, where these health care services are desperately needed. In addition, I support a full inflationary update for Medicare PPS payments to sole-community hospitals. I am glad the Medicare legislation that passed the House included several important provisions that are a good first step to the funding problems of rural health care. I hope my colleagues will do all they can to ensure these provisions are enacted before the end of this session.

And finally, I conclude with a legislative success story. This year, Congress passed and the President signed into law the Nurse Reinvestment Act, which has the potential to address the current nursing workforce shortage by establishing grants and initiatives to encourage students to enter nursing school, increase the number of nursing school faculty and mentors, create scholarships for nursing students who agree to serve in underserved areas, and provide career ladder opportunities for current nurses. Although the nursing workforce shortage is just one part of the health care workforce shortage, passage of this bill is a huge success for both nurses and hospitals who are struggling to meet our health care demands.

However, Congress must fully fund this new law through appropriations if its passage will have any positive effect on the nursing workforce shortage. I strongly support full funding and hope these appropriations are committed soon. Ohio hospitals and the patients they serve are depending on it.

## RECOGNITION OF NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. DAVIS of Illinois. Mr. Speaker, each October we observe National Disability Employment Awareness Month, and I rise to ask that all Americans consider what they can do to reduce the unacceptably high level of unemployment that exists among people with disabilities. No other minority group in this nation faces the level of joblessness experienced by such individuals.

Much of the problem is based on outdated myths and stereotypes, and each of us must consider what he or she can do to learn more about people with disabilities and how we can more fully integrate such individuals into the American work force.

As part of this year's observance of National Disability Employment Awareness Month, October 16th has been designated as National Disability Mentoring Day. This day is being coordinated by the American Association of People with Disabilities with the support of the U.S. Department of Labor and several corporate sponsors throughout the country. It is designed to bring students and job seekers with disabilities into the workplace where they can learn firsthand about employment opportunities, This is an activity that should be ongoing throughout the year, and I urge my colleagues, all employers and employees who wish to volunteer as mentors to learn more about this initiative by contacting the American Association of People with Disabilities at 800–840–8844, or view the National Disability Mentoring Day link on its web site at www.aapd-dc.org.

As we observe National Disability Employment Awareness month, I also want to recognize three initiatives in my district that are making unique contributions to both local and national efforts promoting greater independence and economic opportunity for people with disabilities. As the sponsor of H.R. 3612, the Medicaid Community-Based Attendant Services and Supports Act, a bill that will enable people with disabilities to participate more fully in the workplace and community life by eliminating the institutional bias in our long term care system, I have learned much and benefited greatly from the support of Chicago ADAPT and its national affiliate, Americans Disabled for Attendant Programs Today. Their efforts to reform our long term support system and change our concept of disability from one of tragedy and dependence to one that recognizes disability as a natural part of the continuum of a life that can be fully enjoyed, is deeply appreciated.

I also wish to acknowledge the Access Center for Independent Living in Chicago. The Access Center, along with the National Council on Independent Living is also leading the way in the effort to break down the barriers people with disabilities face in obtaining equal access to housing, transportation and employment opportunities. The CEO of the Access Living Center, Marca Bristow, was appointed by President Clinton to serve as Chairwoman of the National Council on Disability, and her term has just expired. Her leadership in Chicago and on the National Council is deeply appreciated. The residents of Illinois and our entire nation owe much to this outstanding leader.

Another initiative I wish to mention is one that focuses solely on creating employment opportunities for people with severe disabilities. There are several nonprofit organizations in the Chicago area that participate in the Javits-Wagner-O'Day Program, a federal procurement initiative that uses the purchasing power of the Government to generate employment opportunities for people who are blind or have other severe disabilities. These organizations include the Ada McKinley Community Services Center, the Chicago Lighthouse for the Blind, the Lester and Rosalie Anixter Center, the Jewish Vocational Services and Employment Center, the Chicago Association for Retarded Citizens and the Community Counseling Centers of Chicago.

These organizations, along with over 600 other community nonprofits across the nation work with National Industries for the Blind and NISH, a national nonprofit serving people with a range of severe disabilities. These groups train and employ over 37,000 people with disabilities to furnish office supplies, mail room and janitorial services, grounds maintenance, switchboard operations and a host of other administrative support services to both military and civilian agencies. By simply purchasing office supplies and support services from nonprofits such as these, federal workers can help reduce the high level of unemployment among people with disabilities and push the doors of opportunity open a little wider. More information about the Javits-Wagner-O'Day Program can be found at www.jwod.gov.

Whether a child is born with a disability, an adult has a traumatic injury or a person becomes disabled through the aging process, the need to participate actively in community life and earn your own way in the world is universal. I urge all Americans to consult the National Disability Employment Awareness Month resources I have mentioned and to determine how you can contribute to lowering the unemployment rate among people with disabilities throughout the year.

## AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

SPEECH OF

### HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. NETHERCUTT. Mr. Speaker, it is appropriate that we discuss fully here the most serious responsibility entrusted to Congress, authorizing the President to use force in defense of our nation. The decision by Congress to authorize the deployment of the U.S. military requires somber analysis, and sober consideration, but this is not a discussion we should delay. The President has presented to

the American people a compelling case for intervening in Iraq, and this body has acted deliberately in bringing to the House floor a resolution that unequivocally expresses our support for the Commander in Chief.

The threat to our national security from Iraq could not be more apparent. It is perhaps best illustrated by the size and scope of Iraqi efforts to develop and deploy weapons of mass destruction, a horrifying capability only recognized after the 1991 Persian Gulf War. The United Nations Special Commission on Iraq succeeded in destroying 38,500 chemical munitions, 480,000 liters of chemical agents, and 1.8 million liters of precursor chemicals. Iraq admitted to developing offensive biological weapons, including 19,000 liters of botulinum, 8,400 liters of anthrax, and 2,000 liters of aflatoxin, clostridium, and ricin. Inspectors accounted for over 800 Soviet-supplied Scud missiles and 43 of 45 chemical and biological warheads that Iraq admitted to. About 40 clandestine nuclear weapons facilities were discovered and destroyed, and the International Atomic Energy Agency revealed that at the time of the Persian Gulf War, Iraq was less than two years away from producing a nuclear weapon.

Yet, this list of poisons describes only what UN Inspectors were able to detect in the face of official Iraqi resistance, deception and denial. For example, UNSCOM could not account for 31,600 chemical munitions, 500 mustard gas bombs, and 4,000 tons of chemical weapon precursors. The Inspectors were unable to account for any of Iraq's biological agents, or the delivery systems needed to weaponize these agents. Such was the status of the Iraqi weapons program a decade ago. In the intervening period, development efforts have continued unabated, and indeed have accelerated following the withdrawal of UN inspectors.

Iraq has repeatedly demonstrated a resolve to develop deadly weapons of mass destruction, and, more horrifyingly, to use them. Saddam Hussein murdered 5,000 of his own citizens in Halabja, and injured 10,000 more, in a gas attack. 20,000 Iranians died terrible deaths in clouds of mustard gas and nerve agents. In breach of U.N. imposed sanctions, Iraq has continued to develop long-range missiles that expand the threat that these toxins pose to the world community. The British Government has estimated that Iraq could possess missiles capable of reaching the Bosphorous Straits within five years. Current Iraqi military planning envisions the use of these weapons in a conflict, and as the world waits for compliance with any of the 16 Security Council Resolutions that are presently in abeyance, this capability grows.

Perhaps in different hands the deadly arsenal possessed by Saddam Hussein's Iraq would be less of an imminent threat. To be sure, the doctrine of mutually assured destruction deterred the United States and the Soviet Union from direct conflict for more than forty years. But such a doctrine is dependent upon rational actors and an expectation that civilized nation-states seek the preservation of their citizenry. Such assumptions fail in Iraq, a country that under Saddam Hussein has demonstrated an unabated hatred of the United States and a willingness to sacrifice and murder its citizens in the interests of the ruling clique. Ongoing hostilities in the Northern and Southern no-flight zones make it increasingly likely that an unexpected event could lead to the use of these mass casualty weapons against our citizens. To wait for an Iraqi epiphany is to invite disaster. Inaction is immoral—the United States has a responsibility to the community of nations to eliminate this threat before it grows ever greater. To concur that Saddam Hussein is a threat is to agree upon the need for action, for can one reasonably argue that intervention is easier in a nuclear-weapon capable Mesopotamia?

This authorization of force is at some level, a recognition of the ongoing state of war with Iraq. Conflict with Iraq has never truly ceased since the conclusion of the Gulf War, and coalition aircraft supporting Operation Northern and Southern Watch have been fired upon thousands of times. It is revealing to examine the record of only the last three weeks, since Iraq sent a letter to the United Nations expressing a willingness to resume weapons inspections. Sixty-seven attempts have been made to down coalition aircraft in this period; 406 attempts have been made this year. It is beyond comprehension to believe that this body would argue for further deliberation, further study, further diplomacy, were our pilots to be attacked so in any other place on the globe. Yet, we have tolerated this low-level conflict for nearly a decade.

Opponents of this resolution have responded by asking, ''Why now?'' What compelling reason could there be for acting today, that was not before us a year ago?

Three years ago this body declared Iraq to be unacceptably in breach of its international obligations and urged the President ''to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations.'' Three years ago, we also declared it to be the policy of the United States to change the regime in Baghdad and promote a democratic state.—Three Years Ago!—The credibility of this body is even called into question, for us now to insist on further deliberation, further consultation, further delay. These issues aren't new, my colleagues, they are have been before us for years. It is only the leadership of this President that has allowed us to do our duty and seriously consider the implications of the threat that has been before us for so many years.

The U.S. has struggled against the tepid resolutions and the general inactivity of the international community for a decade. To what avail, but a rearmed, emboldened dictator, confident in his ability to flaunt international law, willing to flex his might against lesser states in the region, and capable of intimidating all others. This is not hasty, precipitous action on our part, but something closer to negligence for having waited so long to confront the danger to our citizenry.

Critics of this resolution are notably short of alternatives or specifics. Regime change cannot happen through domestic posturing. Disarmament requires more than hopes and good wishes.

It has been suggested that multilateral diplomacy is preferable to unilateral action. As a permanent member of the Security Council, it is appropriate for the United States to work with the United Nations to seek common ground and broad international support for U.S. actions. Where agreement with the United Nations may fail, we should look to our other regional alliances, seeking common ground and unity of purpose. Our success in 1991, was attributable, in part, to the collective outrage of the world community with Iraq's unabashed violation of Kuwait's territorial integrity. Acting in concert with our allies is inarguably the first and best choice, but we must remember that the President has sworn to ''preserve, protect, and defend the Constitution of the United States.''

Ultimately, the President's actions must be guided by Americas national security interests. Where broader regional interests intersect with our security concerns, we should welcome assistance and combine efforts in the pursuit of liberty and freedom. But we must not predicate our actions on global opinion. When necessary, the United States must be prepared to act alone. Our success in 1991 was attributable also to American might and resolve—while our cause was strengthened by the support of the United Nations, our Armed Forces were trained and equipped to act alone if necessary. It was knowledge of American resolve, and first-hand experience with the unrelenting application of our combined arms, not Security Council resolutions, which led Iraqi forces to surrender in droves.

Our allies abroad should take note of this resolution. While we are encouraging the President to continue his efforts to build international support, and to exhaust diplomatic alternatives to armed conflict, our friends and foes alike must know that diplomacy can indeed be exhausted. It is appropriate for Congress to acknowledge the prospect of unilateral military action, and such action only serves to add credibility and urgency to ongoing negotiations. I do not share the deep, unyielding belief in the power of international law and global institutions that some here have expressed. It is not irresponsible to act alone when all others have failed to act.

On Tuesday, December 9, 1941, two days after the attacks on Pearl Harbor, President Roosevelt addressed the nation and reflected upon the coming challenges facing the country. He noted:

> It is our obligation to our dead it is our sacred obligation—to their children and our children—that we must never forget what we have learned.
>
> And what we all have learned is this.
>
> There is no such thing as security for any nation or any individual in a world ruled by the principles of gangsterism.
>
> There is no such thing as impregnable defense against powerful aggressors who sneak up in the dark and strike without warning.
>
> We have learned that our ocean-girt hemisphere is not immune from severe attack that we cannot measure our safety in terms of miles on any map.

Sixty years later, in New York, and Washington, DC, and Pennsylvania, we learned that the lessons that President Roosevelt implored us to remember had not changed so much. Gangsterism, unbridled aggression and acute vulnerability are the very same dangers we face today. In 1941, Congress stood with the President and promised full support to protect and defend our nation. Today we must do no less.

## HONORING CONGRESSWOMAN EVA CLAYTON

### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. OWENS. Mr. Speaker, if we had the opportunity to vote on the decision, our colleague from North Carolina, EVA CLAYTON, would be denied the right to retire at this time. In the coming Democratically controlled House of Representatives, her leadership abilities will be missed more than ever. EVA CLAYTON is the model of the quiet but effective power broker. In the very beginning she was elected president of her Freshman class; at the conclusion of her career in Washington, she served as the Chair of the Board of the Congressional Black Caucus Foundation. Before the more serious retirement tributes begin, I would like to offer this serious but lighthearted sketch of EVA CLAYTON through the RAP poem below:

CITY GIRL CLAYTON

City girl
With a kind country soul,
Chameleon Lady Eva
For any royal role.
Lips leak logic always cool
Anger at injustice
From a deep volcanic pool;
North Carolina Style
Magnetism reaching a mile
Kidnaps with a Southern smile;
Lady spider for ambitious flies
She can paralyze just with her eyes.
City Girl dresses
Always in sophisticated fashion
Practices methods
To check eager passion;
Stingy with her caresses
Continuously she assesses
Steps over any messes;
She can strut through a downpour
And never get wet,
Top prizes race into her net—
Power is her pet.
City Girl
With a kind country soul
Chameleon Lady Eva
For any royal role.

## TRIBUTE TO GEORGE ROGERS CLARK

### HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. HOSTETTLER. Mr. Speaker, the history of our great nation is built upon the shoulders of strong and passionate individuals whose lives teach us about the spirit of America.

George Rogers Clark was such a man—his brave leadership during the Revolutionary War was crucial to the American colonies' success against the British, especially in the battle for America's western frontier.

George Rogers Clark was born 250 years ago on November 19, near Charlottesville, Virginia and was an industrious young man who embraced the frontier lifestyle of Virginia and Pennsylvania.

Clark worked on his father's farm until he studied to become a surveyor at the age of 19. He was on the road to success as a surveyor until his work was interrupted by Lord Dunmore's War, a dispute between several Indian warriors and settlers along the frontier.

Clark joined an expedition to apprehend the warriors who started the attack, and he proved to be an effective leader as the troops traveled across the countryside.

During this skirmish, he became familiar with the different Indian tribes and learned their customs, and displayed his ability to think strategically.

After Lord Dunmore's War, George Rogers Clark also made significant gains for America by increasing the territory of the colonies through western exploration and founding towns in the frontier region of Kentucky.

Through diplomatic efforts and advocacy with the colonial government of Virginia, Clark helped to protect the colonists who moved to the frontier. He utilized his knowledge of Indian customs to negotiate trade with Indian tribes.

George Rogers Clark's excellent leadership skills also helped to ensure America's victory against the British during the Revolutionary War.

Clark led a small band of soldiers along the Mississippi and Wabash rivers, capturing British outposts along the way.

And during the harsh winter of 1778–1779, George Rogers Clark led a daring attack in order to recapture the British Fort Sackville in Vincennes, Indiana.

Clark only had 200 men with which to accomplish this seemingly impossible task.

The British were well-armed and fortified with many troops, but Clark tricked the British into thinking that the colonial militia was large and formidable.

On February 25, 1779, the British surrendered Fort Sackville to George Rogers Clark and his soldiers. Afterwards, the British were forced to pull vital resources from their war in the eastern colonies, and the Americans were able to gain a foothold against the British in the western frontier.

But Clark's leadership did not stop with the recapture of the fort at Vincennes—he continued to ensure America's victory by helping to control unrest in the western regions of the colonies.

Even after the Revolutionary War, this patriot continued to serve his country by offering leadership to his community.

George Rogers Clark was one of the unique individuals who helped shape our nation and give America its spirit.

I offer H. Con. Res. 499 not only to honor George Rogers Clark, but also to honor the Hoosier community who has not forgotten Clark's heroism and has kept his courageous spirit alive in Vincennes.

As Clark said of the Revolutionary War, ''Our cause is just . . . our country will be grateful.'' And we in Indiana are truly grateful for what George Rogers Clark and other patriots did for our state and for our country.

## LABOR SECRETARY ELAINE L. CHAO REMARKS TO ANCOR CONFERENCE

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SESSIONS. Mr. Speaker, I submit this statement for the RECORD.

SECRETARY OF LABOR ELAINE L. CHAO REMARKS TO ANCOR CONFERENCE

Thank you for that kind introduction.

I want to thank President Than Johnson, President-elect Fred Romkema, and CEO Renee Pietrangelo for their service.

I also want to you to know that you have a great advocate in Haley Barbour.

Later today, you'll be presenting ANCOR congressional awards to Senator Bunning and Congressman Lewis. They are both great Americans.

I am also glad to see Ron Geary and Kelley Abell here. Ron is CEO of ResCare in Louisville, Kentucky, the largest service provider in the country. They're tremendously dedicated to this community.

I want to begin by saying ANCOR members are providing wonderful community living and employment support and services to Americans with mental retardation and other disabilities. This association of organizations and companies represent the heart of the American spirit—a spirit that believes every human has worth and value and dignity.

The supports and services you provide touch the lives of over 260,000 Americans with mental retardation and other disabilities, as well as their families. Because of the work you do, people with disabilities are living more self-directed, independent lives in their communities.

On behalf of President George W. Bush and his entire Administration, I want to say ''thank you.''

ANCOR representatives have met with Department of Labor more times than I can count. We may just have to give you a permanent DOL badge!

Your meetings with the Assistant Secretary of Policy, ODEP, ETA, and Wage and Hour, have been so important in helping the government understand your concerns. You are educating us about the growing crisis in recruiting, training, and retraining direct support professionals.

Again, we are listening and we are responding.

For example, the Department of Labor has terminated the companionship rulemaking that was slipped in at the last minute by the previous Administration.

We believe that companions provide essential support to those men and women and children who remain at home.

Raising costs and reducing access, restricting working hours and increasing paperwork is not the answer. With your help, the Department terminated the rule and restored more flexibility for individuals with mental retardation and other disabilities and their families!

The Department has also listed Direct Support Specialist in the Directory of Occupational Titles. Now, some outside of this audience might not understand its significance, but we know that this small change allows for big openings in training and recognition.

ANCOR has also worked with the Department on shaping the policies for the President's New Freedom Initiative.

This initiative, and the President's Executive Order to bring swift and full implementation of the Olmstead Decision, are key priorities at the Department of Labor.

ANCOR members and the direct support workers you represent are critical to the success of the New Freedom Initiative and the Executive Order.

I want to thank you for submitting extensive recommendations last August as part of the President's Executive Order, especially your recommendations to the Department of Labor.

I also appreciate your testimony on WIA reauthorization in the inter-agency forum

this summer. We need your input on how the Department can better utilize the Workforce Investment Boards and One-Stops to make sure we meet the needs of both public and private providers, as well as job seekers.

The paraprofessional long-term care workforce—from nursing assistants to home health and home care aides to personal care workers and attendants—is the cornerstone of America's long-term care system. They provide hands-on care, supervision, and emotional support to millions of Americans with chronic illnesses and disabilities.

According to the U.S. Bureau of Labor Statistics, or BLS, the number of home health and personal care aides is nearly equal to the number of nursing assistants, roughly 750,000.

As you know, with an aging population and other industry challenges, the future availability of frontline direct care workers does not look promising. In fact, BLS estimates that by 2006, personal and home care assistance will be the fourth-fastest growing occupation with a growth rate of 84.7%.

Between 1998 and 2008, America needs around 750,000 more personal care and home health care workers. Unfortunately, many of these positions will go unfilled, unless we take action.

The solution is not simply one of supply. The more fundamental, long-term challenge is how to develop a committed, stable pool of workers who are willing, able, and skilled to provide quality care. I am committed to addressing both the short and the long-term challenges, so we can design quality systems of care for people with disabilities.

The Department is making significant progress, but we still need your input on issues concerning earnings opportunities, employment status, and labor supply of personal assistants and other community workers.

Here are some actions that are either planned or are currently underway at the Department:

The Office of Disability Employment Policy, or ODEP, led by Dr. Roy Grizzard, is working to identify options and to develop an inter-agency/inter-department plan that will increase the availability and quality of personal assistants and identify other options for education, training, and career advancement for these workers and other direct care staff.

More specifically, the Department of Labor and HHS are taking a detailed look at the challenges to the industry, as well as providing recommendations on how to address the worker and skill shortage.

ODEP and its partners will convene a listening session for people with disabilities. A similar listening session will be held for service providers and other direct care staff and community service workers. Your organization, ANCOR, certainly will be a part of these sessions.

ODEP and ETA are working to increase access to personal assistance supports through the One-Stop Centers.

And ODEP is expected to establish an online registry, similar to America's Job Bank, where local or community-based organizations, like yours, can help locate more workers.

The Administration is listening to ANCOR, and we still have a lot left to do. I know we will continue to work together to provide stable community infrastructure for the future of individuals with mental retardation and other developmental disabilities. Much of that relies on a quality, highly-trained direct support workforce, and we are committed to making it happen.

Thanks again for inviting me to be here today. I look forward to working with ANCOR and its members to expand your supports and services in the years to come. When government, associations, business, and individuals work together, we can build a more welcoming and promising future for all Americans.

## THE TV CONSUMER CHOICE ACT OF 2002

### HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing legislation that will nullify the Federal Communication Commission's mandate that will force all televisions to have a digital TV receiver by 2007. The TV Consumer Choice Act of 2002 will give consumers the ability to choose whether or not they want a TV that includes an expensive—and often unnecessary—digital TV tuner.

While digital TV may present new and exciting options to viewers, these tuners should not be forced upon hundreds of millions of Americans, many of whom do not want or need this expensive device. Digital TV tuners are only used to receive over-the-air signals. For those households who choose alternate services, such as cable or satellite, the device is completely worthless. According to the Consumer Electronics Association, the tuner mandate will increase the cost of the average TV by $250 for a device that less than 13% of consumers will use. This is unacceptable.

My legislation will ensure that individual consumers—not the federal government—decide which TV options are best for them. I am hopeful my colleagues will support this legislation and the House will act on this proposal expeditiously.

## OFFICERS OF THE ANCIENT ORDER OF HIBERNIANS

### HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. KING. Mr. Speaker, today to request that the following speeches given by Officers of the Ancient Order of Hibernians (AOH) be inserted into the CONGRESSIONAL RECORD. The first speech is the welcoming remarks by John E. McInerney, the President of the District of Columbia State Board of the AOH. The second is a tribute to the work of the Congressional Ad Hoc Committee for Irish Affairs by Ned McGinley, the new National President of the AOH.

A TRIBUTE TO THE PEACEMAKERS

(By John Edward McInerney)

Ladies and gentlemen of the Congress, Mr. Ambassador, fellow Hibernians, and honored guests. Welcome.

The Ancient Order of Hibernians is gathered here this evening to pay tribute and to thank a very special group of legislators. We Hibernians are here to thank the 89 women and men of the United States House of Representatives who are serving as members on the bipartisan Ad Hoc Committee for Irish Affairs. After twenty-five years of service, the members of the committee have done so much to bring peace with justice to Ireland.

For centuries before the United States was formed as a nation, Ireland struggled and fought for her freedom. Since 1921, Ireland has strived to be one nation united taking its rightful place among the family of nations. In that long struggle for the cause of an united Ireland, the Irish American community never received support by a large organized group of members of the American Congress.

However, twenty-five years ago that situation changed, thanks in large part to so many people, especially Congressman Mario Biaggi. It was during this very month on September 27, 1977 that the Ad Hoc Committee for Irish Affairs was born. Initially, it did not meet with universal acclamation on both sides of the Atlantic. But in time it became a valuable resource to all parties on both sides of the Ocean as it focused on the important issue of peace with justice in all of Ireland. From the onset, it focused on encouraging the United States to help broker peace initiatives. The progress that has been achieved so far is due in part to the tireless efforts of this bipartisan Ad Hoc Committee for Irish Affairs.

In time, this committee became the preeminent Congressional Caucus dedicated to fostering a closer relationship between the people of Ireland and the United States Congress. It was organized with the help of the national board of the Ancient Order of Hibernians and other groups. It has been an unfailing proponent of the Peace Process in the north of Ireland by hosting members from both sides of the government of the North as well as the Republic of Ireland. In doing this it has served as a valuable source of education for all the members of the United States Congress on Ireland.

This ad hoc committee was there for Ireland and the Irish American community at critical moments during the past quarter century—such as persuading President Clinton to grant Gerry Adams a visa. That bold move alone set off the current peace process in the north of Ireland—a process that is still developing and unfolding today. It was a member of this ad hoc committee namely Peter King of New York—who was a liaison between President Clinton and some of the parties in helping shape the Good Friday Agreement—even to the point of waking the President of the United States up in the middle of the night to intervene at critical moments.

Each member of the Ad Hoc Committee has made valuable—or should I say significant—contributions. In decades to come when the history of these uncertain times—the history of the ''troubles'' and the history of the current struggles over the Good Friday Agreement—will be written, historians will record that the Ad Hoc Committee for Irish Affairs played a critical role in achieving peace with justice in Ireland. Not only the role of Mario Biaggi will stand out, but the names of the current Co-Chairs of this bipartisan committee—Benjamin Gilman, Peter King, Richard Neal, and Joseph Crowley—will be not be lost in the annuals of history, especially the history of Ireland.

But, for each of you individually, you will know in time as you look back upon your years of service in the Congress, that your interventions and efforts—both personally and collectively—played an important role at critical times in Ireland's history today. You will have achieved the personal satisfaction of having played the role of peacemaker. And to each of you, may the promise of Scripture come true in your own lives and in exercising your responsibilities as lawmakers—''Blessed are the peacemakers for they shall inherit the earth.''

This evening, the Hibernians—the oldest Irish American fraternal organization in the

United States—welcome each of you here this evening as we pay tribute and to thank the peacemakers.

TRIBUTE TO THE AD HOC COMMITTEE FOR IRISH AFFAIRS

(By Ned McGinley)

Reverend clergy, Members of Congress, AOH and LAOH national officers, AOH District of Columbia state board officers, and members of the AOH and LAOH. Welcome to our congressional reception.

The Ancient Order of Hibernians in America, along with our Ladies Ancient Order of Hibernians, is proud to host this reception for the 25 years of work that the Ad Hoc Committee for Irish Affairs has accomplished.

We know that Ad Hoc refers to a ''temporary committee.'' When our efforts in the next few years are successful and bring about a United Ireland with Peace and Justice for all of it's citizens, we will all come down here for a really big, party when we finally dissolve this Committee.

The following is a quote for the—Irish Echo of May 2, 1981 right after Bobby Sands had won a by-election to become a legally elected member of the London Parliament and put and end to the lie to the propaganda that Irish-Republicans had NO political support in the six counties in the north of Ireland. In a letter to President Reagan, the Committee wrote:

''As members of the Ad Hoc Congressional Committee for Irish Affairs, we are making an urgent appeal on behalf of the Ancient Order of Hibernians and the Irish National Caucus, that you immediately communicate with Prime Minister Margaret Thatcher to urge a humanitarian resolution in the matter of Mr. Robert Sands. Mr. Sands, a legally elected member of the British Parliament, and a prisoner in the Long Kesh prison facility, is in the 54th day of a hunger strike.

''As his condition deteriorates, violence in the North has escalated. His death very well may trigger more severe violence. It is our hope that you can convey your concern personally and immediately to Mrs. Thatcher. Clearly, time is of the essence as officials have indicated that his death may be imminent if quick action is not taken.

''As you stated in your St. Patrick's Day message, 'I add my personal prayers and the good offices of the United States to those who wish fervently for peace.' We make our appeal to you in the spirit of peace and humanity.''

That telegram sent to President Reagan was signed by many members of Congress, namely Senator Alfonse D'Amato (R–NY), and Representatives Mario Biaggi (D–NY), Benjamin Rosenthal (D–NY), William Cotter (D–CT), Leo C. Zeferetti (D–NY), Norman Lent (R–NY), Harold C. Hollenbeck (R–NJ), John Conyers (D–MI), Richard Ottinger (D–NY), Nicholas Mavroules (D–Mass), William Carney (R–NY), Frank Annuzio (D–Ill), Eugene Atkinson (D–Pa), Charles Schumer (D–NY), John LeBoutillier (R–NY), Benjamin Gilman (R–NY), Gregory Carman (R–NY), Hamilton Fish (R–NY), Cardiss Collins (D–Ill), Samuel S. Stratton (D–NY), and James Nelligan (R–Pa).

Obviously the Ad Hoc Committee made a statement on the Hunger Strike in May of 1981 that the election of Bobby Sands may be the seminal moment in the Peace Process today. That was when Sinn Fein, the Irish-Republican political party, discovered their electoral mandate and platform. That was the beginning when they formed the strategy of today. That strategy essentially states that they are willing to beat you at ''the ballot box,''

It would take fifteen more years and 3,000 deaths in a population of 1.5 million, but that strategy would evolve into the electoral successes of the day for Sinn Fein and the other Nationalist Party, the SDLP.

It built a confidence in the Irish Republicans that they were not alone and that people in the United States knew of their plight, due in no small part because of this Ad Hoc Committee.

It would bring in 1996 Gerry Adams to New York City—in no small part because of the efforts of this Ad Hoc Committee.

It would mean a ceasefire for the IRA and the decommissioning of weapons during the past two years.

It would bring about the Good Friday Agreement in 1998 that would tie everyone in the North of Ireland to the ballot box.

It would build a consensus for a political solution to what was once known as one of the world's interminable conflicts.

In all of this I do not wish to get too optimistic. The latest threat to the peace process came only last weekend because the level of tension loyalist paramilitary UDA and LVF have had during a summer of violence unparalleled in a land used to summers of violence. Their one and only aim in all of this is to draw the Irish Republican Army back into the violence, knowing that any violence by the Republicans will cause headlines while their violence will be against little girls walking to Holy Cross School to not even draw a camera.

The Royal Ulster Constabulary, about which the U.S. Congress held hearings in many instances chaired by Ben Gilman and Christopher Smith, exposed this lethal paramilitary arm of Unionism for the collusion and murders in which they had aided the Unionists.

There have been changes, but not yet enough. Those who helped murder Nationalists must be vetted from the Police Service and brought to trial. Rosemary Nelson testified at a U.S. congressional hearing, chaired by Chris Smith, in which she said that she had been threatened. Within months after she returned to the north of Ireland, she was assassinated with a bomb in her car.

The Patton Proposals must be instituted in full, not partially. The Special Branch of the RUC, which may have failed to prevent the Omagh Bombing when it protected an informant, needs to disappear.

With my own eyes I saw this past August that the RUC is still a sectarian police force in the Belfast neighborhoods of the Short Strand and Ardoyne, where Protestant gangs roam unchecked firing shots and attacking any Catholic in the area.

We need to answer the Unionists who say this process isn't working with the list of concessions made by the Republicans both in arms control and in politics. Remember that Sinn Fein gave up their long-time armed struggle to accept the ballot box as a means to bring about a United Ireland. I submit that the Ulster Unionist Party is more afraid of Sinn Fein at the ballot box than they are anywhere else, and that they are also deathly afraid of the Sinn Fein mandate with their rightful place in the government.

Please don't stop now! We together—the Ad Hoc Committee for Irish Affairs and Irish organizations like the AOH—

We have made the difference in converting the armed struggle into the political struggle.

We have made the difference between war and peace.

We have saved hundreds of lives in a country of 1.5 million.

We have brought the confidence to the Nationalist/Catholic people of the north that someone knows their plight and will give them a fair shake.

We have proved to them that they can win freedom through politics.

We have proven that they can have a United Ireland by all peaceful means.

Thank you ladies and gentlemen of the Congress for having the courage to do the right thing though it may not be the popular thing during the past quarter century.

## REMEMBERING MICHELE MILLS AS A GREAT POINT-OF-LIGHT

### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Mr. OWENS. Mr. Speaker, I rise to pay a special tribute to Michele Mills, a Flight Attendant who was also a distinguished community leader and friend who's life was cut short by the American Airlines crash in Rockaway, New York which occurred only a few weeks after the September 11th tragedy. As we approach the one-year anniversary of her passing, I would like to pause for a moment to remember her and salute her as a Great Point-of-Light for All Americans.

The bird is one of God's creatures. When it is ill or near death, the bird does not fly. She prepares for death on the ground. The airplane is one of man's creations; sometimes we know when there is illness or decay and many times we do not. We say that flying is safer than driving a car, and, in our arrogant confidence, we fly our airplanes as long as we possibly can. After all, imitating God is expensive and we want to get every dollar's worth of flying time from our creations. Thus, tragedies such as the end of American Airlines Flight 587 herald the immediate need for inspections, new regulations and equipment modifications. It is the human way, not God's way.

Our Lord is always with us. But who, besides our Lord, is on every flight worldwide to guide the plane, to make the passengers comfortable or to rescue them if the need arises? The valiant crews who love their jobs and do them well. And particularly now, in the aftermath of terrorist attacks where planes and innocent lives were used as weapons of destruction, these flight attendants and pilots have a greater burden thrust upon them as a jittery nation struggles to come to terms with flying again. And, for the most part, they have been wonderful healers for our nation. Day in and day out, these unsung heroes face the same risks as their charges and they serve us all very well.

One of these unsung heroes is our friend, sister, daughter, and constituent Michele Mills. Michele Mills was born to Priscilla and Eugene Mills on June 4, 1955 in St. Mary's Hospital of Brooklyn, New York. Michele remained a proud resident of the Brooklyn communities for many years—from both Red Hook and Crown Heights. Michele graduated Franklin D. Roosevelt High School in 1973. She furthered her education at Fashion Institute of Technology and majored in merchandising/buying. She was encouraged to pursue a career in the airline industry by her sister, Tricia. She began this career with Overseas National Airlines.

Michele joined American Airlines in May, 1978, and completed 23 years of service. She always kept her priorities in order: God, Family, Work and Hobbies. She realized God's presence in her life at a very early age and

joined Brownsville Community Baptist Church, where she served as a faithful member. She was a very spiritual person who routinely began her day with meditation and spiritual readings. Michele's family and friends were an extremely important element in her life. Her home was a gathering place for festive family occasions. She took great pleasure in preparing gourmet meals and sharing the serenity and peaceful comforts of her home. Her jovial, playful, and light-hearted nature readily endeared most any ''strangers'' to her. She was a ''communicator'' in the truest sense.

Michele was an avid reader, a gourmet cook, an interior decorator and a thrifty shopper. She was rarely seen at work or around the house without her ''book of the week,'' nearby. She became well-known by her JFK co-workers, family and friends for her famous, ''Michele's Fried Chicken.'' Every aspect of her life was orderly; and her attire was always impeccable. She took little to nothing for granted.

Michele was called home while in the line of duty on Monday, November 12, 2001. Her memories will be cherished by her parents, Priscilla and Eugene Mills; her siblings, Tricia and Kenneth Mills; her fiancee, Henry Ray; two uncles: Bob Mills of Edison, New Jersey and Freddie Holmes of Columbia, South Carolina; five aunts, Albertha Bell of Brooklyn, New York, Dezel Mallory of North Carolina, Doris Mills of Edison, New Jersey, Lysine Holmes of South Carolina, Irene Holmes of Brooklyn, New York, a great aunt, Lucille Wilkins of Brooklyn, New York, one god-daughter, Stephanie Holmes of Brooklyn, and a host of cousins and friends throughout the United States.

Thousands of passengers and friends who knew Michele Mills will never forget her. In her special way, she was a Great American Point-of-Light.

## TRIBUTE TO FRED M. SAIGH IN RECOGNITION OF HIS MANY YEARS OF PUBLIC SERVICE

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to an institution in Iron County Michigan politics. I rise to honor Fred M. Saigh for his many years of public service to the people of Iron County.

Born on August 21, 1920, Fred M. Saigh graduated from Iron River High School in 1938 before earning degrees at the University of Michigan and Michigan State University. Following his service in the United States Navy during World War II, Fred entered into his family's restaurant business in 1946. In 1954 he entered the insurance business as an agent for the New York Life Insurance Company.

In 1957 he began a lengthy business relationship with First National Underwriters, first as an agent, then vice-president in 1964, and later chairman of the board of directors and chief executive officer. He has also served as a director of the Iron River National Bank and the Michigan Financial Corporation.

Fred M. Saigh began his political career in 1957 with his election as an Iron River City Commissioner. He served on the Iron River City Commission until 1968, including four terms as the mayor of Iron River.

During Fred's years of service on the Iron River City Commission the board reorganized the city's financial structure and developed an industrial park.

In 1965 Fred began a thirty-five year involvement with the Iron County Board of Commissioners, including nineteen years as chairman. Currently the vice chairman, he has been a member of the Iron County Board of Commissioners almost continuously except for a two year absence in the early 1980's.

While on the Iron County Board of Commissioners the county developed: a tax equalization office, the Iron County Ambulance Service, the Iron County Economic Development Corporation, the Iron County General Hospital, the Iron County Medical Care Facility, and constructed a new grandstand at the Iron County Fairgrounds, among many other projects to better the lives of Iron County residents.

Fred has served as a member of many public boards and commissions including but not limited to: the Western Upper Peninsula Manpower Consortium, the Dickinson-Iron Mental Health Board, the Dickinson-Iron Community Services Agency, the Iron County Economic Development Corporation.

In addition to his political activities Fred has found time for membership in the Iron County Kiwanis Club, the Iron River Country Club, the Elks Lodge, the American Legion, the Fraternal Order of Eagles, and many other organizations.

Fred and his wife, Lorraine, have raised six children: Terry, Barbara, F. Michael, Frederick III, Peter, and Mark. Lorraine has also dedicated her life to public service as an educator and school administrator in the West Iron County School District in Iron County.

Mr. Speaker, Fred has gone above and beyond the call of duty as a public servant and his public spiritedness is an inspiration to citizens and elected officials alike. I ask you and my House colleagues to join me in saluting a personal friend of mine and a true friend of the people of Iron County, Fred M. Saigh, in recognition of his thirty five years as a member of the Iron County Michigan Board of Commissioners and his eleven years on the Iron River City Commission.

## TRIBUTE TO PATROL OFFICER KEVIN DELANEY

### HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. WELLER. Mr. Speaker, I rise today to honor Patrol Officer Kevin Delaney of the Wilmington City Police Department for his deserving efforts in retaining a canine unit for the community.

Since March 3rd, 1990, Officer Kevin Delaney has served his community over and beyond the call of duty. Officer Delaney has received the Distinguished Service Award, an Alliance Against Intoxicated Motorists Award, and a Felony Arrest Award. Officer Delaney continues to keep our district safe through his many live safe efforts, and specializations as an evidence technician and truck enforcement officer.

Officer Kevin Delaney shows his concern throughout the community as he speaks to local schools about the dangers of gangs, drugs, drinking and driving, and speeding. His involvement in the Will County Gang Suppression Unit has initialized the drug enforcement issue in Wilmington, resulting in his determination to acquire a canine unit.

Officer Kevin Delaney will be the officer in charge of the canine unit and take full responsibility in carrying out the duties expected of him. Officer Delaney represents one of the finest in the Wilmington City Police Department and will use his full potential to preserve the safety of the community.

Mr. Speaker, I urge this body to identify and recognize others in their own districts whose actions have so greatly benefitted and strengthened America's communities.

## NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT REAUTHORIZATION BILL

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. KILDEE. Mr. Speaker, I stand today in strong support of S. 1210, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996 that also includes various amendments to the Act. The NAHASDA, enacted in 1996, was the first piece of comprehensive housing legislation directed solely to Native American and Alaska Native people. It has become the basic program aiding Native Americans in tribal areas with affordable housing development including homeownership, rehabilitation, infrastructure development and other affordable housing assistance. As an original cosponsor of H.R. 1873, the companion bill to S. 1210, I urge my colleagues to join me in support of the passage of S. 1210 today.

There are many reasons that I support the reauthorization of NAHASDA, an Act that has created incredible opportunities for tribes to meet the housing needs of their members.

The success of NAHASDA is clear. In the five years since NAHASDA's enactment, over twenty-five thousand housing units have been constructed or are in development. This is nearly three times the rate of production before NAHASDA. With severely overcrowded conditions in more than thirty percent of homes in tribal areas, and more than forty percent of homes with serious physical deficiencies, the need has been demonstrated and is now slowly being met.

While development under NAHASDA is encouraging, it is estimated that there is still an immediate need for 200,000 housing units, a need that continues to grow for one of the fastest-growing population groups in the country. The poverty rate for rural Native Americans remains at nearly forty percent, a rate that is higher than other racial and ethnic groups of the United States, so the need for programs such as NAHASDA continues to be strong.

For all its attributes, one of the most important benefits of NAHASDA is that it promotes tribal self-determination. Under the Act, the focus is on the tribal government rather than a separate housing entity. Tribes are given more autonomy in administering their funds

and can tailor their plan to their specific needs. The Act also encourages the involvement of private sector entities and promotes innovative financing.

Mr. Speaker, the NAHASDA reauthorization bill will build upon the success of the past five years by providing more housing development on our nation's Indian reservations. The amendments included in the bill help to streamline the Act to make it more user-friendly and also further emphasize the self-determination aspect of the Act. Housing is the backbone of economic and community development. It creates jobs and drives tribal economies. It is a basic need that can strengthen progress in other areas like education and health care, too.

I would like to thank my colleague, Congressman J. D. HAYWORTH for his dedication to Native American issues, and for working so diligently toward the passage of this bill. It is my hope that my colleagues on both sides of the aisle will support this bill for what it is—a renewed commitment to the well-being of the Native American people of this nation. Thank you.

## CALLING FOR AN END TO THE SEXUAL EXPLOITATION OF REFUGEES

SPEECH OF

### HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 2002*

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise in support of H. Con. Res. 349 that I introduced earlier this year to call attention to the terrible exploitation that has occurred within the refugee camps in West Africa and elsewhere in the world.

Since this legislation was introduced, some progress has been made in resolving the matter of sexual abuse of refugee women and girls living in UNHCR camps.

According to a recent letter I received from the Washington Office of the United Nations High Commissioner for Refugees, a number of new procedures have been introduced by that organization to take preventive action. New guidelines have been set for field staff in Africa and in other regions of the world. UNHCR has stated ''there is absolutely no place in the humanitarian community for those who exploit others,'' and emphasizes the need for strict adherence to a 'zero-tolerance' policy.

It also is important to note that the U.N. Office of Internal Oversight Services has carried out more than 250 interviews in the field on this matter and will issue its report to the U.N. General Assembly during this year's session.

However, Mr. Speaker, despite these efforts, much more work is needed to resolve the existing problem. The matter of sexual abuse of women and children remains a real threat, especially for those who have already been dispossessed from their homelands and who face uncertain futures as refugees.

On this issue, we now know that the lives of refugee women and their children are at stake. The poor quality of life in many refugee settings can lead to sexual violence, abuse and harassment of children.

This is what appears to have occurred in the refugee camps located in Sierra Leone, Guinea and Liberia and now Zimbabwe and possibly elsewhere. Young girls are defenseless in the face of such exploitation and therefore we must be their champions wherever such evil is found in the world.

It is appalling that local aid workers of international and local humanitarian agencies and NGOs, and even perhaps some members of peacekeeping forces, have been accused of carrying out this sexual exploitation.

Mr. Speaker, my Resolution commends the Secretary General of the United Nations for his forthright stand on this matter and expresses support for the comprehensive investigation that he launched to look into this scandalous situation. When I and several other Members of the Women's Caucus met with Mr. Annan in New York in April, he expressed his deep appreciation for our concern and indicated that, along with the global U.N. investigation underway, he believed that more women should help manage these camps to avoid future exploitation.

Part of the lack of protection of refugee children's rights comes from too little money. Although the United States contributes about 22 per cent of the budget of UNHCR, the funding from all donors is inadequate. Increased resources are a must if better physical protection is to be made available for women and their children. These refugee settlements are often large operations and are quite complex to run.

Due to decreased funding, UNHCR and its NGO partners have had to cut staff and drop supervision of many services. This has led to the U.N.'s guidelines on protecting refugee women and child rights not being fully implemented. Obviously, we must strive to commit more funding to U.N. agencies dealing with refugees, so that the camps become a less dangerous environment for women and children.

My measure also calls on the President to reaffirm the commitment of the United States to protect the well-being and human rights of women and girls as well as to review under USAID and the Department of Agriculture, the distribution of U.S. food assistance to refugee communities around the world.

We cannot allow girl children to become sexual pawns because they do not have enough food to eat. This situation really should not be tolerated. It is distressing that many girls feel compelled to exchange sexual favors for food because their food rations cannot last a month and their families go hungry. This lack of sufficient food is something that the American people would want to do something about.

Mr. Speaker, I thought that it was important to highlight this issue and to show that our Government takes the matter of abuse of human rights seriously wherever it is found. The President must affirm this principle on the part of the American people. Hopefully, the final report of the U.N. investigation will make recommendations about the disciplining of those who sexually exploit children. I firmly believe that prompt action must be taken to bring those who have brought shame upon the honorable profession of giving service to refugees—the dispossessed of the earth—to full account.

Mr. Speaker, we are now facing a serious food crisis in southern and eastern Africa. Famine is ravishing these countries along with the AIDS pandemic. A large proportion of refugee women and children are suffering as a result. We must do all that we can to help protect them from any form of exploitation—sexual or otherwise that can arise from their vulnerable situation. I urge passage of this legislation.

## TRIBUTE TO KEWEENAW NATIONAL HISTORIC PARK ON ITS TENTH ANNIVERSARY

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to an important part of the economy, culture and education of the Copper Country of Michigan's Upper Peninsula. Mr. Speaker, I rise to honor the Keweenaw National Historic Park on its tenth anniversary.

Keweenaw National Historic Park became a reality on October 27, 1992 when Public Law 102–543 was signed into law by President George Herbert Walker Bush. The park's creation was first mentioned in 1971. The effort began in earnest in 1982 and culminated with the establishment of America's three hundred sixty sixth national park ten years ago.

The twin purposes in establishing the park were preserving the nationally significant historical cultural sites and structures on Michigan's Keweenaw Peninsula for the education, benefit, and inspiration of present and future generations; and to interpret the historical synergism between the geological, aboriginal, sociological, cultural, technological, and corporate forces that relate the story of copper on the Keweenaw Peninsula and the entire nation.

Seventeen cooperating sites comprise the Keweenaw National Historic Park. Each separate site tells a different part of the story of the Copper Country's significant role in the American Industrial Revolution. Coupled with the area's natural beauty, the park draws more and more visitors each year.

The park has been growing in assets and visitors year by year and during the tenth anniversary celebration the Keweenaw National Historic Park Headquarters will be dedicated. The park headquarters will be located in a one hundred five year old office building, that formerly served as the Calumet & Hecla (C&H) Company's general office building. Refurbishing efforts are currently underway at two former mining related sites, the C&H library, that will serve as the Keweenaw History Center and at an old union hall. These sites and the fourteen other cooperating park sites tell the unique story of the copper miners' (many from foreign countries) migration to Michigan's Upper Peninsula in a sociological and historical context.

The idea of bringing curious historical visitors to the area has been accepted by the public and private sectors of the Keweenaw Peninsula. The coalition of area residents and businesses foresaw the educational benefits that accurate historic preservation would provide to residents and visitors alike. Commemorating and interpreting the history of hard rock mining in the Keweenaw has provided an economic boom to the area not seen since the boom days of the Calumet & Hecla and Quincy Mining Companies.

Public and private cooperation is also critical to funding the park. The bill authorizing the creation of the park relied on private partnership funding with federal matching funds. This shared funding fosters the development of the park's cooperating sites.

Mr. Speaker, preserving the past for the education of future generations benefits the area both economically and educationally. America's 102nd Congress recognized the benefits of establishing the Keweenaw National Historic Park. The area residents and businesses have and will continue to benefit economically, culturally, and educationally from the park for years to come.

Mr. Speaker, on October 27, 2002 the Keweenaw National Historic Park will celebrate its tenth anniversary. I ask you and my House colleagues to join me in saluting, a great historical and economic asset to Michigan's Keweenaw Peninsula as the Keweenaw National Historic Park celebrates the community's past while providing for the community's economic and historical future.

## A TRIBUTE TO REV. JERRYE GRAY CHAMPION

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. TOWNS. Mr. Speaker, I rise today to give honor and praise to the National President of Church Women United, USA, the Reverend Jerrye Gray Champion.

Rev. Champion is one of the most learned and accomplished women to ever hold this position within the Church Women United organization. An Associate Pastor with Tanner African Methodist Episcopal Church in Phoenix, Arizona, she holds not only a Masters in Theology from Fuller Theological Seminary but also masters degrees in library science and public administration as well as a B.A. in English and Speech and a doctoral certification in Clinical Pastoral Education. As a certified clinical chaplain, Rev. Champion holds specialties in numerous trauma and intensive care areas. She is also credentialed in pastoral, spiritual, and bereavement counseling; spirituality and healing; and biomedical ethics. Before entering the ordained ministry, the Reverend had careers in education, public policy and corporate administration. In the 1970's and the 1980's, she directed the Scottsdale Public Library and also served for six years in the cabinet of former Arizona Governor Bruce Babbitt.

Rev. Champion has served at the local, state, area, conference branch, district, national and connectional levels in Church Women United and the Women's Missionary Society of the African Methodist Episcopal Church. She has been continuously active in these organizations throughout her entire adult life. As the eldest of five children born to The Rev. Dr. Alfred David Gray and Valerie Geeston Gray, and a third generation minister, her church activism should come as no surprise. As Rev. Champion has said in describing her own ministry, ''my love of God and ability to love God's people just as they are wherever they are in the experience of life is my strongest gift for ministry and leadership''.

As a wife, mother and grandmother, Rev. Champion's ability to balance a busy career with her pastoral duties, organizational responsibilities and her family life make her a truly remarkable person. And she readily admits that her success is due to the genuine love and support that she has received from her family.

Mr. Speaker, I hope you will join me in recognizing one of America's most gifted theologians and church leaders, the Reverend Jerrye Gray Champion.

## CELEBRATING SUMMERBRIDGE CINCINNATI INC.'S TENTH ANNIVERSARY

### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. PORTMAN. Mr. Speaker, I rise today to honor the Summerbridge Cincinnati, Inc., a non-profit innovative teaching and mentoring program in Greater Cincinnati that recently celebrated ten years of success.

Summerbridge began nationally in 1978, and now encompasses 26 programs on 31 campuses throughout the United States and Hong Kong. The results are impressive: 90 percent of Summerbridge students have gone on to strong academic high school and college programs, and 64 percent of the teaching staff have pursued teaching careers.

In 1992, Odessa Hooker and Bill Hopple recognized a need in Cincinnati for providing academic guidance outside the traditional classroom environment for middle school students. Ms. Hooker and Mr. Hopple began Summerbridge Cincinnati, a summer program at Cincinnati Country Day School, with fifty sixth and seventh graders. That initial summer program has grown to a year round one for sixth, seventh and eighth grade students. The programs and staff are now located on the campuses of the Cincinnati Country Day School and The Seven Hills School.

Summerbridge brings together talented high school and college students who are interested in teaching with promising but underserved younger students. The mentor students instruct small, diverse classes in writing, literature, math, science, arts, music and theater, and also plan field trips. Each host school provides a director who is part of the school faculty.

The focus is on developing leadership skills and self-esteem in a dynamic and academic environment. The program's success has been truly inspiring; both student and teacher participants have said the program was a breakthrough experience for them. All of us in Cincinnati are grateful to Summerbridge's teachers, students, and staff for ten years of making a positive difference in our community. We wish Summerbridge Cincinnati many more years of success.

## TRIBUTE TO RUSSELL, LINDA, AND MICHAEL BUSBY

### HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. WELLER. Mr. Speaker, I rise today to honor Russell, Linda, and Michael Busby for their outstanding citizenship in the City of Wilmington.

The City of Wilmington has been overshadowed by drugs. The drug community has risen throughout neighborhoods, local parks, and even in the privacy of some homes. One of these homes belonged to Russell, Linda, and Michael Busby. A drug induced neighbor forced his way into their home threatening their privacy and safety.

The Busby family not only convinced local groups, the police department, and the city council the importance of a canine unit, they contributed their own time and money in the process. The Busby family set up contests and car washes to raise money. They encouraged donations from individuals and organizations. The Busby family also attended all city council meetings to ensure their concerns were being heard and progression was being made.

Russell, Linda, and Michael rose to national recognition through their timeless efforts in reducing drug activity in their community. Their devotion and perseverance will be remembered by everyone.

Mr. Speaker, I urge this body to identify and recognize others in their own districts whose actions have so greatly benefitted and strengthened America's communities.

## PERSONAL EXPLANATION

### HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. MALONEY of Connecticut. Mr. Speaker, I was absent on Wednesday, October 16, 2002, and missed rollcall votes Nos. 464, 465, 466, 467, 468, 469, and 470. Had I been present, I would have voted ''aye'' on rollcall No. 464, ''aye'' on rollcall vote No. 465, ''aye'' on rollcall vote No. 466, ''no'' on rollcall No. 467, ''no'' on rollcall No. 468, ''yes'' on rollcall No. 469, and ''yes'' on rollcall 470.

## A TRIBUTE TO MR. IAN GRAY

### HON. ROBERT L. EHRLICH, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. EHRLICH. Mr. Speaker, I would like to take this opportunity to pay tribute to a humanitarian, Mr. Ian Gray, who tragically passed away on September 11th, 2001.

Ian Gray worked for Baltimore Medical System (BMS) as part of his personal mission to ensure quality health care access for the underserved in the Baltimore area. He helped to build a health care system which serves over 30,000 patients throughout Maryland. He touched many lives in unseen ways through his commitment to BMS.

Mr. Gray died during the tragic events of September 11th, 2001, as he was a passenger on Flight 77, which crashed into the Pentagon. His death serves as a reminder to all of us to continue the work he began. While his life was cut short, I know that his many coworkers, friends, and family members continue the noble mission of helping those in need by providing high quality health care.

In recognition of the one year anniversary of the attacks on our nation last month, BMS launched a capital fund drive, named for Ian Gray, to raise money for the health care needs of Baltimore's residents.

Ian Gray's dream of improving health care is something we all share. His work was noble and improved the lives of countless Marylanders. I would like to take this opportunity to extend my best wishes to Ian's wife, Ana, and their children and family members. Ian's commitment to the health care of Marylanders lives on through the dedication of a fund to assist Baltimore Medical System to help those in need.

Over one year after the tragic attacks on our nation, we remember and celebrate the life of Ian Gray and continue his important work.

## TRIBUTE TO MR. RICHARD CLARK

### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. SWEENEY. Mr. Speaker, I would like to take this opportunity to honor a constituent of the 22nd District of New York—a man who epitomizes the spirit of this great Nation, Mr. Richard Clark of Ticonderoga, New York. In March of 1952, Mr. Clark joined the Ticonderoga Fire Department by enrolling in the Defiance Hook and Ladder Co. #1. He has served his community continually since then, and throughout his half century of service, Mr. Clark has served the Fire Department as a Trustee, Caretaker, Warden, Assistant Foreman, Vice-President and Assistant Chief.

Mr. Speaker, Mr. Clark's selfless dedication to Ticonderoga and neighboring communities embodies the true spirit of an American hero. As the result of the September 11th attacks, firefighters have finally received the attention and admiration they have so long deserved. Firefighters put their lives in harm's way with every call, everyday. Some do this because it is their chosen profession as a paid firefighter, others do it as volunteers to assist those in their communities. Risking one's life for the sake of helping others is extremely admirable—to do so without compensation or reward for over 50 years is truly amazing.

Mr. Clark is a true volunteer. He is always willing to assist in training new members, conduct the Fire Company Fund Raisers and assist in the day-to-day operations of the Fire Company. His ability to safely operate the fire apparatus is unparalleled and he is often called on to assist the new driver trainees.

Mr. Speaker, the actions of Firefighter Richard Clark deserve to be recognized. I truly believe that the amount of service one dedicates to his community is a true measurement of one's character. Fifty years of continuous service to the community of Ticonderoga surely speaks volumes about the character of Mr. Richard Clark. I ask my colleagues, along with the 22nd District of New York, to join me as I thank Mr. Clark and for his continued service and contribution to the community.

## BEN McKIBBENS

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to an old friend and a pillar in the South Texas community, Ben McKibbens, the President and CEO of Valley Baptist Health System in Harlingen. Ben is a unique patriot and a consummate businessman, and the hospital system in our community will honor him upon his retirement on November 16, 2002.

The health care system in our nation has faced—and continues to face—enormous and mounting problems in the administration of medical services and health care in our communities.

It is people like Ben McKibbens who work hard to make hospitals function in an atmosphere of cost cutting. He is true leader both in our community and in the national healthcare network.

Born in Kentucky and raised in Mississippi, this son of the South won honors as an alumni from Mississippi State College. He completed his Masters program at the University of Alabama in Birmingham. After residency in Hospital Administration at Mobile Infirmary Medical Center in Mobile, Alabama, he moved up the ladder of administration.

An exemplary citizen with a caring heart, Ben has been the President and CEO of Valley Baptist Medical Center and Valley Baptist Medical Development Corporation since early 1977. In 1999, he became President and CEO of Valley Baptist Health system and affiliated corporations, which employs about 2,300 people.

He has a large breadth of experience. He is a fellow in the American College of Healthcare Executives and is a Preceptor to graduate programs in Hospital Administration at the University of Alabama, and Trinity University in San Antonio.

He is widely recognized for his efforts to improve regional health care needs for the South Texas/U.S. Mexico border region, a difficult geographical place to manage health care. In 2002 alone, he was honored with an award from the pharmacists of Texas, the Harlingen Hispanic Chamber of Commerce, and the American Heart Association.

He has always been enormously helpful when my office has asked for wisdom on issues related to healthcare. He has worked well together with the South Texas and state entities.

This true Southern gentleman is now Chairman of the Texas Hospital Association (2001-2002) and serves on the Voluntary Hospitals of America Board. He is also past Chairman of the Baptist Hospital Association and Past President of the Texas Baptist Hospital Association.

Ben has been supported throughout his career by his lovely wife Loren, and their children: Ben Jr., Mitchell, Merridy, and Woods. I ask my colleagues to join me today in wishing Ben the best in his retirement.

## CHILDREN IN PERIL

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. GEORGE MILLER of California. Mr. Speaker, the story below, from Sunday's Pittsburgh Post Gazette, offers yet another example of a child welfare system's failure to provide children and their families with necessary services and safeguards—even in one of the nation's best child welfare systems.

The story below discusses several examples of bad casework that are frightening, and some examples of good casework that are inspiring. But most frightening is the fact that these stories come from one of the best child welfare systems in the country. In most other jurisdictions, the child welfare system is worse.

While this story describes caseworkers that failed to use resources available to them, in most communities, resources and supportive services are not available at all. In other jurisdictions, not only have child welfare workers been found derelict in their duties, but children have died under agency supervision. We cannot continue to spend billions of federal dollars on a system that does not provide what children need to thrive, or in some cases, even to survive. The government must require greater accountability to ensure the health and safety of every child in its custody.

The article follows:

[From the Pittsburgh Post Gazette, Oct. 13, 2002]

Dana Perkins wasn't looking for any help, though she'd admit getting by as a single mother of three was a relentless struggle. Sometimes, too tired to argue, she let her children skip school. Sometimes, too tired to face reality, she numbed herself with cocaine. Then, about 18 months ago, a judge informed her that she'd accept help whether she wanted it or not.

Common Pleas Judge Cheryl Allen decided the combination of truancy and drug abuse endangered the Perkins children. That meant the judge could place them in foster care. But she didn't.

She said Perkins could keep her children as long as she cooperated with Allegheny County's Office of Children, Youth and Families. Allen directed CYF to help Perkins get off drugs and get her kids to school.

Perkins' first caseworker reached into the treasure chest of tools and services available to Allegheny County caseworkers with one hand and grasped Perkins with the other, in a focused attempt to pull her and her family up to the solid ground of sobriety and school success. Perkins' second caseworker, however, seemed to have no reach at all.

The quality of a caseworker can make or break a family. It can be the difference between reunification and termination of parents and children. Some caseworkers are renowned in juvenile court for their ability to solve problems and bring together strengthened families. Others are notorious for the opposite.

Frustrated juvenile court judges have tried to crack down on such workers. Last month, Common Pleas Judge Kathleen R. Mulligan directed CYF to pay a $150 penalty because a caseworker had failed for 30 days to formally explain why she'd placed children in foster care and neglected to call witnesses for a hearing to determine whether the removal was justified.

Lawyers who practice in juvenile court say casework has improved over the past five

years as workers' salaries have risen and a promotional ladder was constructed within CYF to retain the best ones. Still, they say, bad casework happens all too often.

Allen, who has the longest tenure on the juvenile bench at nearly 11 years, and who worked as a lawyer for CYF for more than a dozen years before that, recognizes the stress under which caseworkers labor, with high caseloads and constant fear that a child will be hurt.

''Most caseworkers try to do the best they can under horrible circumstances,'' she said. But, she added, ''You just never know how far away from a disaster you are.''

FAULT ON BOTH SIDES

The Perkins case was relatively simple for CYF. The children weren't in foster care and hadn't missed so much school that they were failing. The mother used drugs but wasn't so addicted that she sold the children's toys to pay for them. And the family had a home, even if it was in a Garfield public housing project liberally splattered with the brown of boarded windows.

Perkins' first caseworker, Juanita Bryant, signed her up for a drug treatment program and set her up with a recovery sister—a former drug addict who acts as a mentor. Bryant also got the family an in-home service worker to visit several days a week and help with budgeting and getting the kids to school.

At that point, however, Perkins' cooperation was not as good as Bryant's casework. She started one treatment program, then left. She attended another, but quit it too. Good caseworkers, like Bryant, know such behavior is typical of addicts. But Bryant would remain on the case only a few months because she is an intake worker. She investigates allegations against parents, then begins help. In August 2001, Perkins' case was moved to Bill Besterman, a family service worker, the kind who assist families through recovery.

Soon after Besterman was assigned to her case, Perkins decided she wanted to go into a 28-day in-patient drug treatment program. She says Besterman frustrated her efforts by losing papers, failing to sign forms and missing appointments.

Besterman is prohibited by CYF policy from speaking about the Perkins family, but CYF is sanctioning him for his handling of this case.

In a review hearing last May, Allen again ordered Besterman to help Perkins get in treatment, to enroll the two younger children, Brandon, 12, and Brittany, 13, in summer camps and help the oldest, Bryan, 15, get a summer job. Juvenile court routinely orders CYF to send teens to camp or summer school to keep them busy and out of trouble. Allen also repeated an order that was by then more than a year old. She wanted CYF to arrange for psychological evaluations of the children.

By July, Besterman hadn't enrolled the children in camp or Perkins in treatment. So Perkins signed up for Zoar New Day program herself. She told Besterman it would require her to be gone for several hours a day, and he told her not to leave the children home alone.

Perkins did it anyway, reasoning that they were old enough, especially since her brother and sister lived in the same housing complex. On Perkins' second day of treatment, Besterman showed up on her doorstep to take the children.

Only the intervention of Perkins' brother and sister, who said they would watch over the youngsters, kept them out of foster care.

Perkins stopped going to treatment while she pleaded with Besterman for a letter permitting her to leave the teens alone. He finally wrote it, she says, but by then the treatment program had discharged her.

When the case returned to court for review on Sept. 4, Besterman told Allen that Perkins had dropped out of another drug treatment program, but he never mentioned that it was because he'd threatened to take her kids away while she was there.

INFORMATION, DISINFORMATION

The kind of information—or disinformation—caseworkers give judges can be crucial in deciding a case. ''If you do not trust the case work done by CYF, and you are not sure of the information presented in court, then you are in a quandary,'' Mulligan said, ''You could get involved in a case with no basis, and that is not fair to the parents. Or you could end up dismissing a case that does have a basis, and that is not fair to the child.''

''In a civil case,'' she said, ''if the plaintiff attorney does not present enough evidence, I dismiss, and the plaintiff can go after the attorney for malpractice. But in these cases, the consequences are so scary. You have children's lives at stake. You cannot say, 'I will just dismiss it.'''

One caseworker who simply didn't have the information a judge needed arrived in Allen's courtroom Aug. 21. In March, the caseworker had placed a teenage girl, a runaway who was working as a prostitute, in what was supposed to be a temporary shelter until the teen could be moved to a therapeutic group home. Five months later, the girl remained in the shelter, not placed where she could get help, and the worker couldn't tell the court whether she was receiving any therapy.

The child's lawyer asked, ''is she getting therapy.''

The caseworker replied, ''I know she is in a shelter.''

Allen pressed, ''You are not sure if she is getting mental health services?''

''I am not sure. She should be getting it,'' the worker said. She told the judge she did know the child was taking medication. ''For what,'' Allen asked. ''I am not sure,'' the worker said.

FRUSTRATIONS ON THE BENCH

As Besterman testified at the Perkins review hearing in September, Allen grew increasingly red in the face. It wasn't so much what he didn't know as what he hadn't done.

Allen asked Besterman if he'd set up drug screens for Perkins at the Allegheny County Health Department, as the judge had ordered repeatedly for a year. ''It was never done, I don't think,'' Besterman said.

Had Besterman arranged psychological evaluations of the Perkins children? Allen asked. That was never done either, Besterman said. How about helping the older Perkins boy get a job? Besterman had done nothing more than get a copy of his birth certificate.

Besterman also admitted he never enrolled the two younger children in camp.

Finally, Allen told him, ''Mr. Besterman, it just seems as though nothing happens in this case. We drag these people in here every three months and nothing has happened.''

That frustration is a common one for judges and families alike: The work just doesn't get done. Caseworkers don't return phone calls, don't process payments, don't follow court orders.

The claims of ignored phone calls are so commonplace that judges don't doubt them. In one case, CYF wanted Common Pleas Judge Robert Colville to relieve the agency of its duty to work toward reunification for a father who hadn't visited his baby. Colville refused after the father testified he'd repeatedly called his caseworker, left message after message and none was returned.

''It is a plausible, credible scenario that he called through December and no one answered his phone calls,'' Colville said. The failure of the agency to make various types of payments is just as problematic.

In one case, a judge ordered CYF in June to cover the rent of a 17-year-old girl for three months until she turned 18. CYF was responsible for her until then, and the program that was supposed to teach her independent living skills while she lived in an apartment had closed down. CYF did not pay the rent, however, and the landlord threatened to evict the girl and her 10-month-old baby. Though ordered again in September to pay, CYF still hasn't done it.

In another instance, a caseworker refused to provide bus passes for a low-income mother who needed to take two buses to get to her court-mandated drug screens. Though the agency routinely provides such passes, this caseworker refused. The mother pleaded for Allen to order it. She did.

In a more egregious case, CYF failed to provide payments to a woman who was caring for her three nephews, even though they received Social Security, which was forwarded to CYF when the boys were removed from their mother. For months, the aunt cared for the boys without getting either foster care payments or the Social Security money.

Finally, the financial stress in the household prompted the aunt to ask the caseworker to move the boys. A month later, CYF paid the $4,392 it owed her.

Marc Cherna, Allegheny County's director of Human Services, conceded casework could be better. ''Not every case is handled as well as it should be,'' he said. ''I am very realistic about this stuff. I get the stack of complaints from the Director's Action Line.''

Still, he noted, the agency is always trying to improve the quality of casework, and the good work of the agency should not be forgotten.

''We do things that other places do not do,'' he pointed out. And if the agency is a little slow in providing these services—such as bus passes—it should still be commended for doing it at all.

He stressed that he believes most caseworkers handle the job with empathy and professionalism.

Perkins' new caseworker, Nadiyah McLendon, is among those. She took over the case after Besterman was removed in September.

She helped get Perkins re-enrolled at Zoar, which will also do the drug screens, saving Perkins extra trips to get them. And she got the psychological evaluations of the three children done.

She did everything she was supposed to do, fulfilling the duties of CYF. Allen reminded the agency at Perkins' September hearing that it must be accountable: ''Once kids are brought to court, CYF has some responsibility.''

## HONORING THE AMERICAN-ARAB HERITAGE COUNCIL

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. KILDEE. Mr. Speaker, I rise today to pay homage to the 2002 honorees of the American-Arab Heritage Council in my hometown of Flint, Michigan. The Council is an organization committed to promoting the American-Arab community. They also seek to preserve their culture for future generations. On October 18th the Council will be hosting the

6th annual Ensure the Legacy Banquet to pay tribute to the following men and women of the Arabic community that have significantly contributed to Genesee County.

The Council has chosen John Henry as ''Community Leader of the Year.'' Mr. Henry is the Executive Director of the Flint Institute of Arts and was the driving force behind ''The Arab Influence'' project. He has worked for the last two years on the exhibit that involved fifteen institutions and was designed to safeguard Arabic history and promote understanding. This exhibit has educated thousands about the contributions of the Arab world to art, science, literature, and religion. Through exhibitions like the ''Khalil Gibran: Images of a Poet'' and ''The Arts of Islam: The Word of God, The Works of Man'' many Americans have been exposed to the interweaving of art into the everyday life of the Arabic world.

Fay Joseph was chosen as the ''Community Volunteer of the Year.'' Fay has donated her time, energy, and money to the causes she believes in. The list of organizations benefiting from her largesse is extensive. Honored by many groups for her work, Fay exemplifies the commitment that pervades the Arab community in Genesee County. Never content to accept the status quo, Fay is always looking for ways to make her hometown a better place. Going quietly about her work, Fay portrays the positive image of Arab-Americans.

Dr. Farouk Obeid is being honored as the ''Physician of the Year.'' He is the Director of Trauma, and Surgical Care at Hurley Medical Center in Flint in addition to being Head of Trauma and Critical Care at Henry Ford Hospital. Originally from Syria, Dr. Obeid came to this country to complete a residency in General Surgery and a fellowship in Vasculary Surgery. He is the president of the American Arab Syrian Culture Society of Greater Detroit and has devoted countless hours to numerous nonprofit groups. He has contributed to several surgical textbooks and works as a professor of Surgery at Michigan State University, associate professor of Surgery at Case Western Reserve University and clinical professor of Surgery at Michigan State University.

In their promotion of education, the American Arab Heritage Council offers an annual scholarship to a student achieving high academic standards. This year's recipient is Candi Rishmawi a student of medical technology at the University of Michigan-Flint.

Mr. Speaker, I ask the House of Representatives to join me in congratulating these four individuals. I would like to commend them and the American Arab Heritage Council for their hard work this past year. Through their efforts Americans can come together in peace and understanding and our society is enhanced.

## TRIBUTE TO BRAD ANDERSON

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to an American hero. Deputy Brad Anderson, a member of the St. Louis County Sheriff's Department, died on Labor Day, September 2, 2002, while answering a call in rural northeastern Minnesota. Deputy Anderson, of Aurora, Minnesota, was tragically killed in the line of duty when his squad car collided with another vehicle. He leaves behind his wife Gale and two sons, Kyle and Conrad.

Deputy Anderson's co-workers described their fallen colleague as ''tenacious'' and ''extremely dedicated.'' If you were the victim of a crime, Deputy Anderson was the type of law enforcement professional that you wanted to have working on your case. He was thorough and never quit on any of his investigations, and he came to work every day with the belief that he was protecting and serving the public.

Deputy Anderson shared a deep concern for the children of the community, and he dedicated himself to keeping them safe. Many a young person is alive today because Deputy Anderson took the time and made the effort to take action when he saw that they were in trouble and needed guidance. I know that there are many parents who are grateful for his dedicated and timely actions.

In addition to his duties as a deputy sheriff, Brad Anderson taught firearms safety courses to students of all ages. He was also a member of the Iron Range Disaster Committee and spent many dedicated hours working with fire departments, ambulance services and public safety organizations. Those whom he worked with always appreciated his experience and skills. His knowledge in handling large-scale emergency situations will be greatly missed.

Deputy Anderson was dedicated to his country and its armed services. He was extremely proud of his service in the U.S. Air Force and later the U.S. Air Force Reserve. He was honored to be an American and an American Veteran.

Northeastern Minnesota has indeed lost a true professional with the death of Deputy Sheriff Brad Anderson. Our region will profoundly miss this dedicated hero.

## SUPPORTING UKRAINIAN JOURNALISTS AGAINST OPPRESSION OF FREE SPEECH

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. SCHAFFER. Mr. Speaker, I rise today in support of restoring free speech in Ukraine. Democratic societies should cherish freedom of speech, not fear it. Current efforts in Ukraine to suppress this fundamental human right undermine every other human liberty for the Ukrainian people, and thus, must not continue. I call upon our friends in the Ukrainian Verkhovna Rada, and Ukraine's government leaders to defend the human rights of Ukrainian citizens, and to ensure Ukrainian journalists are permitted to report news truthfully and accurately, free from fear of harassment, molestation, imprisonment and physical harm.

The chairman of the Rada's Committee on Freedom of Speech and Information, Mykola Tomenko, last month, said guidelines on covering politics were routinely being sent to media chiefs. He told a press conference he had received such a document from a TV channel head who indicated he receives such a document every week from the president's administration.

Blatant incidents of media censorship in Ukraine are increasingly indicating an orchestrated campaign to control information and news of public interest. These events cast grave doubts upon the sustainability of Ukraine's development as a democratic society, and upon the government's commitment to the constitutional rights of its citizens. This increased oppression on Ukrainian media has precipitated the formation of a journalist's union, organized to fight political censorship. I commend these journalists for their courageous defense of democracy and human freedom.

On September 24, 2002, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe held a roundtable discussion focusing on Ukraine's current media regulations and whether they adhere to Western standards. Ukrainian parliamentarians, government officials, media professionals, international experts and diplomats took part in discussions. The OSCE representative on freedom of the media pointed out that Ukraine's law on the procedure of coverage by mass media on state authorities and local self-government ''raises very serious doubts about [Ukraine's] compliance with international human rights standards on freedom of expression.''

On October 3rd, 2002, journalists participating in the roundtable signed the ''Manifesto of Ukraine Journalists on Political Censorship.'' The proclamation reads as follows:

MANIFESTO OF UKRAINE JOURNALISTS ON POLITICAL CENSORSHIP

We, the journalists of Ukraine, fully realizing the unique role of a truthful word for development and consolidation of our Motherland, realizing our personal responsibility as journalists for giving unbiased information, understanding that fear will impede some of our colleagues to sign the Manifesto, proclaim:

(1) Political censorship does exist in Ukraine and it is realized through orders or upon consent of the Power in regard to television and radio programs, articles in newspapers through illegal pressure of all kind on journalists and individual mass media that try to highlight social and political life in the country.

(2) Political censorship humiliates journalists and people of Ukraine.

(3) Political censorship is illegal: while exerting political censorship the Power attempts to restrict constitutional right of citizens for freedom of speech, which is stipulated in the Constitution of Ukraine, laws of Ukraine, international legal documents ratified by Ukraine and hence binding on its territory. It is worth stressing that the right for freedom of speech is an integral right of Ukraine citizens. Thus, it is a harsh violation of one of the most important fundamental principles of the Constitution of Ukraine. The fact that with the flagrant examples of political censorship in Ukraine no one has been brought to trial we retain as scoffing the Law and the rights of Ukraine citizens.

(4) We, the journalists of Ukraine, identify ourselves with resistance of our colleagues and greet the tendency when along with intensification of political censorship in Ukraine journalists shift from protests of individuals to mass joint actions.

(5) We, the journalists of Ukraine, proclaim our readiness to an all-Ukraine strike for whose preparation and for preparation of other joint actions of journalists in support of their colleagues the initiative group is being established.

(6) We, the journalists of Ukraine, will look for every means to support our colleagues

dismissed from their jobs or persecuted because of their adherence to objective journalism.

October 3, 2002.

Mr. Speaker, on February 22, 2001 I participated, as part of a Congressional Delegation, in a roundtable discussion in Kyiv, Ukraine with several Ukrainian journalists. The consensus was a sad commentary on the state of censorship in Ukraine even then. The reporters were in agreement: There is no free press in Ukraine. I have since had the chance to meet with several more Ukrainian journalists throughout Ukraine and can tell the House that each report I received described differing levels of intimidation, censorship, and control by Ukraine's central authorities. I have documented some of these interviews on my official web site: www.house.gov/schaffer.

Mr. Speaker, I urge our colleagues in the House of Representatives to support foreign assistance programs and non-government organizations that promote independent mass media in developing countries such as Ukraine. Additionally, I urge the administration of Ukraine to complete investigation of the murders of Heorhiy Gongadze and other journalists, and to offer protection from physical violence and legislative mechanisms to defend them. I furthermore urge Ukrainian investigators to fully utilize the expertise of our Federal Bureau of Investigation as promised by President Leonid Kuchma during a meeting with the Congressional Delegation on February 22, 2001.

Finally, I encourage Ukrainian journalists to persist in their relentless pursuit of the truth. Their professionalism, courage, and if necessary, their personal sacrifice, are the essential elements in securing authentic liberty for their countrymen and delivering Ukraine to a righteous state of serene democracy.

## ON THE RETIREMENT OF COL. ROBERT G. HICKS, USA, AFTER 30 YEARS OF DISTINGUISHED SERVICE TO THE UNITED STATES OF AMERICA

### HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. FORBES. Mr. Speaker, I would like to take this opportunity to recognize the outstanding career of Col. Robert G. Hicks who is currently the Executive Director for Public Health, Safety, and Security for the Defense Commissary Agency at Fort Lee, Virginia.

Colonel Hicks will retire after 30 years of distinguished service in the U.S. Army and I would like to take this opportunity to thank him for his selfless service to the Army and to the United States of America.

Colonel Hicks was born in Beverly, Massachusetts on May 18, 1949, and earned a Bachelors of Science Degree from Presbyterian College in Clinton, South Carolina. He received a four-year Army ROTC scholarship and later received his commission as a Second Lieutenant in June 1971 as a Distinguished Military Graduate. In 1975, he received his Doctorate of Veterinary Medicine from the University of Georgia, and a Masters in Food Technology from Texas A&M University in June 1989.

During his long and distinguished career Colonel Hicks has enjoyed assignments in Omaha, Nebraska, Fort Jackson, South Carolina, Defense Supply Center Philadelphia, Pennsylvania, The Hague, The Netherlands, The AMEDD Academy of Health Sciences in San Antonio, Texas, and as Commander of the 64th Medical Detachment in Landstuhl, Germany.

Colonel Hicks' military education includes the AMEDD Officer Advance Course and the Command and General Staff College. Additionally, Colonel Hicks is Board Certified in Veterinary Preventive Medicine, and a recipient of The Army Surgeon General's ''A'' Proficiency Designator and the AMEDD Order of Military Medical Merit.

Colonel Hicks' other military awards include the Defense Meritorious Service Medal with one oak leaf cluster, the Meritorious Service Medal with three oak leaf clusters, Army Commendation Medal, and the Humanitarian Medal.

Mr. Speaker, I ask that you join me, our colleagues, and Colonel Hicks' many friends and family in saluting this distinguished officer's lifetime of service. Colonel Hicks is the very embodiment of patriotism and it is fitting that the House of Representatives honors him on this day.

## OUR LADY OF PEACE ACT

SPEECH OF

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 15, 2002*

Mr. GREEN of Texas. Mr. Speaker, I rise in support of H.R. 4757, the Our Lady of Peace Act. I'd like to thank my colleagues for their hard work on this legislation.

This legislation will be a huge step forward for the National Instant Criminal Background Check System (NICS). It will provide grants to states for building databases related to NICS, enhancing state capabilities to utilize the system, improving final disposition of criminal records, and supplying mental health records, court-ordered domestic restraining orders and records of domestic violence misdemeanors.

This information will then be able to be transmitted by the states to NICS, ensuring that criminals and others who should not have access to weapons will not be able to purchase them. This strengthening of the background check system will save lives, and protect the ability of law-abiding citizens to purchase firearms.

H.R. 4757 would also require federal agencies to annually provide the FBI with information on regarding individuals who are not permitted to purchase firearms, increasing the accuracy of these background checks and further protecting, our communities.

The bill addresses legitimate concerns about the privacy of mental health records transmitted to NICS. It instructs the Department of Justice to work with states and local law enforcement on regulations for the protection of any mental health information sent to the system. I urge the department to implement the strongest possible privacy protection, so as to prevent the accidental release of this information.

Finally, the most important provision of this bill is the prohibition of the imposition of a ''gun tax'' by charging fees for gun purchases through NICS. The Second Amendment provides us with the right to keep and bear arms, so the burden is on us to protect that right—without taxes, delays, or waiting periods for gun purchases by law-abiding buyers.

Again, I support this legislation, and urge our colleagues in the Senate to act quickly on this bill.

## TAIWANESE CELEBRATION OF ITS 91ST NATIONAL DAY

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Ms. ROS-LEHTINEN. Mr. Speaker, on October 10, 2002, the people of Taiwan celebrated their 91st National Day. I would like to take this opportunity to extend to them my best wishes on this joyous occasion.

The people of Taiwan should be very proud of their achievements as their nation celebrates its rich history dating back to Dr. Sun Yat-sen and his launch against the Ching Dynasty in 1911.

As the 7th largest market for U.S. exports with total trade at $51.5 billion in 2001, Taiwan is a significant trading partner and of great importance to our nation. After joining the world stage as an observer-nation of the World Trade Organization this past January, the Taiwanese and U.S. governments may now trade more equitably and form new alliances as the 21st Century evolves.

Taiwan distinguishes itself not only in the practice of international trade with other nations but also in its assistance in fighting terrorism. Taiwanese airports and seaports have tightened their security measures to protect citizens of all nations in its efforts in combating terrorism. The country also stands with the United States on safeguarding human rights and international cooperation.

Mr. Speaker, it is my hope that this great day be one of many for the Taiwanese people. As Taiwan celebrates its national day, I look forward to a further strengthening of the bonds that unite our two nations—a relationship built on our love of and commitment to freedom.

## SUPPORT FOR VALUE OF HUMAN LIFE AMENDMENT, KUCINICH AMENDMENT TO H.R. 5120

### HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 2002*

Mr. HINCHEY. Mr. Speaker, the Office of Management and Budget has been choosing ideology over economics when making decisions about environmental, health and safety regulations.

An ideology that devalues future generations and the environment.

An ideology that seriously distorts the benefits of public protection.

An ideology that says a 15 year-old who dies from a car crash is worth protecting more than a 15 year-old who dies from cancer following exposure at birth to a carcinogen.

OMB is forcing EPA, FDA, DOT and all other federal agencies to underestimate the

benefits of life-saving regulations and skew regulatory decision-making against protective safeguards. Mr. KUCINICH's amendment corrects a serious problem with OMB's way of calculating the benefits of environmental, health and safety regulations. This amendment addresses a fundamental, ethical question that underlies the practice of discounting the value of future reductions in fatal risk (also known as the value of a statistical life). This is a complicated issue, but I think I have a few questions to illustrate the point:

How much is it worth to you to never hear that your daughter, or grandson, or niece, or neighbor has Leukemia?

How much would you pay to reduce your spouse's risk of getting Multiple Sclerosis in 10 years?

What do you think a pregnant woman would pay to reduce the risk of her unborn baby developing asthma when he enters first grade?

For most of us, reducing the risk of danger is valuable—even if the risk is in the future. The fear, pain and dread of avoiding risk and protecting health are worth a lot now. OMB serves as the gatekeeper for regulatory reviews in the White House through its Office of Information and Regulatory Affairs. Recently the head of this office, Administrator John Graham, issued a directive to federal agencies concerning the implementation of cost-benefit analysis and is in the process of developing guidance on the discounting of life. Unfortunately, these requirements and other actions being taken by OMB will worsen the tendency of these cost-benefit tests to overstate costs and undervalue benefits.

One of the main ways in which cost-benefit tests can be biased is by placing a value on human life that is too low. One technique with this kind of bias is called discounting, which lowers the importance of someone's death if they die from a hazard that has a delayed effect, such as toxic chemicals, hazardous wastes, and cancer causing agents. OMB discounts the value of future risks at a 7 percent discount rate. This is significantly higher than those of many other federal agencies and many economists. The Kucinich amendment recognizes that the value of future risks in valuing a statistical life should not be discounted at all.

It is not true that non-monetary benefits, such as health, safety, and environmental benefits, are worth less tomorrow than if they were immediate. Discounting the value of future health, safety, and environmental benefits—which cannot be invested—at the same rate used to discount money is illogical because such benefits do not become less valuable over time, the way that money does. In some cases, particularly with respect to environmental regulations, benefits actually become more valuable. For instance, it would certainly be less costly to implement programs to reduce global warming in the present than to pay for its very costly consequences decades from now.

The shenanigans that surrounded EPA's arsenic rule highlight the importance of the Kucinich amendment. Don't tell me that a rule that reduces a child's risk of cancer by lowering arsenic exposure should be driven by controversial—and in my opinion venal—cost/benefit assumptions. By its very nature, discounting pushes regulatory decision-making in an anti-environmental direction by ignoring some of the most serious environmental threats to human health. This tilted playing field becomes the most exaggerated when the issues necessarily have a long time-horizon, such as nuclear wastes and climate change.

The Kucinich amendment helps to correct one of the most serious biases of cost-benefit analyses. The proper treatment of the value of life is one of the most important features we should expect from regulations designed to protect all of us. As a result, I fully support Mr. KUCINICH's ''Value of Human Life Amendment.''

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S10603–S10630*

**Measures Introduced:** Twenty-three bills and twelve resolutions were introduced, as follows: S. 3127–3149, S.J. Res. 50–51, S. Res. 345–353, and S. Con. Res. 154. **(See next issue.)**

**Measures Reported:**

S. 606, to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency, with an amendment in the nature of a substitute. (S. Rept. No. 107–320)

S. 2018, to establish the T'uf Shur Bien Preservation Trust Area within the Cibola National Forest in the State of New Mexico to resolve a land claim involving the Sandia Mountain Wilderness, with an amendment in the nature of a substitute. (S. Rept. No. 107–321)

S. 2499, A Bill to amend the Federal Food, Drug, and Cosmetic Act to establish labeling requirements regarding allergenic substances in food, with an amendment in the nature of a substitute. (S. Rept. No. 107–322)

S. 2550, to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, with an amendment in the nature of a substitute. (S. Rept. No. 107–323)

**(See next issue.)**

**Measures Passed:**

***Great Lakes Legacy Act:*** Senate passed H.R. 1070, to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to provide assistance for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**(See next issue.)**

Reid (for Jeffords/Smith of NH) Amendment No. 4892, in the nature of a substitute. **(See next issue.)**

***Police Retirement Benefits Protection:*** Senate passed H.R. 5205, to amend the District of Columbia Retirement Protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia, clearing the measure for the President.

**(See next issue.)**

***Printing Authority:*** Senate agreed to S. Res. 349, to authorize the printing of a revised edition of the Senate Rules and Manual. **(See next issue.)**

***Navy-Marine Corps Intranet Contract:*** Senate passed H.R. 5647, to authorize the duration of the base contract of the Navy-Marine Corps Intranet contract to be more than five years but not more than seven years, clearing the measure for the President. **(See next issue.)**

***FHA Downpayment Simplification Act:*** Senate passed S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers, after agreeing to committee amendments, and the following amendment proposed thereto:

**(See next issue.)**

Reid (for Sarbanes) Amendment No. 4897, to provide for the indexing of multi-family mortgage limits for purposes of the Federal Housing Administration's mortgage insurance programs. **(See next issue.)**

***Real Interstate Driver Equity Act:*** Senate passed H.R. 2546, to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, after agreeing to committee amendments.

**(See next issue.)**

***Expressing Sympathy With Respect to Terrorist Attack in Bali, Indonesia:*** Senate agreed to S. Res. 350, expressing sympathy for those murdered and injured in the terrorist attack in Bali, Indonesia, on October 12, 2002, extending condolences to their

families, and standing in solidarity with Australia in the fight against terrorism. **(See next issue.)**

***Frank Sinatra Post Office Building:*** Senate passed H.R. 3034, to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Herbert Arlene Post Office Building:*** Senate passed H.R. 3738, to designate the facility of the United States Postal Service located at 1299 North 7th Street in Philadelphia, Pennsylvania, as the ''Herbert Arlene Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Rev. Leon Sullivan Post Office Building:*** Senate passed H.R. 3739, to designate the facility of the United States Postal Service located at 6150 North Broad Street in Philadelphia, Pennsylvania, as the ''Rev. Leon Sullivan Post Office Building'', clearing the measure for the President. **(See next issue.)**

***William A. Cibotti Post Office Building:*** Senate passed H.R. 3740, to designate the facility of the United States Postal Service located at 925 Dickinson Street in Philadelphia, Pennsylvania, as the ''William A. Cibotti Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Rollan D. Melton Post Office Building:*** Senate passed H.R. 4102, to designate the facility of the United States Postal Service located at 120 North Maine Street in Fallon, Nevada, as the ''Rollan D. Melton Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Jim Fonteno Post Office Building:*** Senate passed H.R. 4717, to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the ''Jim Fonteno Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Clarence Miller Post Office Building:*** Senate passed H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio, as the ''Clarence Miller Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Ronald C. Packard Post Office Building:*** Senate passed H.R. 4794, to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the ''Ronald C. Packard Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Nat King Cole Post Office Building:*** Senate passed H.R. 4797, to redesignate the facility of the United States Postal Service located at 265 South Western Avenue, Los Angeles, California, as the ''Nat King Cole Post Office'', clearing the measure for the President. **(See next issue.)**

***Barney Apodaca Post Office Building:*** Senate passed H.R. 5308, to designate the facility of the United States Postal Service located at 301 South Howes Street in Fort Collins, Colorado, as the ''Barney Apodaca Post Office'', clearing the measure for the President. **(See next issue.)**

***Joseph D. Early Post Office Building:*** Senate passed H.R. 5333, to designate the facility of the United States Postal Service located at 4 East Central Street in Worcester, Massachusetts, as the ''Joseph D. Early Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Peter J. Ganci, Jr. Post Office Building:*** Senate passed H.R. 5336, to designate the facility of the United States Postal Service located at 380 Main Street in Farmingdale, New York, as the ''Peter J. Ganci, Jr. Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Robert Wayne Jenkins Station:*** Senate passed H.R. 4851, to redesignate the facility of the United States Postal Service located at 6910 South Yorktown Avenue in Tulsa, Oklahoma, as the ''Robert Wayne Jenkins Station'', clearing the measure for the President. **(See next issue.)**

***Francis Dayle "Chick" Hearn Post Office:*** Senate passed H.R. 5340, to designate the facility of the United States Postal Service located at 5805 White Oak Avenue in Encino, California, as the ''Francis Dayle 'Chick' Hearn Post Office'', clearing the measure for the President. **(See next issue.)**

***Alphonse F. Auclair Post Office Building:*** Senate passed H.R. 669, to designate the facility of the United States Postal Service located at 127 Social Street in Woonsocket, Rhode Island, as the ''Alphonse F. Auclair Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Bruce F. Cotta Post Office Building:*** Senate passed H.R. 670, to designate the facility of the United States Postal Service located at 7 Commercial Street in Newport, Rhode Island, as the ''Bruce F. Cotta Post Office Building'', clearing the measure for the President. **(See next issue.)**

***Michael Lee Woodcock Post Office:*** Senate passed H.R. 5574, to designate the facility of the United States Postal Service located at 206 South Main Street in Glennville, Georgia, as the ''Michael Lee Woodcock Post Office'', clearing the measure for the President. **(See next issue.)**

***Smithsonian Institution Personnel Flexibility Act:*** Senate passed S. 3149, to provide authority for

the Smithsonian Institution to use voluntary separation incentives for personal flexibility.

**(See next issue.)**

***Inspector General Act of 1978 Amendments:*** Senate passed S. 2530, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers, after agreeing to the following amendment proposed thereto:

**(See next issue.)**

Reid (for Thompson) Amendment No. 4893, to provide that the Attorney General may rescind or suspend certain authority with respect to an individual. **(See next issue.)**

***Federal Annuity Computations:*** Senate passed S. 2936, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percent relating to periods of receiving disability payments, after agreeing to a committee amendment in the nature of a substitute. **(See next issue.)**

***Improper Payments Reduction Act:*** Senate passed H.R. 4878, to provide for estimates and reports of improper payments by Federal agencies, after agreeing to a committee amendment in the nature of a substitute. **(See next issue.)**

***Medical Devices Regulation:*** Senate passed H.R. 5651, to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, clearing the measure for the President. **(See next issue.)**

***Health Benefits Coverage:*** Senate passed S. 2527, to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation. **(See next issue.)**

***Lyme and Infectious Disease Information and Fairness in Treatment Act:*** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 969, to establish a Tick-Borne Disorders Advisory Committee, and the bill was then passed, after agreeing to the following amendment proposed thereto: **(See next issue.)**

Reid (for Dodd) Amendment No. 4894, in the nature of a substitute. **(See next issue.)**

***Rare Diseases Act:*** Senate passed H.R. 4013, to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, clearing the measure for the President.

**(See next issue.)**

***Rare Diseases Orphan Product Development Act:*** Senate passed H.R. 4014, to amend the Federal Food, Drug, and Cosmetic Act with respect to the development of products for rare disease, clearing the measure for the President. **(See next issue.)**

***Clark County Conservation of Public Land and Natural Resources Act:*** Senate passed H.R. 5200, to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, clearing the measure for the President. **(See next issue.)**

***Enterprise Integration Act:*** Senate passed H.R. 2733, to authorize the National Institute of Standards and Technology to work with major manufacturing industries on an initiative of standards development and implementation for electronic enterprise integration, clearing the measure for the President.

**(See next issue.)**

***Higher Education Act of 1965:*** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 1998,to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools, and the bill was then passed, after agreeing to the following amendment proposed thereto: **(See next issue.)**

Reid (for Ensign) Amendment No. 4895, in the nature of a substitute. **(See next issue.)**

***Enrollment Correction:*** Senate agreed to H. Con. Res. 503, to direct the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 2215. **(See next issue.)**

***International Organizations Immunities Act:*** Senate passed H.R. 3656, to amend the International Organizations Immunities Act to provide for the applicability of that Act to the European Central Bank, clearing the measure for the President.

**(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 963, for the relief of Ana Esparza and Maria Munoz, and the bill was then passed. **(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 1366, for the relief of Lindita Idrizi Heath, and the bill was then passed. **(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 453, for the relief of Denes and Gyorgyi Fulop, and the bill was then passed. **(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 1950, for the relief of Richi James Lesley, and the bill was then passed. **(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 1468, for

the relief of Ilko Vasilev Ivanov, Anelia Marinova Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova, and the bill was then passed.

**(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of S. 209, for the relief of Sung Jun Oh, and the bill was then passed. **(See next issue.)**

***Private Relief:*** Committee on the Judiciary was discharged from further consideration of H.R. 2245, for the relief of Anisha Goveas Foti, and the bill was passed. **(See next issue.)**

***National Child Protection Improvement Protection Act:*** Senate passed S. 1868, to amend the National Child Protection Act of 1993, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **(See next issue.)**

Reid (for Biden) Amendment No. 4896 in the nature of a substitute. **(See next issue.)**

***Accountability of Tax Dollars Act:*** Senate passed H.R. 4685, to amend title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements, clearing the measure for the President. **(See next issue.)**

***Fallen Firefighters Foundation:*** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 142, to express support for the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizing the important mission of the Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes, and the resolution was then agreed to. **(See next issue.)**

***Laotian and Hmong Veterans:*** Senate agreed to H. Con. Res. 406, honoring and commending the Lao Veterans of America, Laotian and Hmong veterans of the Vietnam War, and their families, for their historic contributions to the United States.

**(See next issue.)**

***Put the Brakes on Fatalities Day:*** Committee on the Judiciary was discharged from further consideration of S. Res. 266, designating October 10, 2002, as ''Put the Brakes on Fatalities Day'', and the resolution was then agreed to. **(See next issue.)**

***Children's Internet Safety Month:*** Committee on the Judiciary was discharged from further consideration of S. Res. 338, designating the month of October, 2002, as ''Children's Internet Safety Month'', and the resolution was then agreed to.

**(See next issue.)**

***Ellis Island Medal of Honor Recognition:*** Committee on the Judiciary was discharged from further consideration of S. Res. 334, recognizing the Ellis Island Medal of Honor, and the resolution was then agreed to. **(See next issue.)**

***Bread Recognition:*** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 148, recognizing the significance of bread in American history, culture, and daily diet, and the resolution was then agreed to. **(See next issue.)**

***Condemning Video Broadcasting of Daniel Pearl's Death:*** Senate agreed to S. Res. 351, condemning the posting on the Internet of video and pictures of the murder of Daniel Pearl and calling on such video and pictures to be removed immediately. **(See next issue.)**

***Political Parties Committee:*** Senate passed H.R. 5596, to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local party committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law, clearing the measure for the President. **(See next issue.)**

***Senate Legal Counsel Representation:*** Senate agreed to S. Res. 352, to authorize representation by the Senate Legal Counsel in the case of *Judicial Watch, Inc.* v. *William J. Clinton, et. al.*

**(See next issue.)**

***Senate Legal Counsel Representation:*** Senate agreed to S. Res. 353, to authorize testimony, document production, and legal representation in *United States* v. *John Murtari*. **(See next issue.)**

**Pledge of Allegiance Bill:** Senate concurred in the amendment of the House to S. 2690, to reaffirm the reference to one Nation under God in the Pledge of Allegiance, clearing the measure for the President.

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**Health Care Safety Net Amendments:** Senate concurred in the amendment of the House to S. 1533, to amend the Public Health Service Act to reauthorize and strengthen the health centers program and the National Health Service Corps, and to establish the Healthy Communities Access Program, which will help coordinate services for the uninsured and underinsured. **(See next issue.)**

**Authority for Committees:** All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Monday, November 4, 2002, from 10 a.m., to 2 p.m.

**(See next issue.)**

**Authority To Make Appointments:** A unanimous-consent agreement was reached providing that notwithstanding a recess or adjournment of the Senate

for the duration of the 107th Congress, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **(See next issue.)**

**Order for Pro Forma Sessions:** A unanimous-consent agreement was reached providing that the Senate meet in pro forma sessions on the following dates: October 21, 24, 28, 30, November 4, 7, and 8 at 10:30 a.m. each day, unless the Majority Leader, or his designee, with the concurrence of the Republican Leader, is seeking recognition. Further, that following the adjournment on November 8, the Senate reconvene on Tuesday, November 12, at 1 p.m. for a period of morning business. **(See next issue.)**

**Executive Reports of Committees:** Senate received the following executive reports of a committee:

Report to accompany Treaty With Honduras For Return Of Stolen, Robbed, And Embezzled Vehicles And Aircraft, With Annexes And Exchange Of Notes (Treaty Doc. 107–15) (Ex. Rept. 107–11)

Report to accompany Extradition Treaty With Peru (Treaty Doc. 107–6) (Ex. Rept. 107–12)

Report to accompany Extradition Treaty With Lithuania (Treaty Doc. 107–4) (Ex. Rept. 107–13)

Report to accompany Second Protocol Amending Extradition Treaty With Canada (Treaty Doc. 107–11) (Ex. Rept. 107–14)

Report to accompany Treaty On Mutual Legal Assistance In Criminal Matters With Belize (Treaty Doc. 107–13), India (Treaty Doc. 107–3), Ireland (Treaty Doc. 107–9) and Liechtenstein (Treaty Doc. 107–16) (Ex. Rept. 107–15) **(See next issue.)**

**Nominations Confirmed:** Senate confirmed the following nominations:

Scott W. Muller, of Maryland, to be General Counsel of the Central Intelligence Agency.

Mark B. McClellan, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

2 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Navy. **(See next issue.)**

**Nominations Received:** Senate received the following nominations:

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 2004.

Barry C. Barish, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Ray M. Bowen, of Texas, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Delores M. Etter, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Kenneth M. Ford, of Florida, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Daniel E. Hastings, of Massachusetts, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Douglas D. Randall, of Missouri, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Jo Anne Vasquez, of Arizona, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Routine lists in the Air Force, Coast Guard, Navy. **(See next issue.)**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

Peter Marzio, of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2006, which was sent to the Senate on September 4, 2002. **(See next issue.)**

**Nominations Discharged and Referred:** By unanimous consent, the following nomination was discharged from the Committee on Health, Education, Labor and Pensions and then referred to the Committee on Governmental Affairs for the statutory time limitation:

John Portman Higgins, of Virginia, to be Inspector General, Department of Education. **(See next issue.)**

**Nominations Discharged and Placed on Calendar:** By unanimous-consent, the following nominations were discharged from the Committee on Health, Education, Labor and Pensions and then placed on the Executive Calendar:

Robert J. Battista, of Michigan, to be a Member of the National Labor Relations Board;

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board;

Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board;

Joel Kahn, of Ohio, to be a Member of the National Council on Disability;

Patricia Pound, of Texas, to be a Member of the National Council on Disability;

Linda Wetters, of Ohio, to be a Member of the National Council on Disability;

David Gelernter, of Connecticut, to be a Member of the National Council on the Arts;

A. Wilson Greene, of Virginia, to be a Member of the National Museum Services Board;

Judith Ann Rapanos, of Michigan, to be a Member of the National Museum Services Board for a term expiring December 6, 2002;

Judith Ann Rapanos, of Michigan, to be a Member of the National Museum Services Board for a term expiring December 6, 2007;

Maria Mercedes Guillemard, of Puerto Rico, to be a Member of the National Museum Services Board;

Nancy S. Dwight, of New Hampshire, to be a Member of the National Museum Services Board;

Peter Hero, of California, to be a Member of the National Museum Services Board;

Beth Walkup, of Arizona, to be a Member of the National Museum Services Board;

Thomas E. Lorentzen, of California, to be a Member of the National Museum Services Board;

Juan R. Olivarez, of Michigan, to be a Member of the National Institute for Literacy Advisory Board;

James M. Stephens, of Virginia, to be a Member of the Occupational Safety and Health Review Commission;

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation; and

Carol C. Gambill, of Tennessee, to be a Member of the National Institute for Literacy Advisory Board. **(See next issue.)**

**Messages From the House:** **(See next issue.)**

**Enrolled Bills Presented:** **(See next issue.)**

**Executive Communications:** **(See next issue.)**

**Petitions and Memorials:** **(See next issue.)**

**Executive Reports of Committees:** **(See next issue.)**

**Additional Cosponsors:** **(See next issue.)**

**Statements on Introduced Bills/Resolutions:** **(See next issue.)**

**Additional Statements:** **(See next issue.)**

**Amendments Submitted:** **(See next issue.)**

**Authority for Committees to Meet:** **(See next issue.)**

**Adjournment:** Senate met at 11 a.m., and adjourned at 10:25 p.m., until 10:30 a.m., on Monday, October 21, 2002 in pro forma session. (For Senate's program, see the remarks of the Acting Majority Leader in the next issue of the Record.)

## *Committee Meetings*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** 2 public bills, H.R. 5694–5695; and 1 resolution, H. Con. Res. 513, were introduced. **Page H8028**

**Reports Filed:** No reports were filed today.

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Wolf or Representative Gilchrest to sign enrolled bills and joint resolutions through Nov. 13, 2002. **Page H8025**

**Meeting Hour—Monday, Oct. 21:** Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. on Monday, Oct. 21. **Page H8025**

**Senate Messages:** Message received from the Senate today appears on page H8025.

**Referrals:** S. 1233 was held at the desk and S. 2667 was referred to the Committee on International Relations. **Page H8028**

**Quorum Calls—Votes:** There were no quorum calls or recorded voted during the proceedings of the House today.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:23 a.m.

## *Committee Meetings*

### ECN'S AND MARKET STRUCTURE

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing titled ''ECNs and Market Structure: Ensuring Best Prices for Consumers.'' Testimony was heard from public witnesses.

### SECURING AMERICA

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing titled

''Securing America: The Federal Government's Response to Nuclear Terrorism at Our Nation's Ports and Borders.'' Testimony was heard from the following officials of the Department of the Treasury: Robert C. Bonner, Commissioner, U.S. Customs Service; and Jeffrey Rush, Jr., Inspector General; Ambassador Linton Brooks, Acting Administrator, National Nuclear Security Administration, Department of Energy; Stephen M. Younger, Director, Defense Threat Reduction Agency, Department of Defense; and Laurie E. Ekstrand, Director, Tax Administration and Justice Issues, GAO.

# *Joint Meetings*

## 9/11 INQUIRY

*Joint Hearing:* Senate Select Committee on Intelligence continued joint hearings with the House Permanent Select Committee on Intelligence to examine activities of the United States Intelligence Community in connection with the September 11, 2001 terrorist attacks on the United States, receiving testimony from Eleanor Hill, Staff Director, Joint Inquiry Staff; George J. Tenet, Director, Central Intelligence Agency; Lieutenant General Michael V. Hayden, USAF, Director, National Security Agency/Chief, Central Security Service; Rear Admiral Lowell E. Jacoby, USN, Acting Director, Defense Intelligence Agency; and Robert S. Mueller III, Federal Bureau of Investigation, Department of Justice.

Hearings recessed subject to the call.

## NEW PUBLIC LAWS

*(For last listing of Public Laws, see* DAILY DIGEST, *October 15, 2002, p. D1089)*

H.R. 3214, to amend the charter of the AMVETS organization. Signed on October 16, 2002. (Public Law 107–241)

H.R. 3838, to amend the charter of the Veterans of Foreign Wars of the United States organization to make members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger eligible for membership in the organization. Signed on October 16, 2002. (Public Law 107–242)

H.J. Res. 114, to authorize the use of United States Armed Forces against Iraq. Signed on October 16, 2002. (Public Law 107–243)

## COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 18, 2002

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

No Committee meetings are scheduled.

## CONGRESSIONAL PROGRAM AHEAD

### Week of October 21 through October 26, 2002

### Senate Chamber

On *Monday and Thursday,* Senate will meet in pro forma session.

On *Tuesday, Wednesday, and Friday,* Senate will not be in session.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Health, Education, Labor, and Pensions:* October 24, to hold hearings to examine uninsured pregnant women, focusing on the impact on infant and maternal mortality, 10 a.m., SD–430.

### House Chamber

To be announced.

### House Committees

No Committee meetings are scheduled.

*Next Meeting of the* SENATE

10:30 a.m., Monday, October 21

Senate Chamber

**Program for Monday:** Senate will meet in pro forma session.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

11 a.m., Monday, October 21

House Chamber

**Program for Monday:** Pro forma session.

## Extensions of Remarks, as inserted in this issue

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*(Senate proceedings for today will be continued in the next issue of the Record.)*


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