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No. 52

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BASS).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
April 21, 2004.

I hereby appoint the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

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

### PRAYER

The Reverend Dr. Woodrow Hudson, Chaplain, Georgia Department of Corrections, Atlanta, Georgia, offered the following prayer:

Gracious and merciful God, as we gather in this hallowed hall with the Members of the House of Representatives, we thank You for the great heritage of this body. May our interactions with others bring hope and courage. May our times together teach us patience and perseverance. May our session together be a time of learning and growth with productive results.

O God, protect us from knowledge that has no benefit. Protect us from a heart that is not humble. Protect us from a soul that is never satisfied. And protect us from a prayer that is never answered.

Help us to remember You, to reverence You, to obey You, to humble ourselves before You, to turn toward You in repentance.

Bless, O Lord, these women and men who are defending our country and our freedoms in these days of war.

We ask these things in the name of our Saviour. Amen.

### THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Georgia (Mr. COLLINS) come forward and lead the House in the Pledge of Allegiance.

Mr. COLLINS 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 of the House of the following titles:

H.R. 1274. An act, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county.

H.R. 2489. An act to provide for the distribution of judgment funds to the Cowliuz Indian Tribe.

H.R. 3118. An act to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1814. An act to transfer Federal lands between the Secretary of Agriculture and the Secretary of the Interior.

### IN RECOGNITION OF THE REVEREND WOODROW HUDSON

(Mr. COLLINS asked and was given permission to address the House for 1 minute.)

Mr. COLLINS. Mr. Speaker, I rise today to salute the Reverend Woodrow Hudson, who gave this morning's opening prayer. Reverend Hudson is the Director of Chaplaincy Services for the Georgia Department of Corrections. He leads 118 field chaplains and approximately 4,000 certified prison volunteers in 39 of our State prisons, six transitional centers, six probation detention centers, and three private prisons in the State of Georgia.

In the Reverend's Chaplaincy Services section are the Prison Volunteers and the Reentry Aftercare Partnership. These volunteers offer and provide spiritual guidance to over 50,000 inmates in all of Georgia's correctional institutions. The Reentry Aftercare Partnership works with churches to provide guidance to inmates returning to their communities.

Before Reverend Hudson became Director of Chaplaincy Services in Georgia, he was a pastor for 32 years in churches in Mississippi and Georgia. He was active in many community organizations in each community where he served as pastor. Reverend Hudson resides in Carrollton, Georgia, with his wife, Betty, and we welcome his wife in the gallery. They have been married for 45 years and have three children. And, Mr. Speaker, one of his daughters serves this Nation as an officer in the Secret Service.

Mr. Speaker, as a Member of Congress, I ask my colleagues to please join me in welcoming Reverend Woodrow Hudson, Jr., for his outstanding service to Georgia and for his outstanding opening prayer this morning.

### NATIONAL DAY OF SILENCE

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, I rise today to provide a voice to those who too

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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often are silenced: the gay, lesbian, bisexual or transgender students who face verbal, nonverbal, and physical harassment in our schools.

Today is the National Day of Silence across this country. Students have taken a vow of silence to protest the discrimination and intolerance that gay, lesbian, bisexual, and transgender students face on a daily basis.

In my district I am especially proud of Safe Schools Project of Santa Cruz County, which is coordinated by Santa Cruz County High School senior Nikira Hernandez. This program focuses on making K-through-12 schools in Santa Cruz County a safe place for all youth regardless of their sexual orientation or gender identity.

Considering our country's commitment to equality and liberty, it is disturbing that anyone is subjected to harassment and discrimination based on their sexual orientation or gender identity. We must work to protect our youth from violence and hatred while fostering a positive academic environment free of derogatory statements, taunts, and slurs.

For that reason I am proud to co-sponsor H. Con. Res. 86, which memorializes the National Day of Silence.

#### TAX RELIEF

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, last week millions of Americans got a surprise when they filed their tax returns. This year a record 44 million tax returns, one-third of all returns filed, have no income tax liability because of the available credits and deductions in the Tax Code. This is a 50 percent increase in the number of zero-tax filers in just 4 years. The vast majority of these 44 million filers are from low-income households who saw their tax liability disappear thanks to the tax cuts pushed by President Bush and this House.

The expansion of the 10 percent bracket, the increased child tax credit, and the marriage penalty relief are the leading reasons that so many people were able to have zero liability. All these tax provisions are in jeopardy if Congress does not act to extend them by the end of this year.

These are not tax cuts for the rich. They are tax provisions designed to help working men and women bring home more of their paychecks. In fact, 75 percent of the 44 million will earn less than \$20,000 per year, and 97 percent will earn less than \$40,000 per year.

Congress needs to extend these provisions and continue giving tax relief to working America.

#### THE GREAT LAKES

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, Lake Michigan and the other Great Lakes are the largest body of freshwater in North America. They contain literally 20 percent of the entire world's freshwater. Twenty-eight million Americans get their daily drinking water from Lake Michigan and the other Great Lakes, and yet we treat it as just an overgrown pond. Today it is being polluted with invasive species, urban runoff, and mercury hot spots.

We have a bipartisan bill endorsed by every Governor, every Senator from the Great Lakes, and 108 Members out of 125 from the Great Lakes region to clean up the Great Lakes, dedicate \$4 billion over 5 years, just like we are investing in Iraq's water and sewage system, here in the United States to preserve the largest body of freshwater in all of North America.

This issue is not an issue of left versus right. It is an issue of right versus wrong. And it is time to make our investments in our future and our environmental quality and water quality in what is truly a great national heritage, our Great Lakes.

#### SENATOR KERRY'S ECONOMIC PLAN WOULD HARM OUR ECONOMY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the Democrat candidate for President has promised to create 10 million jobs if elected, but a recent economic analysis of his plan by the Heritage Foundation says he is wrong and showed four negative effects of his scheme. First, employment growth slows under his plan with 225,000 fewer jobs created per year under his policy, in contrast to the fact that in the first quarter of this year, 513,000 new jobs have been created.

Secondly, GDP growth slows for the next decade, underperforming by \$20 billion in just the first 5 years.

Third, after-tax income shrinks. And this makes sense. Taxes go up, take-home pay goes down. And under the Democrat plan, take-home pay plummets \$240 billion below current projections.

And, lastly, savings plummet. The personal savings rate would average 17 percent less during just the first year of his administration.

Each of these items would reverse trends started by President Bush's economic recovery program, a plan that is working.

In the end his tax-and-spend, rob-the-rich-to-pay-the-government economic scheme will do more harm than good.

#### URGING APOLOGY FROM THE PRESIDENT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do not think anything can negate the fact that this President has lost more jobs, 3 million jobs, than any President in our history.

But, Mr. Speaker, I stand today to offer a word of condolence, but also to pay tribute to those who have lost their lives in Iraq, the men and women of the United States military, innocent citizens, and to challenge the President, as the 9/11 Commission families have challenged him, to apologize to the American people for misdirecting men and women of the military, now reservists and National Guard, young men and women, into a war that one wonders whether it matters, into a war where there was not the kind of equipment that those soldiers needed, reinforced Humvees and other equipment, flak jackets that they needed.

I am here to apologize and ask the President that he provide the necessary resources for these troops so that lives will not continue to be lost, so that mothers and fathers, wives and relatives will not have to continue to mourn. It is a tragedy the policy that we have seen in this United States, a policy of reckless direction of men and women in war, bloodshed unnecessary.

Mr. President and the administration, Mr. Vice President, we need a plan, and you need to offer it to the American people now.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to address their remarks to the Chair and not to the President.

#### IN PRAISE OF "NATURALAWN," A BUSINESS IN FREDERICK, MARYLAND

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, this Earth Day I want to recognize a company from my district that is making a product people want and is beneficial for the environment.

NaturaLawn is a business located in downtown Frederick, Maryland. Starting small in 1987, they have grown to become the fourth largest lawn care service provider in the United States, generating in excess of \$24 million.

NaturaLawn identified a product that would have popular appeal, an organic-based fertilization program that uses naturally based ingredients as opposed to traditional chemical fertilizers. This product is environmentally friendly and provides a desired product. The company has created many franchises across the Nation.

All of these great things were done privately in our free enterprise system of Congress. No governmental regulations or mandates caused this business

to exist, simply good sense, hard work, and a desire to create products for people who want to purchase environmentally friendly services for their lives.

Congratulations to this innovative company for its success in helping create jobs and protect the environment through private enterprise.

**HERITAGE CLASSIC OF GOLF TOURNAMENT**

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last weekend I had the privilege of joining thousands of visitors from across the world in celebrating the MCI Heritage Classic of Golf Tournament held on Hilton Head Island, South Carolina.

The Heritage has a rich history, with the first tournament won by Arnold Palmer in 1969. This year's champion is Stewart Cink, who won in dramatic fashion on the fifth playoff round with Ted Purdy.

Yet the more important story of this popular Lowcountry event is the work of the Heritage Golf Classic Foundation. This nonprofit organization operates the tournament every year while generating over \$50 million for the South Carolina and Georgia hospitality industry. The Heritage Golf Classic Foundation also distributed a record \$1.2 million to charities in 2003, including such areas as education to public health.

Heartfelt congratulations are due Heritage Classic Foundation Chairman Joe Fraser, Vice President Ed Dowaschinski, Secretary John Curry, and Tournament Director Steve Wilmot for yet another successful tournament hosted by the Sea Pines Resort led by President Michael Lawrence.

In conclusion, may God bless our troops, and we will never forget September 11.

□ 1015

**PRIORITIZE SPENDING AND REDUCE BURDEN ON OUR CHILDREN**

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, we are now in the process of deciding how much money we are going to spend. The budget is being finally decided, and then the appropriations process makes the decision, where money is spent and how big should government be.

Tom Savings, an actuary with both Medicare and Social Security, came to my office a couple of weeks ago. This is what he said where our promises exceed our ability to pay for it, unfunded liabilities: Medicare part A, \$21 tril-

lion; Medicare part B, \$23 trillion; Medicare part D, the new drug bill, \$16.6 trillion; Social Security, \$12 trillion.

At this time, I just call on all my colleagues to be tight-fisted. Let us start prioritizing spending and reduce the tremendous burden we are placing on our kids and our grandkids.

**LAMENTING BASRA ATTACKS**

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. Speaker, we are challenged to mourn with those who mourn and grieve with those who grieve. As I rose this morning to learn that suicide bombers had killed at least 68 people, many of them small children en route to school, in coordinated strikes on four police stations in the southern Iraqi city of Basra, I grieved and I mourned.

Scarcely 1 month ago, I walked the streets of Basra as a part of the first congressional delegation to visit that ancient city. Although Basra is the second largest city in Iraq, it has been relatively peaceful and secure since coalition forces liberated it from 30 years of tyranny of Saddam Hussein.

Our prayers go out to the families affected by today's horrific bombings and to our British allies charged with their security. Today's attacks on Iraqi men, women, and especially children, in the city of Basra, shows the utter depravity of our enemies and the enemies of freedom in Iraq.

The good people of Basra, with whom I spent the day 27 February, 2004, deserve better. They are freedom-loving and decent people, and we and our allies will not waver in our commitment to deliver it to them.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. BASS). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

**GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT OF 2004**

Mr. GINGREY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3970) to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3970

*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 "Green Chemistry Research and Development Act of 2004".

**SEC. 2. DEFINITIONS.**

In this Act—

(1) the term "green chemistry" means chemistry and chemical engineering to design chemical products and processes that reduce or eliminate the use or generation of hazardous substances;

(2) the term "Interagency Working Group" means the interagency working group established under section 3(c); and

(3) the term "Program" means the Green Chemistry Research and Development Program described in section 3.

**SEC. 3. GREEN CHEMISTRY RESEARCH AND DEVELOPMENT PROGRAM.**

(a) IN GENERAL.—The President shall establish a Green Chemistry Research and Development Program to promote and coordinate Federal green chemistry research, development, demonstration, education, and technology transfer activities.

(b) PROGRAM ACTIVITIES.—The activities of the Program shall be designed to—

(1) provide sustained support for green chemistry research, development, demonstration, education, and technology transfer through—

(A) merit-reviewed competitive grants to individual investigators and teams of investigators, including, to the extent practicable, young investigators, for research and development;

(B) grants to fund collaborative research and development partnerships among universities, industry, and nonprofit organizations;

(C) green chemistry research, development, demonstration, and technology transfer conducted at Federal laboratories; and

(D) to the extent practicable, encouragement of consideration of green chemistry in—

(i) the conduct of Federal chemical science and engineering research and development; and

(ii) the solicitation and evaluation of all proposals for chemical science and engineering research and development;

(2) examine methods by which the Federal Government can create incentives for consideration and use of green chemistry processes and products;

(3) facilitate the adoption of green chemistry innovations;

(4) expand education and training of undergraduate and graduate students, and professional chemists and chemical engineers, including through partnerships with industry, in green chemistry science and engineering;

(5) collect and disseminate information on green chemistry research, development, and technology transfer, including information on—

(A) incentives and impediments to development and commercialization;

(B) accomplishments;

(C) best practices; and

(D) costs and benefits;

(6) provide venues for outreach and dissemination of green chemistry advances such as symposia, forums, conferences, and written materials in collaboration with, as appropriate, industry, academia, scientific and professional societies, and other relevant groups;

(7) support economic, legal, and other appropriate social science research to identify barriers to commercialization and methods to advance commercialization of green chemistry; and

(8) provide for public input and outreach to be integrated into the Program by the convening of public discussions, through mechanisms such as citizen panels, consensus conferences, and educational events, as appropriate.

(c) **INTERAGENCY WORKING GROUP.**—The President shall establish an Interagency Working Group, which shall include representatives from the National Science Foundation, the National Institute of Standards and Technology, the Department of Energy, the Environmental Protection Agency, and any other agency that the President may designate. The Director of the National Science Foundation and the Assistant Administrator for Research and Development of the Environmental Protection Agency shall serve as co-chairs of the Interagency Working Group. The Interagency Working Group shall oversee the planning, management, and coordination of the Program. The Interagency Working Group shall—

(1) establish goals and priorities for the Program, to the extent practicable in consultation with green chemistry researchers and potential end-users of green chemistry products and processes; and

(2) provide for interagency coordination, including budget coordination, of activities under the Program.

(d) **AGENCY BUDGET REQUESTS.**—Each Federal agency and department participating in the Program shall, as part of its annual request for appropriations to the Office of Management and Budget, submit a report to the Office of Management and Budget which identifies its activities that contribute directly to the Program and states the portion of its request for appropriations that is allocated to those activities. The President shall include in his annual budget request to Congress a statement of the portion of each agency's or department's annual budget request allocated to its activities undertaken pursuant to the Program.

(e) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Interagency Working Group shall transmit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. This report shall include—

(1) a summary of federally funded green chemistry research, development, demonstration, education, and technology transfer activities, including the green chemistry budget for each of these activities; and

(2) an analysis of the progress made toward achieving the goals and priorities for the Program, and recommendations for future program activities.

#### SEC. 4. BIENNIAL REPORT.

Section 37(a) of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885d(a)) is amended by striking "By January 30, 1982, and biennially thereafter" and inserting "By January 30 of each odd-numbered year".

#### SEC. 5. MANUFACTURING EXTENSION CENTER GREEN SUPPLIERS NETWORK GRANT PROGRAM.

Section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)) is amended—

(1) by striking "and" at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting "; and"; and

(3) by adding at the end the following:

"(6) the enabling of supply chain manufacturers to continuously improve products and processes, increase energy efficiency, identify cost-saving opportunities, and optimize resources and technologies with the aim of reducing or eliminating the use or generation of hazardous substances."

#### SEC. 6. UNDERGRADUATE EDUCATION IN CHEMISTRY AND CHEMICAL ENGINEERING.

(a) **PROGRAM AUTHORIZED.**—(1) As part of the Program activities under section 3(b)(4), the Director of the National Science Foundation shall carry out a program to award grants to institutions of higher education to support efforts by such institutions to revise their undergraduate curriculum in chemistry and chemical engineering to incorporate green chemistry concepts and strategies.

(2) Grants shall be awarded under this section on a competitive, merit-reviewed basis and shall require cost sharing in cash from non-Federal sources, to match the Federal funding.

(b) **SELECTION PROCESS.**—(1) An institution of higher education seeking funding under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require. The application shall include at a minimum—

(A) a description of the content and schedule for adoption of the proposed curricular revisions to the courses of study offered by the applicant in chemistry and chemical engineering; and

(B) a description of the source and amount of cost sharing to be provided.

(2) In evaluating the applications submitted under paragraph (1), the Director shall consider, at a minimum—

(A) the level of commitment demonstrated by the applicant in carrying out and sustaining lasting curriculum changes in accordance with subsection (a)(1); and

(B) the amount of cost sharing to be provided.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized under section 8, from sums otherwise authorized to be appropriated by the National Science Foundation Authorization Act of 2002, there are authorized to be appropriated to the National Science Foundation for carrying out this section \$7,000,000 for fiscal year 2005, \$7,500,000 for fiscal year 2006, and \$8,000,000 for fiscal year 2007.

#### SEC. 7. STUDY ON COMMERCIALIZATION OF GREEN CHEMISTRY.

(a) **STUDY.**—The Director of the National Science Foundation shall enter into an arrangement with the National Research Council to conduct a study of the factors that constitute barriers to the successful commercial application of promising results from green chemistry research and development.

(b) **CONTENTS.**—The study shall—

(1) examine successful and unsuccessful attempts at commercialization of green chemistry in the United States and abroad; and

(2) recommend research areas and priorities and public policy options that would help to overcome identified barriers to commercialization.

(c) **REPORT.**—The Director shall submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings and recommendations of the study within 18 months after the date of enactment of this Act.

#### SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) **NATIONAL SCIENCE FOUNDATION.**—(1) From sums otherwise authorized to be appropriated by the National Science Foundation Authorization Act of 2002, there are authorized to be appropriated to the National Science Foundation for carrying out this Act—

(A) \$7,000,000 for fiscal year 2005;

(B) \$7,500,000 for fiscal year 2006; and

(C) \$8,000,000 for fiscal year 2007.

(2) The sums authorized by paragraph (1) are in addition to any funds the National

Science Foundation is spending on green chemistry through its ongoing chemistry and chemical engineering programs.

(b) **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.**—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this Act—

(1) \$5,000,000 for fiscal year 2005;

(2) \$5,500,000 for fiscal year 2006; and

(3) \$6,000,000 for fiscal year 2007.

(c) **DEPARTMENT OF ENERGY.**—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the Department of Energy for carrying out this Act—

(1) \$7,000,000 for fiscal year 2005;

(2) \$7,500,000 for fiscal year 2006; and

(3) \$8,000,000 for fiscal year 2007.

(d) **ENVIRONMENTAL PROTECTION AGENCY.**—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the Environmental Protection Agency for carrying out this Act—

(1) \$7,000,000 for fiscal year 2005;

(2) \$7,500,000 for fiscal year 2006; and

(3) \$8,000,000 for fiscal year 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. GINGREY) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. GINGREY).

#### GENERAL LEAVE

Mr. GINGREY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3970.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GINGREY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first let me thank the gentleman from New York (Chairman BOEHLERT); the ranking member, the gentleman from Tennessee (Mr. GORDON); the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); the gentleman from Michigan (Mr. EHLERS), and all of my Committee on Science colleagues for their hard work in bringing this important bipartisan piece of legislation through committee and before the House floor today.

In particular, I would like to thank the ranking member, the gentleman from Tennessee (Mr. GORDON) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and their staffs for continuing to work with us on this legislation.

The resulting manager's amendment is truly a bipartisan bill. Defined as the design of chemical products and processes that reduce or eliminate the use or generation of hazardous substances, green chemistry represents an emerging field with much promise.

As a chemistry major trained in traditional chemistry at the Georgia Institute of Technology, I am very excited about the potential environmental, economic and human health benefits of green chemistry. Preventing pollution and waste in the first place is

often cheaper than mitigating and cleaning it up later, and the development of new products and processes will help spur economic growth.

Currently, many chemical processes are conducted at extreme temperature and/or pressure, two conditions that present a risk for workers. Also, many chemical processes involve toxic substances. Green chemistry aims to design processes that can be conducted at or near room temperature and pressure and that actually use benign materials. Both of these steps improve working conditions for employees. Yet, despite all of the promises of green chemistry, the Federal Government invests very little in this area.

H.R. 3970, the Green Chemistry Research and Development Act, will establish a research and development program to promote and coordinate Federal green chemistry research, development, demonstration, education and technology transfer activities within the National Science Foundation, the Environmental Protection Agency, the National Institute of Standards and Technology, and the Department of Energy.

This legislation provides modest and prudent focus in an area that, frankly, deserves greater Federal attention. The program will support research and development grants, including grants for university, industry, and nonprofit partnerships. It will support green chemistry research at Federal labs, promote education through curricula development and fellowships, and collect and disseminate information about green chemistry.

H.R. 3970 is fiscally prudent in these times of budgetary constraints by obtaining funding for this program from sums already authorized to be appropriated at the four agencies I mentioned, and it does not authorize the expenditure of any new money.

Traditional chemical companies, pharmaceutical companies, carpet and rug manufacturers and biotechnology corporations, all who we have heard from in committee hearings, have endorsed H.R. 3970, showing a broad range of support for the merits of this legislation. They all realize that the advancement of green chemistry is positive for their industries, the environment, the economy as a whole, and all of our Nation's citizens.

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me thank the gentleman from Georgia (Mr. GINGREY) for putting this issue on the table. I also would like to thank the gentleman from New York (Chairman BOEHLERT) for working with us to incorporate some of our suggestions into the manager's amendment.

The legislation now includes a grant program to encourage universities to incorporate green chemistry into undergraduate curricula in chemistry and chemical engineering. The curriculum

changes encouraged through this program will assure that students are familiar with green chemistry and ready to enter the workforce with skills in pollution prevention and green design. The explicit authorization for research in economics and other relevant social sciences will help us to better understand the barriers to widespread adoption of the green chemistry techniques.

H.R. 3970 is a good start. However, we are disappointed that the bill does not go far enough to move findings in the laboratory into practice on the factory floor. There are a number of green chemistry success stories. The Presidential Green Chemistry Challenge Program, established in 1995, has recognized these achievements. But many other safer chemical substitutes and pollution prevention techniques are not widely used.

Research and development alone are not sufficient ingredients to guarantee the transition to a safer, cleaner environment. And this is an area where research has been done for a number of years. Programs and policies to overcome the barriers to more widespread adoption of green chemistry must be part of a truly comprehensive Federal green chemistry program.

Democratic amendments on procurement, homeland security, and technical assistance grants would have created incentives to adopt green chemistry practices. We hope this bill will continue to expand in scope as it moves forward in the legislative process.

Mr. Speaker, I reserve the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. SIMMONS), who is a cosponsor of this bill.

Mr. SIMMONS. I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of H.R. 3970, the Green Chemistry Research and Development Act of 2004. I do so because I am an advocate of this innovative effort to further scientific research while minimizing environmental harm.

Last year, I met Dr. Berkeley Cue, Jr., of Ledyard, Connecticut. Dr. Cue is a recently retired chemist at Pfizer's Global R&D headquarters in Groton, Connecticut; and he spoke passionately about his work on the Green Chemistry Institute's Board of Directors and explained to me some of the exciting prospects that green chemistry holds.

Green chemistry has been defined "as the utilization of a set of principles that reduces or eliminates the use or generation of hazardous substances in the design, manufacture and application of chemical products."

According to a 1994 pharmaceutical industry process efficiency analysis, for every kilogram of a given drug produced, between 25 and 100 kilograms of waste are produced. For those processes where there is a green chemistry application, this number was reduced to between 5 and 10 kilograms of waste per kilogram of product. This is a five-

to 10-time improvement in the reduction of waste products. At commercial product volumes, this equates to hundreds of thousands of kilograms of costly waste prevented each year for each product where there is a green chemistry alternative.

What is more, there is no need to purchase raw materials that are lost to unwanted by-products. The cost savings are clear, and the environmental benefits are clear.

I urge my colleagues to support this measure and establish a Green Chemistry Research and Development Program to promote this technology at the Federal level. It is good for science, it is good for the environment, it is good for the American people.

Mr. GORDON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me express my appreciation for the leadership of this committee. We operate in a spirit of civility at all times, and we are all very proud of that.

We as legislators preach about how we want to make this world a better place for those who are to follow. The Green Chemistry Research and Development Act is a first step to increasing the use of renewable fuels, encouraging manufacturing processes that generate less toxic waste and promote the development of materials which can be easily recycled.

I am pleased that my colleague, the gentleman from Georgia (Mr. GINGREY), has introduced the Green Chemistry Research and Development Act of 2004, and I am proud to be an original cosponsor of this legislation.

Green chemistry is the utilization of a set of principles that reduces or eliminates the use or generation of hazardous substances in the design, manufacture, and application of chemical products.

Over the past decade, there has been increasing interest in a fundamental new approach to environmental protection. In studying green chemistry, we realize that science and technology can help produce processes and products that are both more environmentally benign and economically attractive.

I would like also to take this opportunity to thank the Chair for working in a bipartisan manner and our ranking member, as we often do in the Committee on Science, for incorporating parts of amendments that I introduced during markup in the committee. Most importantly, I appreciate the language that requires a study by the National Academy of Sciences on barriers to commercialization of green chemistry. As was evident by the committee's hearing on H.R. 3970, success at commercialization can be problematic, even for technical innovations that seem to be obvious candidates for exploitation.

The purpose of the study would be to systematically assess successful and

unsuccessful attempts at commercialization of green chemistry innovations here and abroad and attempt to tease out the controlling factors.

In addition, I am pleased that the manager's amendment clarifies that the funds provided by the bill for focused green chemistry research is in addition to the amounts the agency currently spends in its base programs. This addition is also very important, and I would like to thank the Chair for including this in the manager's amendment.

Although there is more work that can be done to strengthen this legislation, it provides the right impetus to encourage the science and manufacturing communities to start in the right direction, not only because green chemistry can save them money now in the short term but because it can also save our planet in the long term.

□ 1030

Mr. GINGREY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. BOEHLERT), the honorable chairman of the House Committee on Science.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 3970. And I want to congratulate our colleague, the gentleman from Georgia (Mr. GINGREY), for having introduced it. In a short time he has become one of the most active and effective members of the Committee on Science. I thank him for his many, many contributions.

There is really only one unfortunate thing about this green chemistry bill, and that is that none of us thought of it before. Green chemistry is such an obvious area in which to focus that it should be clear to anyone and everyone that more needs to be done in this field.

Green chemistry benefits companies and workers, the economy, and the environment. It is really just the application of an old adage: An ounce of prevention is worth a pound of cure. If we reduce to ounces the quantity of toxic chemicals we use and produce, then we will not have to clean up pounds of toxics downstream.

And this bill takes a sensible, targeted approach to putting some Federal dollars behind those prevention efforts. It builds on existing programs at a number of Federal agencies to transform those small and scattered efforts into a focused, a coordinated, and an enhanced national program. The result of that program should be the generation and dissemination of new ideas and new people, leading to the adoption of more green chemistry practices and the creation of more green chemistry products by industry.

Now, I know some would like this bill to go further, and there is no doubt that there are additional barriers to green chemistry that government action could help attack, but those gov-

ernment actions are complex and controversial and should be taken up in other bills.

For now let us take care of first things first. Let us make sure that the government is doing everything possible to ensure that green chemistry research and development is getting the attention it deserves to ensure that education programs are designed to teach more students and practicing chemists and chemical engineers about green chemistry, and to ensure that new ideas are broadly disseminated.

If we do not have the ideas and the people, then no amount of government incentives or regulations are going to accelerate the adoption of green chemistry. This is a good and thoughtful and effective bill that takes a step we should have taken long ago to make sure that government R&D and education programs promote the kind of chemistry that is in the national interest.

I urge everyone to support the excellent bill of the gentleman from Georgia (Mr. GINGREY). It is a most appropriate way to recognize Earth Day which occurs tomorrow.

Mr. GORDON. Mr. Speaker, we have no other comments, and I yield back the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH), distinguished chairman of the Subcommittee on Research.

Mr. SMITH of Michigan. Mr. Speaker, I commend the gentleman from Georgia (Mr. GINGREY), and I certainly commend the gentleman from Tennessee (Mr. GORDON), the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON), the chairman of the committee, (Mr. BOEHLERT).

As we expand in population in this home that we call Earth, being more sensitive to the environment is continually a greater challenge and a greater need. So I commend the legislation. The legislation is going to be good for the economy. It is going to be good for improving worker safety. It is going to be good for improving public safety, for national security, and certainly it is going to be better for our environmental needs.

We need to expand our thinking not only for chemistry, but maybe for all of the research that we do to be more sensitive to make sure that this Earth continues to be as safe and beautiful for future generations as it has been for us. So I urge my colleagues to support Dr. GINGREY's bill.

Mr. GINGREY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while the full potential of green chemistry is yet to be realized, H.R. 3970 will place us, as the chairman just said, on the right path to research in reaching that potential. I urge all of my colleagues to support the bipartisan Green Chemistry Research and Development Act.

Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Subcommittee on Environment, Tech-

nology and Standards, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, back in 1974 I ran for public office on an environmental platform. I have been an environmentalist for many years, and I have always tried to keep the environment in the forefront in discussions in this Congress. I am also, however, what you might call a common-sense environmentalist. I believe in environmental issues and environmental choices that make sense both for the environment and for the economy. And this bill is a sterling example of precisely what is involved in common-sense environmentalism.

The chemical industry makes and uses a great many chemicals. Disposal of those chemicals often becomes disposal of hazardous waste, which is very costly, very toxic and dangerous to the environment. This bill will help develop green chemistry, chemistry that is in tune with the environment so that both the products and the by-products are safe, and we do not generate as much or any hazardous waste, and we do not have to worry about toxic waste polluting the groundwater.

Much work is required in this area both to change the habits of the educational institutions and the habits of the chemical industry. They have to be made aware of the many opportunities for green chemistry. And this is true also of the businesses that use chemical products. For example, it appears now that liquid carbon dioxide at the critical point is an outstanding cleaning fluid, certainly nontoxic, and would solve the pollution problem that many launderers and cleaners face in this country.

I strongly support this bill. It supports research to develop more green chemistry processes and includes provisions to expand green chemistry education. This will enable the next generation of chemical professionals to bring innovative practices to traditional chemical manufacturing. I am most pleased to support the Green Chemistry Research and Development Act.

Again, I thank the gentleman from Georgia (Mr. GINGREY) and the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) for their hard work on this important piece of legislation. I urge my colleagues to support H.R. 3970, a bill that will truly clean up the environment and at the same time aid the economy.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Georgia (Mr. GINGREY) that the House suspend the rules and pass the bill, H.R. 3970, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GINGREY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CONGRESSIONAL MEDAL FOR OUTSTANDING CONTRIBUTIONS IN MATH AND SCIENCE EDUCATION ACT OF 2004

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4030) to establish the Congressional Medal for Outstanding Contributions in Math and Science Education program to recognize private entities for their outstanding contributions to elementary and secondary science, technology, engineering, and mathematics education, as amended.

The Clerk read as follows:

H.R. 4030

*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 "Congressional Medal for Outstanding Contributions in Math and Science Education Act of 2004".*

##### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **DIRECTOR.**—The term "Director" means the Director of the National Science Foundation.

(2) **ELEMENTARY SCHOOL AND SECONDARY SCHOOL.**—The terms "elementary school" and "secondary school" have the meaning given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

##### SEC. 3. ESTABLISHMENT OF PROGRAM.

*The Director shall establish a Congressional Medal for Outstanding Contributions in Math and Science Education program, which shall be designed to—*

(1) recognize private entities for outstanding efforts supporting elementary and secondary schools in improving student achievement in science, technology, engineering, and mathematics;

(2) encourage private entities to support elementary and secondary schools to improve and underscore the importance of science, technology, engineering, and mathematics education; and

(3) make information about medal recipients available to schools, institutions of higher education, educators, parents, administrators, policymakers, researchers, public and private entities, and the general public.

##### SEC. 4. MEDALS.

(a) **FINALISTS.**—Beginning not later than 2 years after the date of enactment of this Act, the Director shall annually name as finalists for medals under this Act—

(1) not more than 20 private entities with more than 500 employees; and

(2) not more than 20 private entities with 500 or fewer employees.

*Each finalist shall receive a citation describing the basis for the entity achieving status as a finalist.*

(b) **MEDAL WINNERS.**—Beginning not later than 2 years after the date of enactment of this Act, from among finalists named under subsection (a), the Director shall annually award medals under this Act to—

(1) not more than 5 private entities with more than 500 employees; and

(2) not more than 5 private entities with 500 or fewer employees.

(c) **DISTRIBUTION OF INFORMATION.**—(1) *The Director shall distribute information about the Congressional Medal for Outstanding Contributions in Math and Science Education recipients in a timely and efficient manner (including through the use of a searchable online database) to schools, institutions of higher education, educators, parents, administrators, policymakers, researchers, public and private entities, and the general public.*

(2) *Any entity that is a finalist or receives a medal under this section may use such information for advertising and other publicity purposes.*

##### SEC. 5. ELIGIBILITY.

*Eligibility to receive medals under section 4 of this Act shall be limited to private entities that—*

(1) *have, whether working alone or in partnership with for-profit or nonprofit entities, assisted students, teachers, administrators, or other support staff to improve student achievement in science, technology, engineering, and mathematics in a school or community; and*

(2) *have been involved in such activities in a sustained manner for at least 2 years with at least one elementary or secondary school.*

##### SEC. 6. APPLICATION.

*The Director shall establish a system for accepting applications from entities seeking to be considered for a medal under this Act. Applications shall include at least two letters of support, which may come from teachers, professional support staff, administrators, professional or business organizations, local, county, or State Departments of Education, or any other category of persons as designated by the Director. Letters of support shall describe the reasons the entity deserves the medal.*

##### SEC. 7. SELECTION.

*In selecting entities to receive medals under this Act, the Director shall give priority consideration to evidence of improved achievement in science, technology, engineering, or mathematics by students, including improved achievement by individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b). In addition to any other criteria the Director may establish, the Director shall also consider the following:*

(1) *Evidence of innovative approaches to increase interest in science, technology, engineering, and mathematics by students, including individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b). One measure of such evidence may be an increase in the number of students enrolled in advanced courses related to such fields.*

(2) *Evidence of employee interaction with students or teachers to support and improve science, technology, engineering, and mathematics learning.*

(3) *Evidence of success in positively influencing student attitudes and promoting education and career opportunities in science, technology, engineering, and mathematics.*

(4) *Evidence of successful outreach to students, parents, and the community regarding the importance of science, technology, engineering, and mathematics education to the Nation's prosperity, job creation, and standard of living, as well as future earning potential for the individual.*

(5) *Evidence of a strong and sustained commitment to the students and schools.*

##### SEC. 8. BIENNIAL REPORT.

*Section 37(a) of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885d(a)) is amended by striking "By January 30, 1982, and biennially thereafter" and inserting "By January 30 of each odd-numbered year".*

##### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

*For each of fiscal years 2005 through 2007, there are authorized to be appropriated to the National Science Foundation such sums as may*

*be necessary for carrying out this Act, to be derived from amounts authorized by the National Science Foundation Authorization Act of 2002.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

First, I would like to commend the chairman and the ranking member and certainly the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for her help in moving ahead, trying to get more involvement from the business community in helping with K-through-12 education, especially in the areas of math and science.

This legislation establishes a national recognition program at the National Science Foundation to honor those in the private sector who work with K-through-12 schools to improve science and math education. In addition, the bill makes information about award winners publicly available so that the examples that they are using across the country that are effective, that are making a difference in our math and science performance can be considered by other school systems around the Nation.

The way to maintain and increase our standard of living certainly is through innovation, technological advances and hard work. Unfortunately, our schools, Mr. Speaker, are currently not producing enough young people with the math and science interest or the skills necessary to meet the emerging demand. We need to do a better job of encouraging student interest and achievements in fields like science, technology, engineering, and mathematics so that today's students will not only be successful in their own lives, but will contribute to the economy that we are going to need in future years.

The challenge of competition for our kids and our grandkids are going to be probably so much greater than they are for us today, and having the kind of technology that can result in new innovation, the kind of research that can develop new products and the ways to produce those products at a cost and a quality level that is competitive with products that are produced across the world is going to be much more important for our kids and grandkids than maybe it was for us.

In this legislation we recognize the industry leaders and companies and businesses that make a special outstanding effort in working with their schools. We included in the legislation work that these companies might do to encourage parents to be more involved with their students and schools because we think the interest and encouragement of parents is probably just as important as the quality of teachers that we have in math and science.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as an original cosponsor of this legislation, I speak in support of its favorable consideration by the House today. The Subcommittee on Research has a long history of support for efforts to improve K-through-12 math and science education. This bill will help to mobilize greater efforts by the private sector in helping our schools to achieve the goal of higher achievement in math and science by all students.

□ 1045

I would like to commend the Subcommittee on Research and the gentleman from Michigan (Mr. SMITH) for originating the concept for this bill and working with me in a collegial way in developing the final product. In particular, I appreciate the gentleman's willingness to include language I propose to encourage math and science education in under-represented groups. My language simply emphasizes the importance of recognizing private sector activities that increase the participation and improve the achievements of women and minorities in math and science.

This provision is consistent with this committee's long interest in attracting the interest of, and preparing, all segments of the population in math and science.

This is necessary if the Nation is to satisfy its demands for the science and technology workforce of the future, because the proportion of minorities in the college-aged population is growing. And it helps to ensure that all citizens will achieve a level of technological literacy needed to function in the 21st century.

Mr. Speaker, I wish to use this opportunity to thank the chair of the Committee on Science, the gentleman from New York (Mr. BOEHLERT), and the ranking member, the gentleman from Tennessee (Mr. GORDON), for moving this bill expeditiously to the floor. I am pleased to recommend the bill to my colleagues and seek their favorable support.

Mr. Speaker, I reserve the balance of my time.

#### GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4030, as amended.

The SPEAKER pro tempore (Mr. BASS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am pleased to rise in support of H.R. 4030, the Congressional

Medal for Outstanding Contributions in Math and Science Education. This bill recognizes the outstanding contributions of the private sector in math and science education.

The private sector has created many good programs to inspire and educate the next generations of scientists. Establishing a Congressional Medal will identify, honor, and disseminate these excellent educational programs.

Science and math education as well as technical training are important and have enormous and pressing need. Science and technology underpin our economic strength and national security. Innovation and productivity gains cannot be sustained without a scientifically literate workforce.

Here is a very important point: Jobs of the future will require an understanding of the basic concepts and principles of science and mathematics. The Bureau of Labor and Statistics projects that 10 of the fastest growing industries and occupations from 2002 to 2012 will be in the high-technology fields. All workers from office assistants to rocket scientists will need a fundamental understanding of math, science, and engineering as well as technical know-how to succeed.

I cannot overemphasize the importance of this because the kids who are in schools today will need that education to have good-quality jobs in the future. Unfortunately, currently a full third of U.S. students perform below basic levels in science and math on assessment tests. At the advanced level, only two out of every 100 high school graduates will obtain an engineering or advanced degree, while the numbers are even more dismal for women and minorities who choose to go on in math and science.

There is no quick fix for these problems. Government and the private sector must work with the education and scientific communities to educate and inspire our children and prepare them to compete in the global knowledge-based economy.

It is very important to recognize that nations such as India and China have deliberately improved their math and science education and are producing far more scientists and engineers today than they did previously. And while their enrollments and graduation rates are increasing, our graduation rates for engineers have decreased steadily for the past 20 years.

H.R. 4030 recognizes businesses' achievements in improving math and science education and provides incentive for future participation. I applaud the efforts of the gentleman from Michigan (Mr. SMITH) and the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) for developing the bill and the leadership of the gentleman from New York (Mr. BOEHLERT) and the ranking member, the gentleman from Tennessee (Mr. GORDON), in moving the bill through committee. I strongly encourage my colleagues to support H.R. 4030.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. GORDON), the ranking member.

Mr. GORDON. Mr. Speaker, I rise to support H.R. 4030, the Congressional Medal for Outstanding Contributions in Science and Math Education Act of 2004. I want to commend the gentleman from Michigan (Mr. SMITH) of the Subcommittee on Research and the ranking member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), for their work in developing H.R. 4030. I also want to thank the Committee on Science chairman, the gentleman from New York (Mr. BOEHLERT), for working with the minority to perfect the bill and for helping to move the measure through the committee and to the floor.

The Congressional Medal for Outstanding Contributions in Math and Science Education Act seeks to recognize the efforts of companies and non-profit organizations that have worked with our schools to help improve student performance in math and science. Many good corporate citizens have already stepped up to the plate and have established a long record of contributions to achieving this important goal. I hope this bill will encourage others to contribute such sustained efforts to education improvements.

Providing more efficient math and science education for all students is a task that will require the attention and efforts of both the public and private sectors. Nothing less than success is acceptable because the future economic strength and security of our Nation is at stake.

Good jobs are created by technological innovation. I believe this bill will help draw attention to innovation and successful education improvement efforts now under way and, equally important, will provide for sharing of information about these best practices.

Mr. Speaker, I commend this legislation to my colleagues and urge their support for the passage in the House.

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the ranking member makes a good point, and maybe it is an opportune time to explain some of what goes into developing legislation. A lot of work from staff, Democrat staff and Republican staff on our committee. Kara Haas, certainly David Finger, spent many hours, sending out inquiries to the business community around the United States for their suggestions on how this award program should evolve and develop to really accomplish our goals of encouraging the business community to be more active and take a greater part in improving math and science education.

I would like to tell a very short story in trying to improve math and science education. I was talking to an individual who is the director of international studies at one of our Michigan

colleges. I asked him his ideas. He is from India. He grew up in India. He told me the story when he came home in about the 8th grade with a report card that showed a B in math, and he showed that to his father and tears welled up in his dad's eyes. And his dad went out and hired a tutor to try to improve his son's math skills. He suggested that almost all students in India concentrate on being successful in fundamental math and science before they continue their career maybe in some other field.

That lesson should be especially acknowledged by us today when we are doing a lot of outsourcing of math and science to engineers in other countries such as India. We need to do a better job at home. Parents need to do a better job.

Often when I ask witnesses before our committee how do we motivate and excite students in math and science. To the extent that education in kindergarten through twelfth grade is more like a lighting of a fire, lighting that interest and enthusiasm, rather than simply filling a container with information, when is that fire lit for these students. Their suggestion was maybe at home when they are 3 and 4 and 5 years old, maybe in kindergarten, first and second grade. So if we lose that individual with their interest in math and science at that stage of their lives, it is hard to rekindle that fire.

Improving math and science education is important for the sake of business and industry because they have a special economic interest in having enough qualified students in math and sciences to make sure they are going to be able to stay in this country and compete.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Michigan. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4030, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of Michigan. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### SENATOR PAUL SIMON FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the

Senate bill (S. 2022) to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building".

The Clerk read as follows:

S. 2022

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION OF FEDERAL BUILDING.

The Federal building located at 250 West Cherry Street in Carbondale, Illinois shall be known and designated as the "Senator Paul Simon Federal Building".

#### SEC. 2. REFERENCE.

Any reference in a law, map, regulation, document, paper or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the Senator Paul Simon Federal Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2022 designates the Federal building located at 250 West Cherry Street in Carbondale, Illinois, as the Senator Paul Simon Federal Building.

This bill has the bipartisan support of the entire delegation in the State of Illinois. Although Senator Simon was born in Eugene, Oregon, he made the State of Illinois his home. Senator Simon's service to his State ranged from being a budding newspaper editor to public official to educator.

After attending the University of Oregon and Dana College in Nebraska, Senator Paul Simon moved to Troy, Illinois, and pursued a career as newspaper editor and publisher. Having successfully built a chain of 14 weekly publications, Senator Paul Simon enlisted in the Army, where he served from 1951 to 1953.

From 1963 until 1973, he was elected to various positions, serving in the Illinois House of Representatives, the State Senate, and also as lieutenant governor. He then continued to represent Illinois at the Federal level. He served in the House of Representatives from 1975 until 1985. Subsequently, Paul Simon ran for, and was elected to, the United States Senate, where he served until 1997. Senator Simon then returned to Illinois following his retirement and served as director of the Paul Simon Public Policy Institute at Southern Illinois University. He passed away on December 9, 2003.

This is a fitting tribute to a man who dedicated his life to the State of Illinois and his country. I support this legislation and urge my colleagues to do the same.

Mr. Speaker, I am also pleased today that managing the bill for the minority is the distinguished individual who

used to be our ranking member and then went on to bigger and better things as the ranking member of the Subcommittee on Water Resources and Environment, the gentleman from Illinois (Mr. COSTELLO).

Although we are requesting that the Senate version of this bill be passed under suspension today, the gentleman from Illinois (Mr. COSTELLO) has been a tireless champion of making sure that the companion legislation, similar legislation to this, be passed on the House side. It is my pleasure to be with him today.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first let me thank my good friend, the chairman of the subcommittee, the gentleman from Ohio (Mr. LATOURETTE), for his cooperation and his friendship and his leadership in bringing this legislation to the floor.

Mr. Speaker, I strongly support S. 2022, a bill to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois, as the Senator Paul Simon Federal Building.

S. 2022 was introduced by Senator DURBIN and Senator FITZGERALD. I was honored to sponsor the House companion bill, H.R. 3717, along with the gentleman from Illinois (Mr. SHIMKUS), the gentleman from Illinois (Mr. JOHNSON), the gentleman from Illinois (Mr. JACKSON), the gentleman from Illinois (Mr. DAVIS), the gentleman from Illinois (Mr. GUTIERREZ), the gentleman from Illinois (Mr. EMANUEL), and the gentleman from Illinois (Mr. KIRK) to honor the legacy of the distinguished Senator from Illinois, Paul Simon.

On December 9, 2003 we lost Senator Paul Simon, a great public servant and a true and trusted friend. Paul Simon was born in 1928 in Eugene, Oregon. He attended the University of Oregon and Dana College in Blair, Nebraska.

□ 1100

As a 19-year-old teenager, he became the Nation's youngest editor/publisher when he accepted a local Lion's Club challenge to save the Troy Tribune newspaper in Troy, Illinois. By 1966, Paul Simon had built a chain of 13 newspapers in southern and central Illinois, which he later sold to better be able to concentrate on public service and writing.

In 1954, Paul was elected to the Illinois House of Representatives, and in 1962, he was elected to the Illinois State Senate. During his State legislative career, he earned a reputation for political integrity and courage. While a member of the Illinois Legislature, he won the Independent Voters of Illinois "Best Legislator Award" every session. In 1968, Paul Simon was elected Lieutenant Governor of Illinois and was the first person in the State's history to hold that post with the Governor of another party.

In 1974, Paul Simon was elected to the U.S. House of Representatives and

served in this body for 10 years. His legislative skills were put to use on issue areas including education, disability policy and foreign affairs. He played a crucial role in establishing the National Center for Missing and Exploited Children.

In 1984, he upset three-term incumbent U.S. Senator Chuck Percy to win election to the United States Senate. Most recently, Paul Simon taught political science and journalism at Southern Illinois University in Carbondale and headed up the Public Policy Institute which he founded.

Senator Simon was known for exceptional constituent service. His colleagues appreciated his personal warmth and sense of humor. He was an exceptional friend who guided and motivated most aspiring public servants with his dedication and work ethic. His even-handed, balanced approach to topics and controversial issues earned him friends on both sides of the aisle.

Paul Simon set a standard for honesty in public life. He was true to his values, his life and his work. It is truly fitting and proper we honor the outstanding public career of Senator Paul Simon with this designation.

Mr. Speaker, at Senator Simon's funeral, Senator Ted Kennedy said, "In another era, he would have been a Founding Father. He was that good. He'll never be forgotten."

Senator Simon was a good man that served our country with honor and dignity. It is fitting that we honor him by naming the Federal building in Carbondale, Illinois, after him.

Mr. Speaker, I support S. 2022 and urge my colleagues to join me in support of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he might consume to another outstanding Member from the State of Illinois (Mr. LAHOOD), my friend and classmate.

(Mr. LAHOOD asked and was given permission to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE) for the time.

I rise in support of the bill to name the Federal building in Carbondale in honor of Paul Simon, S. 2022.

On December 9, 2003, the citizens of Illinois lost one of the true giants in the storied history of politics in the State of Illinois. Paul Simon was a leader who transcended political and ideological labels. To be sure, he was a staunch liberal who fought for better housing, fair wages, a cleaner environment, and civil justice. At the same time, he also leaned conservative when it came to fiscal issues, but it was the way he carried out the job that made Paul a revered figure in a State that is accustomed to larger-than-life figures.

Paul Simon represented an approach to politics that is becoming more and more rare in today's world, an approach in which he not only respected

the people he represented, but he respected the people who were his peers in the institution in which he served.

When I was first elected to the U.S. House, Paul was the senior Senator from Illinois, but he took the time to reach out to me so we could become better acquainted and work on issues of mutual concern to our State of Illinois. As a leading Member of the Senate, I am sure he had many better things to do than getting to know a first-term Member of the House. That is the way Paul did business. He knew that good relationships were important in politics and legislating, and I am a better Member of the House for Paul Simon's efforts to get to know me.

When Paul retired from the Senate following the 1996 election, he certainly could have landed some lucrative lobbying contracts, but he chose instead to continue influencing public policy through a different arena, one that could have a lasting impression on generations of future public servants; that is, teaching.

From his perch as director of the Public Policy Institute at Southern Illinois University, he continued to stay in the public eye, and he was able to carry on an advocacy for many of the issues he held so dear. He wrote prolifically and on many issues during his time at SIU. He continued to travel the world to talk about the issues for which he so passionately believed. I would imagine he was as busy in his role with the Institute as he was during his time in the United States Senate or in this body, and to this day I am sure Paul Simon's approval numbers in Illinois are higher than any politician in the State of Illinois.

Paul Simon is someone who should be used as a benchmark not only for future generations of leaders, but for today's politicians as well. Paul Simon taught us that you really can get ahead through civility, common courtesy and a respect for opposing viewpoints. That is a far cry from what many citizens today believe about their elected representatives. All of us could do this job a little better if we follow the footsteps of our friend Paul Simon.

I can think of no better tribute to Senator Simon than to name the Federal building in Carbondale, Illinois, in honor of Senator Paul Simon. I think it is a fitting tribute.

Mr. COSTELLO. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), my friend.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me the time, and I also commend him for his introduction of this legislation.

Mr. Speaker, in 1994, when Senator Paul Simon announced that he would not seek a third term in 1996, he said, "I have an obligation to the people of Illinois, to the Senate and to myself to leave the Senate while I am still eager to serve, not after I tire of serving."

Paul Simon never tired of serving. He was an asset to America. In 1948, when

Paul Simon was just 19, he dropped out of college, borrowed \$3,600 and bought a failing weekly newspaper in Troy, a town of 1,500 people across the Mississippi River from St. Louis. He became the Nation's youngest editor/publisher. Paul Simon would eventually own 14 newspapers, which he sold in 1966.

Paul Simon's political career began with his election to the Illinois State Legislature in 1954 and culminated with his election to the U.S. Senate in 1984. During his 14 years in the State legislature, he won the Independent Voters of Illinois Best Legislator Award every session.

Paul Simon began earning a reputation for political courage and integrity during his years in the Illinois Legislature. He was chief sponsor of the State's open meetings law and of legislation creating the Illinois Arts Council, and he played a leading role in chartering the State's community college system.

Prior to leaving the U.S. Senate, Paul Simon ranked as Illinois's senior Senator. In the 104th Congress, he served on the Budget, Labor and Human Resources, Judiciary, and Indian Affairs Committees. He also served on the Foreign Relations Committee.

Education and job training laws that he introduced and were enacted include the National Literacy Act, the School-to-Work Opportunities Act, the Job Training Partnership Act amendments, several provisions of the Goals 2000 Act, and the 1994 reauthorization of the Elementary and Secondary Education Act. He was the leading Senate champion of the new Direct College Loan Program, enacted in 1991 as a pilot program and expanded in 1993 as a replacement for the Guaranteed Student Loan Program.

Just weeks after retiring from the Senate in 1997, Paul Simon joined the faculty of Southern Illinois University. He taught classes in political science, history and journalism. He was founder and director of the Public Policy Institute at the Carbondale campus. When the Institute opened its doors in 1997, Paul Simon said the Institute promises to find new ways of solving old problems.

Mr. Speaker, the last communication that I had with Senator Simon came about 2 weeks before he passed, and in that letter he said he had seen an article in the Chicago Tribune where some of us had been working on the issue of prisoner re-entry, and he wrote to say, I commend you and those with you for that kind of work because we really need to make sure that those at the bottom of the barrel in our society are dealt appropriately with.

So, Senator Simon, I thank you for all that you meant to all of America.

I hold lots of town hall meetings, and there are people in Illinois who think that I copy those after Senator Simon. I can remember going to them when there were 5, 10 people sometimes

present, long before I decided to run for public office, and I did try and model them after Senator Simon.

I support strongly this legislation, urge its passage. There could not be a more fitting tribute to a greater American and certainly a great hero of mine.

Mr. COSTELLO. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank my friend from the State of Illinois, the sponsor of this legislation, for yielding me this time.

Mr. Speaker, it is with mixed emotions that I stand before the House today. I say mixed emotions, because one of my emotions is that I am saddened by the passing of Paul Simon and that he is no longer with us. He has departed this life. But, Mr. Speaker, I am also very, very gleeful for the life that he did live.

Paul Simon, to all who knew him, was one of the finest, kindest, and brightest human beings to have graced the political scene in this Nation. The former Senator Paul Simon was the only person to have served in both the Illinois House and Senate and the U.S. House and Senate. During his tenure in Congress, Senator Simon was a champion of education and a key advocate for literacy and lifelong learning.

In the Senate, he was the author of the National Literacy Act, the School to Work Opportunities Act, the Job Training Partnership Act amendments, the 1994 reauthorization of the Elementary and Secondary Education Act, and the Direct Student Loan Program. In addition, Paul Simon held numerous influential committee assignments, including serving as the chairman of the Senate's Subcommittee on Africa.

Without question, Mr. Speaker, Paul Simon was one of the most effective Senators to have served the citizens of Illinois and the American people. In Illinois, we have produced some great Senators, with Senator Dirksen coming to mind and also Senator Douglas coming to mind. But Paul Simon certainly stands right in the midst of these two fine Senators that we have produced in Illinois.

Paul Simon's keen political sense and sharp wit was unparalleled and admired by everyone who came in contact with him. Mr. Speaker, it is only fitting today that we pay tribute to him by designating a Federal building in Carbondale, Illinois, as the Senator Paul Simon Federal Building. We can do nothing less, Mr. Speaker, than to designate this Federal building after Paul Simon.

I think that we will be serving his legacy well by making sure that this legislation passes and that that building, the Federal building in Carbondale, Illinois, be designated as the Senator Paul Simon Federal Building.

Mr. EMANUEL. Mr. Speaker, I am in strong support as a proud original cosponsor of S. 2022 naming the Senator Paul Simon Federal Building in Carbondale, Illinois.

This resolution honors the memory and lasting contributions of one of Illinois' favorite sons—a lifelong mentor, hero and friend of mine. I was honored to work on Paul Simon's election to the U.S. Senate, where he made the people of Illinois—and all of America—proud.

Despite winning elections in five different decades, serving his state and country in many different capacities, his character, integrity and intelligence are what endure and why Paul Simon remains one of the most popular figures in the State of Illinois.

Long before they were fashionable, Paul Simon championed civil rights, campaign finance reform, and making college more affordable. After his retirement from Congress, his commitment to public service continued. He spent his remaining days pursuing what he cared about most—education.

In everything he did, Senator Simon was guided by a deep desire to help those who most needed a voice. They always knew that Paul Simon was on their side.

For those of us in Illinois, we can still hear his voice with his trademark "How are you today?" His voice was one that reflected our values—regardless of party or ideology. He taught many of us that you can disagree without being disagreeable.

That the State's Attorney General, a member of Congress, and a state senator worked for Paul Simon reflects how his values and influence steered many others—regardless of party—toward careers in public service. His knowledge, insight and guidance remain cherished by those of us who have attempted to advance his values and ideals.

Mr. Speaker, I thank my colleagues for this opportunity to recognize a true hero for many of us in Illinois. We will always remember Paul Simon and honor his enduring contributions to our State and to this country. His memory will be a blessing to those who follow in his path.

Mr. EVANS. Mr. Speaker, today the House of Representatives will consider S. 2022, legislation to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois as the "Senator Paul Simon Federal Building." I would like to take this opportunity to voice my support for this bill and to commemorate the life and work of my friend and mentor.

A champion of working Illinoisans, Senator Paul Simon dedicated his life to public service. By the time he decided to run for the United States Senate in 1984, he had already spent 30 years serving the people of Illinois as a State Representative, State Senator, Lieutenant Governor, and a U.S. Representative. During his 12 years in the Senate he became known as a crusader for fiscal responsibility, affordable student loans, and against television violence, as well as for his trademark bowties.

To name a Federal building after Paul Simon is an apt tribute, as his honesty, integrity, and hard work are an example of government at its best. Even though he has passed on, all those who aspire to a career in government can forever look to Senator Paul Simon as a role model for how to serve one's fellow citizens honorably, ably, and with humility.

Mr. Speaker, the designation outlined in S. 2022 will serve as a permanent physical reminder of Senator Simon's work on behalf of the people of Illinois, and a source of comfort and pride for his family and all who knew him.

I urge my colleagues to pass this important legislation today.

Mr. COSTELLO. Mr. Speaker, we have no additional speakers, and I yield back the balance of our time.

Mr. LATOURETTE. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the Senate bill, S. 2022.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### JAMES V HANSEN FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3147) to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V Hansen Federal Building," as amended.

The Clerk read as follows:

H.R. 3147

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION.

*The Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, shall be known and designated as the "James V Hansen Federal Building".*

#### SEC. 2. REFERENCES.

*Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "James V Hansen Federal Building".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

#### GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3147 and S. 2022.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3147 has been introduced by our colleague the gentleman from Utah (Mr. CANNON), and it designates the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V Hansen Federal Building.

James Vear Hansen was born in Salt Lake City on August 14, 1932. After graduating from the public schools of Salt Lake City, he served in the U.S. Navy, and upon his discharge attended

and graduated from the University of Utah.

Following his graduation, Mr. Hansen began a long and successful career, notable in his devotion to serving his community. I have already mentioned that he served honorably in the Navy, but he also served on the Farmington, Utah, City Council for 12 years and in the Utah State House of Representatives for 7. During his final year in that body, he served as speaker, and in 1980 was elected to this body. He served with distinction in the House of Representatives for 22 years.

While serving in the House, James Hansen served on a number of committees, including the Committee on Armed Services, the Committee on Resources, and the Committee on Standards of Official Conduct. He also served as chairman of the Committee on Standards of Official Conduct, as well as chairman of the Committee on Resources.

During his time in Congress, he devotedly served his constituents and the Nation by preserving key military facilities in his district. He fought for the responsible use of public lands and secured key investments in Utah's infrastructure in advance of the 2002 winter Olympic games, which were some of the most successful in the modern history of the games.

I am honored to support this legislation for a man worthy of such an honor, and I urge my colleagues to join me in supporting the bill.

Mr. Speaker, I ask unanimous consent that the balance of our time be yielded to the gentleman from Utah (Mr. CANNON), the author of this bill, and that he be permitted to yield time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3147 is a bill that designates the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V Hansen Federal Building.

Congressman Hansen began his public career in local government in Farmington, Utah, and later served four terms in the Utah House of Representatives. He was elected to the United States Congress from Utah's 1st Congressional District in 1980 and served 11 terms. He held a senior position on the Committee on Armed Services and served as chairman of the Committee on Resources where he was actively involved in developing sound energy policy. Congressman Hansen also was active in passing the first tort reform legislation in over 40 years.

□ 1115

In addition, he authored and passed legislation that revised the Private Mortgage Insurance program to benefit American homeowners.

It is both fitting and proper to honor the distinguished career of Jim Hansen

with this designation. Mr. Speaker, I support H.R. 3147 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume, and I rise today in support of H.R. 3147. It is my pleasure to sponsor a bill that would designate the Federal building located at 324 25th Street in Ogden, Utah, as the James V Hansen Federal Building.

Almost all Members of this body will fondly remember our colleague Jim Hansen. I had the privilege of working with Jim during the first 6 years of my service in Utah's Third Congressional District, and during that time I looked to Jim for advice, guidance and leadership on countless occasions, and he never let me down.

Jim Hansen will be remembered for many things during his 22 years in Congress. He was a champion for multiple use and access to public lands. He fought numerous battles to protect the rights and interests of rural Utahns, and he never tired of fighting to preserve Hill Air Force Base.

When Jim was the dean of the Utah delegation, he dedicated his career to protecting the interests of his constituents. Not only did he represent Utahns and their values in Congress, he has impressed his colleagues by living those values. During his tenure as chairman of the Committee on Resources, Jim went to great efforts to bring together both sides of the aisle on contentious and complex resource issues. It was truly my pleasure to serve with him during that time on that committee.

Jim Hansen never lost an election. I credit that to his ability to listen and understand the people he represented. Jim never forgot the concerns of his constituents. I have learned from his example, and I appreciate the service he has given on behalf of Utah.

Above and beyond all his personal accomplishments, the most important thing I can say about Jim Hansen is that he made a difference. He made a difference in our national policies. He showed us that by acting honorably and with mutual respect we can get things done here in Congress. Over the course of his 42 years of public service, Jim Hansen has shown what it means to be a true statesman and a man of the people.

Mr. Speaker, it is my pleasure to sponsor this bill, but more importantly it is my pleasure to call Jim Hansen my friend; and I urge my colleagues to support H.R. 3147.

Mr. Speaker, I reserve the balance of my time.

Mr. CANNON. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, yesterday, I had the opportunity of sitting on a stand with Jim Hansen in Tuelo speaking at a political event. When I informed him that if he spoke well of me today in Utah I would speak

well of him today here in Washington, he told me these type of events simply turn into a funeral for the living. So with apologies to Shakespeare, I wish to join that group and praise Jim Hansen, not bury him yet.

This designation for the State of Utah, I think, is extremely deserving because of the unique character that Jim Hansen has and what he has meant for the history of politics in Utah, and especially in the first district. No Utahn has served longer in the House of Representatives than Jim Hansen, with 11 terms. He is the only Utah Congressman that has ever actually served as chairman of a full committee, and you can count on one hand the number of subcommittee chairmen we have. My colleague, the gentleman from Utah (Mr. CANNON), and Jim Hansen are the only two who have ever served as subcommittee chairmen from my State.

In the State of Utah, since Congressman Hansen's retirement, he has had a highway in Davis County named for him, the Migratory Bird Refuge visitor's center in my hometown named for him, and now this Federal building. But I think it most fitting that the one element that has been named for Jim Hansen that he appreciates the most is the duck blind at the Bear River Bird Refuge which was especially built and dedicated in his name. Because he was always in touch with the common man, he understood that element and he had a great love for the outdoors. Even though the wilderness debate rages on in this country, it is still Jim Hansen who is the only one who has actually created a wilderness area in the State of Utah.

Born during post-World War II Salt Lake City into a family not awash in earthly wealth, he graduated from a high school class that also produced two U.S. Senators from Utah, a fact that should not denigrate the academic standards of that particular high school.

He then joined the Navy, served in the Korean conflict, and as a young man moved up to Farmington, Utah. As an insurance man, he decided to join the Farmington City Council to try to fix their water system, where he served for 12 years, then moved on to the State legislature for 8 years, and then Congress for 22 years.

During the first term Jim Hansen served in the Utah House of Representatives, I was an intern; and Jim Hansen actually happened to be the representative in my family's district. My first term in the Utah House of Representatives Jim Hansen was the Speaker, and he set the standard of excellence that I tried to emulate when I became Speaker several years later. When he retired from this position in Congress, I once again followed in his footsteps. I feel like he has cast a long shadow. He has big shoes to fill. Whatever cliché you want to use about Jim Hansen, the bottom line is he did a good job for his constituents, and he did a good job for the State of Utah.

He was known for his integrity, twice serving as chairman of the Committee on Standards and Official Conduct. He was known for his common sense and for his frugality. The building in Ogden, which will be named for him, is a place where he served for 22 years. I have followed him, so my office is in the same spot that his office was, and I and my staff are going to be proud that we are now serving in the Jim Hansen Federal Building in Ogden, Utah.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume to urge passage of this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we had many people who wanted to come speak today, but I think the calendar has precluded them from coming. So I would like to urge my colleagues to vote "yes" on this bill that honors our colleague, who I want to assure everyone is in vital health and still alive, despite all of the honors he has received recently.

Mr. Speaker, Jim Hansen was a man of great good humor, great political insight, great integrity, and a man of principle. I am honored to sponsor this bill on his behalf.

Mr. FALEOMAVAEGA. Mr. Speaker, it is my great honor to rise to today in support of H.R. 3147, To Designate a Federal Building in Ogden, Utah as the "James V Hansen Federal Building".

Chairman Hansen and I served together in this House for 14 years. As Chairman of the House Resources Committee, Jim Hansen was instrumental in securing passage of several pieces of legislation crucial to the needs of my constituents in American Samoa.

Jim was a champion of good causes, an exemplary leader, and more importantly, my friend. At this time I urge all my colleagues to support this legislation which recognizes and honors Chairman Hansen's legacy of service.

Mr. CANNON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 3147, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CANNON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PARTICIPATION OF TAIWAN IN WORLD HEALTH ORGANIZATION

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4019) to address the participation

of Taiwan in the World Health Organization, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health.

(2) Direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially today with the great potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus (HIV), tuberculosis, and malaria.

(3) Taiwan's population of 23,500,000 people is greater than that of  $\frac{3}{4}$  of the member states already in the World Health Organization (WHO).

(4) Taiwan's achievements in the field of health are substantial, including—

(A) attaining—

(i) 1 of the highest life expectancy levels in Asia; and

(ii) maternal and infant mortality rates comparable to those of western countries;

(B) eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and

(C) providing children with hepatitis B vaccinations.

(5) The United States Centers for Disease Control and Prevention and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of public health issues.

(6) In recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the WHO.

(7) On January 14, 2001, an earthquake, registering between 7.6 and 7.9 on the Richter scale, struck El Salvador. In response, the Taiwanese Government sent 2 rescue teams, consisting of 90 individuals specializing in firefighting, medicine, and civil engineering. The Taiwanese Ministry of Foreign Affairs also donated \$200,000 in relief aid to the Salvadoran Government.

(8) The World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950's.

(9) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations.

(10) Public Law 106-137 required the Secretary of State to submit a report to Congress on efforts by the executive branch to support Taiwan's participation in international organizations, in particular the WHO.

(11) In light of all benefits that Taiwan's participation in the WHO can bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 23,500,000 people should have appropriate and meaningful participation in the WHO.

(12) On May 11, 2001, President Bush stated in a letter to Senator Murkowski that the United States "should find opportunities for Taiwan's voice to be heard in international organizations in order to make a contribution, even if membership is not possible", further stating that the administration "has focused on finding concrete ways for Taiwan to benefit and contribute to the WHO".

(13) In his speech made in the World Medical Association on May 14, 2002, Secretary of

Health and Human Services Tommy Thompson announced "America's work for a healthy world cuts across political lines. That is why my government supports Taiwan's efforts to gain observership status at the World Health Assembly. We know this is a controversial issue, but we do not shrink from taking a public stance on it. The people of Taiwan deserve the same level of public health as citizens of every nation on earth, and we support them in their efforts to achieve it".

(14) The Government of the Republic of China on Taiwan, in response to an appeal from the United Nations and the United States for resources to control the spread of HIV/AIDS, donated \$1,000,000 to the Global Fund to Fight AIDS, Tuberculosis, and Malaria in December 2002.

(15) In 2003, the outbreak of Severe Acute Respiratory Syndrome (SARS) caused 84 deaths in Taiwan.

(16) Avian influenza, commonly known as bird flu, has reemerged in Asia, with strains of the influenza reported by the People's Republic of China, Cambodia, Indonesia, Japan, Pakistan, South Korea, Taiwan, Thailand, Vietnam, and Laos.

(17) The SARS and avian influenza outbreaks illustrate that disease knows no boundaries and emphasize the importance of allowing all people access to the WHO.

(18) As the pace of globalization quickens and the spread of infectious disease accelerates, it is crucial that all people, including the people of Taiwan, be given the opportunity to participate in international health organizations such as the WHO.

(19) The Secretary of Health and Human Services acknowledged during the 2003 World Health Assembly meeting that "[t]he need for effective public health exists among all peoples".

(b) PLAN.—The Secretary of State is authorized to—

(1) initiate a United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly each year in Geneva, Switzerland;

(2) instruct the United States delegation to the World Health Assembly in Geneva to implement that plan; and

(3) introduce a resolution in support of observer status for Taiwan at the summit of the World Health Assembly.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE SUMMIT OF THE WORLD HEALTH ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter, the Secretary of State shall submit a report to the Congress, in unclassified form, describing the United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May of each year in Geneva, Switzerland. Each report shall include the following:

(1) An account of the efforts the Secretary of State has made, following the last meeting of the World Health Assembly, to encourage WHO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status at the next annual meeting of the World Health Assembly in Geneva, Switzerland.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. CHABOT).

## GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4019, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleague, the gentleman from Ohio (Mr. BROWN), for his leadership in this effort to obtain observer status for Taiwan at the annual week-long summit held by the World Health Organization in May of each year. My colleague has spearheaded this campaign for many years, and I am pleased to join him once again.

I also want to thank Brett Gibson of the staff of the gentleman from Ohio (Mr. BROWN), who has done a great job working on this issue.

The people of Taiwan have a great deal to offer to the international community. It is terribly unfortunate that while Taiwan's achievements in the medical field are certainly substantial, and it has expressed the repeated willingness to assist both financially and technically in World Health Organization activities, it has not been allowed to do so because of the intransigence of the Communist Chinese Government.

It is a travesty that during times of crisis, such as the 1998 entovirus outbreak in Taiwan that killed 70 children and infected hundreds and hundreds more, the World Health Organization was unable to help. When an earthquake in 1999 claimed more than 2,000 lives, we learned in published reports that the Chinese Government, whose belligerent insistence that Taiwan be denied a role in international organizations, demanded that any aid for Taiwan provided by U.N. organizations and the Red Cross receive prior approval from the dictators in Beijing. And when the SARS outbreak killed so many in Taiwan last year, the PRC objected to WHO assistance for its neighbor.

Health and Human Services Secretary Tommy Thompson has stated that the people of Taiwan deserve the same level of public health as citizens of every nation on earth, and we support them in their efforts to achieve it. We can show that support by adopting this legislation that would authorize the Secretary of State to endorse and obtain observer status for Taiwan at the annual summit of the World Health assembly and introduce a resolution in support of observer status.

This legislation also makes permanent the reporting requirement mandating an account of our government's efforts at the assembly and the steps the Secretary will take to endorse and obtain observer status at the next meeting of the assembly.

In the face of the AIDS pandemic, the threat of bioterrorism, and vicious in-

fectious diseases like avian flu, the need for international cooperation in public health matters has never been more critical.

□ 1130

But despite the danger of health threats stalking the world's population, 23 million residents of the island of Taiwan continue to be banned from participation in and cooperating with the work of the World Health Organization. Taiwan's exclusion from the World Health Organization is not simply a political question, it is a question of humanity. It is an injury to the lives and well-being of the Taiwanese people, and a lost opportunity to defeat disease, humanity's common enemy.

Mr. Speaker, this is an issue that demands we put aside narrow political considerations in the interest of human welfare. It demands the attention of the international community, and it demands the attention of the United States. Beyond these humanitarian considerations that would apply to people anywhere in the world if granted observer status at the World Health Organization, Taiwan would be uniquely positioned to help strengthen the infrastructure of the international public health system.

The damage from the potential exclusion from World Health Organization does not stop at the island's shoreline. Taiwan's continued forced isolation from the world health community stands to impact the health of all of the countries in East Asia and the greater international community. Diseases do not recognize political boundaries, a fact demonstrated during the 2003 outbreak of SARS, as I mentioned previously. Taiwan's highly trained medical personnel, outstanding medical facilities and respected scientific community would be a tremendous resource to global health professionals working to combat disease. Furthermore, despite its arbitrary exclusion from the World Health Organization and the annual World Health Assembly in Geneva, Taiwan has made generous financial contributions to international efforts to improve public health throughout the world, including a \$1 million donation to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

In the context of such compelling arguments for Taiwan's participation in the global network of medical information and organizations represented by the World Health Organization, its continuing exclusion is illogical and dangerous. It is a reality that has been perpetuated through the threats and posturing of the People's Republic of China, a government whose outrageous behavior during last year's SARS epidemic clearly demonstrated an unwillingness to act responsibly in safeguarding the health of citizens on the mainland or Taiwan.

It is my hope and that of other co-sponsors of this legislation that our government will take vigorous steps to

immediately right this wrong. This legislation calls on the head of the American delegation at the World Health Organization to speak out forcefully on the floor of the World Health Assembly in support of the right of the people of Taiwan to meaningful participation in the international public health community.

The manager's amendment contains a modification on the bill as introduced. It extends beyond calendar year 2004 the authorization for the Secretary of State to seek observer status for Taiwan at the World Health Assembly and to report to Congress on the same.

I would conclude by thanking the gentleman from Ohio (Mr. BROWN) and his staff for leadership on this bill, and also the gentleman from Florida (Mr. WEXLER) and the gentleman from California (Mr. ROHRBACHER), who are co-chairs of the Taiwan Caucus.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I again join the gentleman from Ohio (Mr. CHABOT) in urging Congress to authorize the U.S. to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly, the meeting of the World Health Organization, set for next month, May of 2004, in Geneva.

I would like to thank the gentleman from California (Mr. ROHRBACHER), the gentleman from Florida (Mr. WEXLER) and especially the gentleman from Ohio (Mr. CHABOT) for their hard work and dedication to world public health. H.R. 4019 is another important step in fulfilling the commitment that we in this country made in the 1994 Taiwan policy review to more actively support Taiwan's membership in organizations such as the United Nations and the World Health Organization. We should continue to support Taiwan in international bodies. We should continue to advocate for Taiwan to be represented in the WHO.

There are more reasons today to support this bill than there were last year even. Those reasons are SARS and the avian flu outbreaks. How much more limited would the effect of SARS worldwide have been if Taiwan's government had been fully engaged in the work of the World Health Organization? How much more quickly would the disaster have been contained if China had not covered up the outbreak and Taiwan could have stepped forward?

Excluding the people of Taiwan from the WHO violates the basic premise of the WHO to enjoy the attainment of the highest standard of health "is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition."

Last year the outbreak of severe acute respiratory syndrome, SARS, caused 73 people in Taiwan to die. This

year, avian influenza has reemerged in Asia, has been reported in China and Cambodia, Indonesia and Japan, Laos, Pakistan, South Korea, Taiwan, Thailand and Vietnam. SARS and the avian influenza continue to threaten Taiwan. The case has never been stronger for allowing the people of Taiwan access to the WHO. As globalization quickens, and as the spread of infectious disease accelerates, it is crucial that the people of Taiwan be given the opportunity to participate in international health organizations such as WHO.

This bill authorizes Secretary of State Powell to endorse and help obtain observer status for Taiwan at the week-long health summit of the WHA, and authorizes the State Department to introduce a resolution on the floor of the WHA in support of Taiwan's participation in the organization. The bill directs the State Department to submit a plan to Congress on how to accomplish this objective.

Taiwan has eradicated smallpox, cholera, polio, and achieved infant mortality rates on a par with Western, wealthy nations. These accomplishments warrant an invitation to participate in international policy health discussions, to sit at the table with scientists and physicians and other public health experts in all these countries.

With a population of 23 million people, Taiwan is larger than 75 percent of the countries which actually belong to the WHO. Taiwan is prepared to contribute meaningfully to the global health efforts discussed at the WHA, but without observer status, its delegates cannot even enter the room. This bill would prevent the international community from missing out on the insight and experience Taiwanese health officials can offer. This bill is good for the 23 million people in Taiwan, and it is also good for the rest of the world because of the expertise that Taiwanese health officials bring to the table.

I urge my colleagues to support access to the WHO for the 23 million people of democratic Taiwan and support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to recognize several of the staff who have been instrumental on bringing this forth today. On the majority side, I would like to recognize Sarah Tilleman and Dennis Halpin for their very hard work; and on the minority side, I would like to recognize and thank Paul Oostburg and Bob King for their service and the hard work they have put in to make this possible today.

Mr. LANTOS. Mr. Speaker, I am in strong support of this resolution.

Mr. Speaker, I would first like to commend my colleague from Ohio, SHERRON BROWN, for his persistence in pushing for Taiwan's observer status at the WHO. For many years he has successfully advocated for legislation to move this issue forward, and I want to congratulate him on his current efforts to do so.

I would also like to thank the Chairman of the Committee, my good friend from Illinois, for moving this legislation forward and to other members on his side of the aisle for their support.

Mr. Speaker, by battling the spread of infectious diseases and increasing the quality of health care to the global community, the World Health Organization makes a significant contribution to America's national security. As we meet today, the World Health Organization is attempting to prevent future outbreaks of the deadly SARS virus, implementing new strategies to stop the spread of the deadly HIV/AIDS virus, and teaching the developing world how to stop the transmission of tuberculosis.

Mr. Speaker, the fight for quality health care around the globe will never cease. As a result, the WHO and its member countries must look for help from every nation, and from every people, to strengthen the work of the organization. Unfortunately, strong and consistent opposition from the Chinese Government has repeatedly stopped the people of Taiwan from contributing to the work of the WHO.

I appreciate the willingness of President Bush to support Taiwan's bid for WHO observer status. But I fear that those who work for the President at the White House and the State Department are unwilling to make a concerted effort to make Taiwan's observer status a reality. While it is true that active, not simply passive, support for Taiwan's bid will upset Beijing, we must first focus on promoting America's own national interest.

It is true that observer status for Taiwan will not come easy. Beijing holds sway over many WHO members. But the facts in support of Taiwan's case are clear, and support will undoubtedly build over time with active American engagement.

Mr. Speaker, Taiwan is one of America's strongest allies in the Asia-Pacific region, and is a beacon of democracy for people around the world. Taiwan also has the money and expertise to make a significant contribution to the work of the World Health Organization. The case for Taiwan at the WHO is clear, and I hope that the Bush Administration will actively seize on this critically-important matter.

I urge my colleagues to support H.R. 4019.

Mr. MENENDEZ. Mr. Speaker, I am in strong support of Taiwan's entry into the World Health Organization (WHO). It is once again time for Congress to stand up for a democratic Taiwan.

Secretary Powell has noted before the International Relations Committee that there should be ways for Taiwan to enjoy full benefits of participation in international organizations without being a member. H.R. 4019 only calls for the Secretary of State to initiate a United States plan to endorse and obtain observer status at the WHO for Taiwan.

Time and time again in recent years, Congress has passed similar legislation to provide for Taiwan's participation in the WHO. Yet time and time again, Taiwan has been thwarted from joining this international organization because of objections from the People's Republic of China. This most recently occurred last May at the World Health Assembly in Geneva; even after Congress enacted legislation authorizing the U.S. Government to implement a plan for Taiwan to obtain observer status.

In recent years, Taiwan has expressed a willingness to assist financially and technically in international aid and health activities sup-

ported by the WHO, but has been unable to render such assistance because Taiwan is not a member of the WHO. Last year's SARS outbreak in Asia should have made it perfectly clear how important it is to allow Taiwan to participate in the WHO. Taiwan offered to work with the WHO yet was denied; only later were two WHO experts dispatched to Taiwan.

Meanwhile, the WHO has allowed observers to participate in the activities of the organization, including the Palestinian Liberation Organization, the Knights of Malta, and the Vatican.

Along with many of my colleagues, I am extremely disappointed that Taiwan is not a full member of the U.N. and all international organizations that its democratically led government wishes to join. Although this resolution does not go anywhere near far enough to address this concern, it is a first step in addressing the problem that Taiwan faces.

Therefore, I urge every member of this House to support a democratic Taiwan by supporting this bill.

Mr. CHABOT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4019, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CHABOT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GUARDSMEN AND RESERVISTS FINANCIAL RELIEF ACT OF 2003

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1779) to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, and for other purposes.

The Clerk read as follows:

*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 "Guardsmen and Reservists Financial Relief Act of 2003".

##### SEC. 2. PENALTY-FREE WITHDRAWALS FROM RETIREMENT PLANS FOR INDIVIDUALS CALLED TO ACTIVE DUTY FOR AT LEAST 179 DAYS.

(a) IN GENERAL.—Paragraph (2) of section 72(t) of the Internal Revenue Code of 1986 (relating to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end the following new subparagraph:

“(G) DISTRIBUTIONS FROM RETIREMENT PLANS TO INDIVIDUALS CALLED TO ACTIVE DUTY.—

“(i) IN GENERAL.—Any qualified reservist distribution.

“(ii) AMOUNT DISTRIBUTED MAY BE REPAID.—Any individual who receives a qualified reservist distribution may, at any time during the 2-year period beginning on the day after the end of the active duty period, make one or more contributions to an individual retirement plan of such individual in an aggregate amount not to exceed the amount of such distribution. The dollar limitations otherwise applicable to contributions to individual retirement plans shall not apply to any contribution made pursuant to the preceding sentence. No deduction shall be allowed for any contribution pursuant to this clause.

“(iii) QUALIFIED RESERVIST DISTRIBUTION.—For purposes of this subparagraph, the term ‘qualified reservist distribution’ means any distribution to an individual if—

“(I) such distribution is from an individual retirement plan, or from amounts attributable to employer contributions made pursuant to elective deferrals described in subparagraph (A) or (C) of section 402(g)(3) or section 501(c)(18)(D)(iii),

“(II) such individual was (by reason of being a member of a reserve component (as defined in section 101 of title 37, United States Code)), ordered or called to active duty for a period in excess of 179 days or for an indefinite period, and

“(III) such distribution is made during the period beginning on the date of such order or call and ending at the close of the active duty period.

“(iv) APPLICATION OF SUBPARAGRAPH.—This subparagraph applies to individuals ordered or called to active duty after September 11, 2001, and before September 12, 2005. In no event shall the 2-year period referred to in clause (ii) end before the date which is 2-years after the date of the enactment of this subparagraph.”

(b) CONFORMING AMENDMENTS.—

(1) Section 401(k)(2)(B)(i) of such Code is amended by striking “or” at the end of subclause (III), by striking “and” at the end of subclause (IV) and inserting “or”, and by inserting after subclause (IV) the following new subclause:

“(V) the date on which a period referred to in section 72(t)(2)(G)(iii)(III) begins, and”.

(2) Section 403(b)(11) of such Code is amended by striking “or” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, or”, and by inserting after subparagraph (B) the following new subparagraph:

“(C) for distributions to which section 72(t)(2)(G) applies.”

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions after September 11, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. SHAW) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, after the attacks of September 11, 2001, more than 85,000 reservists were recalled to Active Duty. America's brave men and women who serve the Reserves and National Guard willingly leave their jobs and families behind when called to Active Duty. Many of these service people receive a military salary that is much less than their civilian salary, and their families are the ones who suffer the difference

in income during their absence. The house payments go on; the grocery bills continue to pile up. Of the nearly 200 reservists on Active Duty in Afghanistan, Iraq and around the world, one-third have taken a pay cut in order to serve their country.

This bill will provide financial assistance to those reservists and guardsmen by allowing them to withdraw money from their IRAs without being penalized. By being able to use their savings when needed, they may avert some of the hardships that result from decreases in salary. This would allow servicemembers that extra bit of stretch in the family budget so they could avoid the financial squeeze that could challenge their ability to keep a business going, make rent payments and afford groceries. All of us know every bit helps, and when we think of the tremendous sacrifice these men and women are making to serve their country to keep us safe, this bill certainly deserves and is receiving great bipartisan support from both sides of the aisle.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill, but I do so with a very, very heavy heart because what my dear friend, the gentleman from Florida (Mr. SHAW), has pointed out is the inequities that exist in this war and the lack of sacrifice being shared by so many Americans.

It is for that reason why I think that we have to take a look at the draft. We have to make certain that when we talk about bringing them on and we are not going to cut and run, that we are not just talking about people like these reservists that we are trying to help today, people who the gentleman from Florida (Mr. SHAW) pointed out cannot make their rent payment, families who are actually receiving charitable allocations of food.

I saw a family left behind as their husband and father was in Iraq standing in line receiving food and clothing because they cannot afford it because of the reduction in salary that the reservists suffer as a result of performing their heroic duty. They suffer loss of income, many of them do not get their decent jobs back, their families have lost health benefits, and what are we suggesting we do today? What are we suggesting that we do today? We are suggesting that these low-income people that are being placed in harm's way, that when they dip into their individual retirement funds, when they are forced to jeopardize their retirement because of their service to their country, that we do not compensate them for this dramatic economic loss, we do not say, hey, we know how many private citizens are going there getting 10 times your salary, we know what their health benefits are, we know what their death benefits are, we know what their compensation really is, we

are not saying that we are going to adjust that. No, what we are saying is if they are forced to go into their family's retirement fund, they can dip into it as deep as they want, jeopardize the future fiscal support of their family, and we will not make them pay a penalty.

Well, I hope Members vote aye. I hope this passes by voice vote so we will not have to explain this big patriotic thing that we have done for our fighting reservists and National Guardsmen.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I well understand the passion in the voice of the gentleman from New York (Mr. RANGEL). He served with great distinction in Korea, and he knows what those sacrifices are like.

□ 1145

But he is a cosponsor of this bill. Sometimes it is hard to get a bipartisan minute in this Chamber; however, I think that when we do have to ask for a vote, that we will be getting a great bipartisan vote.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. BEAUPREZ), the author of this bill.

Mr. BEAUPREZ. Mr. Speaker, I thank the gentleman for his efforts to bring this to the floor, and I thank the gentleman from New York (Mr. RANGEL) as well for being a cosponsor of this legislation.

There is certainly much to do. I recognize and respect that. It crossed my mind, though, that this is perhaps one step in the direction of the great bit that we have to do, and it is something we can do and do quickly to provide some relief to the many families that have been going through sacrifice, financial and certainly otherwise, at this difficult time.

The Guard and Reserve have a noble tradition. Some of our greatest American heroes have served in the Guard. George Washington, Abraham Lincoln, Paul Revere, and certainly Teddy Roosevelt were all members of the National Guard. In fact, Roosevelt's Rough Riders were a Guard unit.

Since September 11 alone, some 366,000 plus Guard and reservists have been mobilized, just since September 11, 2001. Currently on Active Duty there are about 167,000 Guard and reservists on Active Duty. I believe it was the gentleman from Florida (Mr. SHAW), perhaps it was the gentleman from New York (Mr. RANGEL), who cited an estimated one-third that took a pay cut, and it may be more than that, to make this huge sacrifice and, of course, put themselves in harm's way. It would seem one of the most disingenuous, ungrateful things that this Nation could do, and in order to maintain their life-style back home, their obligations back home, that their families then be penalized for tapping into

a retirement account. Recognizing again that there is much that could and, in fact, probably should be done relative to the expanded mission that we have now found ourselves in for our Guard and Reserves since September 11, 2001, this being but one step and the step that I hope this House and this body takes today in trying to provide some financial relief to those families.

This legislation is retroactive to any Guard or reservist that has been called up since September 11, 2001. It does sunset in 2005, but certainly is action that I hope, once we see the wisdom of, perhaps we can extend that into the future. Again, a step to take, not the final step, not the only step, but a logical step in providing some financial relief to those who have taken on such a heavy burden in serving this country in a time of need.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Let us move forward and take this small first step, but let us listen to other steps that we can take to really show the depth of our appreciation of the sacrifice that our men and women in the National Guard and the Reserves are making.

Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the Committee on Ways and Means.

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding me this time.

The bill before us is not the least we can do. It is well beneath the least we should do. It is saying that if, when they are serving their country on extended deployment in the National Guard, they need to go into their retirement accounts to avoid family bankruptcy, that we are not going to charge them the penalty fee for early withdrawal of their retirement money.

I am going to support this legislation because grim reality is many of our soldiers and their families are in precisely this fiscal predicament. But the leadership on the that majority side that allowed this bill to come up on the suspension calendar had so many other options, I wish it had done something more meaningful. One of the options is legislation I have introduced, the Guard and Reserve Fairness Act, H.R. 3317, and let me contrast the rather pitiful step we are taking with this legislation to what is in this bill.

This bill, the Guard and Reserve Fairness Act, would allow those employers that continue to top off the pay of their employee who is on Guard deployment, it would allow them a tax credit for the dollars they advance holding the salary of their soldier level. This is a step we have to take to encourage employers to make the extra step so that their soldiers, their departed employees now on deployment, do not take the financial hit.

On Sunday night I greeted a plane-load of returning guardsmen from about 15 months of very hazardous duty in Iraq as they arrived home in

Bismark, North Dakota. It was quite a scene; tears of joy as families were reunited after all they had been through. But to think that we are putting them through, on top of everything else, great financial hardship because the pay in the military is below what so many of them are making in the private sector, it is just unacceptable.

So let us advance the step of doing much more than this so that we can avoid the financial hardship to our soldiers.

Mr. SHAW. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

Mr. Speaker, I rise in support of this legislation before us today to allow the reservists and National Guard members to make needed withdrawals from the retirement accounts without the usual tax penalties. This will allow these families to adjust to the financial strain that extended deployment inflicts on soldiers and their families. But hopefully this is only the first step. This is a very small piece.

I would like to take this moment to announce the introduction by the gentleman from New York (Mr. RANGEL) and me of another simple piece of legislation to help our deployed soldiers. Under current law the refundable child tax credit provides a refund of 10 percent of taxable earnings over \$10,000, but they have to be taxable earnings. We do not tax combat pay for deployed soldiers, unintentionally raising taxes for many families of soldiers deployed in Iraq or Afghanistan. Because of the quirk in the Tax Code, a soldier earning combat pay who is making under \$39,000 a year with two children would actually be better off if their combat pay were taxed. This legislation we are introducing would fix this glitch and treat combat pay as taxable income only for the purpose of computing the family tax credit.

I urge my colleagues to support this bill before us today and to cosponsor the Rangel-Hooley bill to correct the inequities with combat pay and the child tax credit. All Members can sign up.

Mr. SHAW. Mr. Speaker, I yield myself 1 minute.

Very briefly, I think the gentleman brings up a good point, and I would point out to the Congress that this is a matter that is subject to conference right now on a bill that is in conference, and I certainly think this is an oversight. It was not thought of when the child care credit was initiated, and I have been told that it would be germane and would be subject to conference, and perhaps it would get good bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

I would ask the gentleman from Florida might he extend that bipartisan to join with me in asking that the conference meets. Without a meeting there is no agreement.

Mr. SHAW. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Florida.

Mr. SHAW. Mr. Speaker, I think, as the gentleman knows, this is the Senate's call at this particular point.

Mr. RANGEL. Mr. Speaker, when the Senate does call, I hope that the minority be notified where the conference is being held, that we would be allowed to participate.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), a member of the Committee on Ways and Means.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I support this legislation. I assume everybody else will. But let us recognize it as a baby step when we should be taking a much larger one, I would say a giant step.

I do not think any of us know enough about what is happening in the lives of the families of those who are serving, in many cases serving longer than they ever expected, and the hardship that is happening financially as well as otherwise to these families.

So we should be doing more than this. Indeed, we should have had a Committee on Ways and Means discussion of this, this bill did not come before us, to look at the panoply of legislation that we could be considering and enacting. One has been mentioned relating to the child credit. Another relates to the withdrawals from the IRAs. The penalty is now being taken care of. But how about when there is a recontribution to make up for what had to be withdrawn because people are serving, they are doing their duty, they are receiving much less pay, the families are living on much less? This was not expected. It was not something they could readily plan for.

So today we ought to be looking at this legislation as something that should be passed, but as something that should just be the opener in a full discussion in this House, in our committee, about the consequences that are being imposed really upon the families who are really in many cases in some economic distress. So let us just make this the beginning and not the end.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. LANTOS), the senior Democrat on the Committee on International Relations, and one of the most eloquent voices that we have in this body.

Mr. LANTOS. Mr. Speaker, I thank my good friend for yielding me this time.

Mr. Speaker, the legislation we are considering today is the absolute

height of hypocrisy. H.R. 1779, the so-called Guardsmen and Reservists Financial Relief Act, is a sham, and it is an outrage. We are calling up members of our National Guard and Reserves, pulling them out of their regular employment, taking them away from their homes and families and communities, and asking them to risk their lives in the fight against terrorism in places like Iraq and Afghanistan. And what does the Republican leadership of this House propose to do in order to help them face the financial strain this call-up imposes on them and their families as they risk their lives for our Nation? This legislation provides the tiniest of tiny benefits. The bill allows the waiver of the early withdrawal fees as reservists and National Guardsmen and women use their own retirement savings, their own IRAs, in order to meet their urgent financial needs caused by their activation to serve our Nation.

This bill still requires that these brave men and women pay taxes on the money they withdraw. This means that a reservist in the 25 percent tax bracket would have to withdraw \$10,000 from his own IRA in order to meet expenses of \$7,500.

Instead of considering serious and substantive Democratic proposals to help those who risk their lives for all Americans, the leadership of this House continues to adopt grandly titled legislation which does little or nothing. At the same time, the Republican leadership continues to press for the top White House domestic priority, another tax cut for the wealthiest Americans.

Where is the shared sacrifice? Where is the effort to balance what all Americans are being asked to sacrifice as we fight the war on terrorism? Tax cuts for the wealthiest Americans, minute waivers of fees on early withdrawals for soldiers fighting and dying in Iraq and Afghanistan.

□ 1200

I cannot understand how the leadership of this House can shamelessly bring this tepid legislation to the floor and claim it benefits members of the Reserves and National Guard.

Months ago, Madam Speaker, I introduced H.R. 1345, bipartisan legislation supported by 80 Members of this body, that would provide real relief to the more than 40 percent of the National Guard and Reserves who suffer serious financial hardship when they are activated to serve our Nation. There are currently 170,000 Reservists and National Guardsmen activated to fight the war on terrorism, which means that 70,000 of them are attempting to get by on drastically reduced salaries.

Madam Speaker, the time has come to provide real assistance to these families. I challenge the Republican majority in this House to take meaningful action that will truly benefit the soldiers in our Reserve and National Guard units. It is time to stop playing

with sham legislation like this bill that we are considering today.

Mr. RANGEL. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Madam Speaker, I thank my colleague from New York for yielding me time.

Madam Speaker, today there are 171,917 National Guardsmen and Reservists on active duty. They are facing increasingly difficult circumstances with the most recent extension of the deployment of troops in Iraq. As a consequence of their service, many of our National Guardsmen and Reservists have been forced to resort to their savings, savings that are vital to the economic well-being of their families.

Many of our Guardsmen and Reservists have been forced to liquidated IRAs and other retirement accounts in order to pay their families' day-to-day expenses.

I am pleased that the bill we have before us today provides these servicemembers relief from the 10 percent penalty normally imposed on individuals making early withdrawals from those accounts. This relief is important, and I am pleased to support it as a first step.

Curiously, the bill does not take the next logical step, the next important step. While H.R. 1779 would permit the individual to recontribute the money to the retirement plan, the bill eliminates any tax benefit for the recontribution. As a result, individuals making those recontributions could ultimately face double taxation. They paid regular income tax on the initial distribution; they would have to pay regular income tax on the final distribution.

Madam Speaker, I am pleased today to support H.R. 1779, but only as a first step. These folks are risking their lives. Let us not force them to risk the financial security of their family.

Mr. RANGEL. Madam Speaker, I yield 1 minute to the gentleman from Maine (Mr. MICHAUD), a member of the Committee on Veterans' Affairs.

Mr. MICHAUD. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, yesterday I learned that one member of the 133rd Engineering Battalion from my State of Maine was killed and four were seriously wounded when serving their country in Iraq. My thoughts and prayers are with these soldiers and their families.

Unfortunately, sacrifices like these make it very clear that the Guard and Reserve face the same grave dangers as other military personnel. They are an essential part of our total fighting force, and they deserve the best our country can give.

I believe this bill before us today is a good first step in the right direction, but there is still so much more we should be doing for our soldiers and their families. Instead of simply allowing them to pull out their retirement money early to help pay the bills, we

should provide better pay and assistance for their families. Indeed, they face the same problems when they return home as other workers. Anyone who has been unemployed for an extended period should have the same ability to use their retirement funds to make ends meet. Even more important, Reservists must return home to a country that can provide good jobs for them so they can care for their families. That is the best way to honor our veterans.

Mr. RANGEL. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. STRICKLAND), a member of the Committee on Veterans' Affairs.

Mr. STRICKLAND. Madam Speaker, the leadership of this House should be ashamed to bring this bill to the floor. We are going to vote for it, obviously, because it is better than nothing, but it is nearly nothing.

The President said in his last press conference that he would tell the troops, whatever you need, we will provide. Well, it took the President and the Pentagon one full year, from March, when the war started, until March of this year, to ensure that all of our Guardsmen and all of our Reservists had body armor to keep them safe, and now we have Guardsmen and Reservists driving around in Iraq in Humvees that are not armored. They are getting their limbs blown off, and they are losing their lives by driving over these roadside bombs in unarmored Humvees.

The only company that has a sole-source contract to provide these armored Humvees for our military is in the State of Ohio. The vice president of that company came to my office and said, Congressman, we can produce up to 500 of these armored Humvees per month, but the Pentagon is only asking for 220.

We are doing something for our Reservists and our National Guard persons, but what we ought to be doing is providing them with life-saving equipment, and the President and the Pentagon and this Congress is failing to do that today.

Mr. SHAW. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have to rise at this particular point. This is a bill that gives a single benefit to our wonderful men and women serving us in combat. This is not the end of the legislation. This is not the only bill. This is not enough to do for these service men and women. Nobody up here is claiming that.

This has nothing to do with body armor, it has nothing to do with Humvees, it has nothing to do with equipment. Those are things that are being addressed in another committee, and should be addressed. I cannot disagree with what is being said, but this is not the forum in which to make these types of allegations.

This is a very good step forward, and this is supposed to be one of the unusual bipartisan moments we would

have in this body. I really am very disappointed that we are getting so much negative debate on something that is, hey, not enough, but we are going to move it forward.

Madam Speaker, it is my privilege to yield such time as he may consume to the gentleman from South Carolina (Mr. BARRETT), the coauthor of this legislation.

Mr. BARRETT of South Carolina. Madam Speaker, I rise today to support H.R. 1779, the Guardsmen and Reservists Financial Relief Act of 2003.

We live in a different world than we did 3 years ago. We now know our borders are not secure, the oceans no longer protect us from the rest of the world. Enemies in the past needed great armies, great industrial capacities and so many other things to endanger America. Now terrorists are organized to penetrate open societies and turn the power of modern technologies against us.

To defeat this, we must and will use every tool available to us: better homeland defense, law enforcement, intelligence and vigorous efforts to cut off terrorist financing and military power.

There is no doubt that our National Guardsmen and Reservists have been an integral part of our military power since September 11. The members and their families have sacrificed so much over the past 2 years. That is why I am proud to have worked very closely with the gentleman from Colorado (Mr. BEAUPREZ) to come up with a way to ease the financial burdens placed on our Guardsmen and Reservists families while they serve their country.

H.R. 1779 will allow military Reservists and National Guardsmen to make penalty-free withdrawals, listen to me now, penalty-free withdrawals, from their IRAs if they have been called for an extended duty time of more than 179 days. Reservists and Guardsmen will then be able to repay these withdrawals, penalty free, penalty free, within 2 years after the end of their duty.

It is my hope that this legislation will give some relief to the families who sacrifice day to day. You have seen them, and I have seen them. They are in everybody's district.

We want to help them to ensure our national security so we can defend our freedom. H.R. 1779 is just one way our Nation can thank them for what they do, each and every one of them every day. My thoughts and prayers remain with those who stand in harm's way, and may God bless each and every one of them.

Mr. RANGEL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me take this opportunity to disagree in the most friendly way with the gentleman from Florida. This is the time for us to show our support for our Reservists and National Guard. This is the time for us to give you on the other side of the aisle an opportunity to show what package

you would want to present so that we in a bipartisan way can present this.

It is no profile in courage for us to say you are now able to borrow money from your pension funds and have it penalty-free, penalty-free, penalty-free. Eighty-eight of the 704 people killed in action are Reservists and National Guard. Their families know that we have about 25,000 civilians over there that really get better benefits than they are getting.

So we are only using this as a vehicle to offer you the opportunity to join in a bipartisan way with a package that should sweep the patriotism of this House and to really say we are not remembering you in our prayers, but we are remembering you in the pocketbook where these people are suffering.

Madam Speaker, I yield one minute to the distinguished gentleman from California (Mr. GEORGE MILLER)

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker, we are going to support this legislation, but let us understand something: this legislation is a monumental insult to our Guardspeople and our soldiers.

What we are telling them is we invaded Iraq, and now they have to invade their savings, that they have to invade their retirement plans and their savings to subsidize this war effort. Because their families are under serious economic stress to keep from losing their home or losing their car or defaulting on a loan, they must now invade their savings, contrary to every bit of piece of advice that they get from Merrill Lynch, from Goldman Sachs and everybody else about how you build a retirement account, that you do not invade it.

Many of these people do not have incomes that will allow them to restore the savings that they take out of here. So they are getting penalized. They are getting penalized by destroying their long-term retirement future to subsidize this war because we could not come up with a plan, this administration, to get them out of Iraq on time or to give them notice about how long they were going to spend there so their families could make adjustments.

What these sailors and soldiers and Marines need is they need some additional pay. They need interest-free loans. They do not need to invade their savings to subsidize this war. It is an outrageous thing that we would do this to these individuals, because so many of them are not going to be able to pay this money back.

Mr. RANGEL. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. TANNER), a member of the Committee on Ways and Means

(Mr. TANNER asked and was given permission to revise and extend his remarks.)

Mr. TANNER. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I spent 26 years in the National Guard. I know what some of these people in the Guard and Reserve are going through. It is of little use, I think, for us to claim that we are giving a benefit to people when all we are saying to them is you can spend your own retirement money without penalty.

That is a really pathetic gesture to people who are the only people in the country, active duty, Guard and Reservists and their families, the only people in this country who have been asked to sacrifice anything, anything whatsoever. The rest of us, people my age, I am now retired from the National Guard, are told, you take a tax cut.

We send thousands of young people to Iraq and all over the world. "We will make any sacrifice." No, we are not making any sacrifice. They are. We are told to go shop and take a tax cut to help the economy. They are the ones that are making the sacrifice, and it is a shame that this is all we can do.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from New York (Mr. RANGEL) has 1 minute remaining, and the gentleman from Florida (Mr. SHAW) has 11 minutes remaining.

Mr. RANGEL. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, because I am concerned about the feelings of the gentleman from Florida, and not believing that we can move forward on this in a bipartisan way, I am going to make an offer that I do not believe that he can refuse, and that is we have agreed that this would be a very small step in doing what we as Americans, we as Members of Congress would want to do.

□ 1215

We Democrats have a lot of ideas. We have a committee that is working on how we can best support our troops, National Guard, reservists and active. If his office would work with my office with the ideas that they have, maybe we can come together with a meaningful, a real meaningful, support bill to show how much we appreciate the extraordinary commitment that these men and women are making.

And so perhaps once a week I will come to the floor and call upon my friend, the gentleman from Florida, cannot we collectively do something so that we are not criticizing the minimum we do, but we be supporting the maximum that fiscally we can.

Mr. SHAW. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I will say to my good friend the gentleman from New York (Mr. RANGEL) that any time he wants to meet with me, I would be delighted to meet with him. Unfortunately, most of the problems that we have been hearing are in the Committee on Armed Services where, I might say, that that committee has a lot of good bipartisan effort within that committee. But I would be delighted to share any ideas that I might

have or that the gentleman from New York (Mr. RANGEL) might have including one that was spoken of earlier by the gentleman from California, and that is interest-free loans.

Madam Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Madam Speaker, I rise today in strong support of the Guardsman and Reservists Financial Relief Act of 2003.

First let me commend all of our fine troops at home and abroad for their efforts in the war on terrorism. I want them to know that America supports their unyielding commitment in protecting our country from the constant threat of terror. The terrorists will never let up in their pursuit to create devastation and chaos all at the cost of innocent civilians, and their lives, of course. And we cannot afford to lose this war, and we must remain steadfast.

Madam Speaker, there is no doubt that through this difficult and dangerous struggle, our National Guardsmen and military reservists have continued to serve our Nation with honor and distinction. The President and this Nation have called upon these brave men and women to help win this war, and they have answered.

Guard and reservists oftentimes leave behind not only their friends and family, but their private sector jobs. In doing so they may face a drastic cut in pay, placing their families in financial hardship.

While our reservists are fighting to protect the American way of life, facing daily threats from radical insurgents and terrorists abroad, here in Congress we must stand up and fight for those heroes here at home.

Madam Speaker, this is why I am a strong advocate for this legislation. H.R. 1779 will help the families of these reservists and guardsmen pay their bills while they continue to serve this country. I ask Congress to do the right thing today, pass this important bill for the brave men and women who sacrificed so much for our safety and security so that we can win this war.

Mr. SHAW. Madam Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Madam Speaker, there is nothing wrong with this bill as far as it goes. What we are trying to argue here is we need to go further, particularly at this point in time. The gentleman mentioned the Committee on Armed Services. When we had the last supplemental appropriation on the floor, \$87 billion, I offered a package of benefits that went to family assistance, family separation pay, imminent danger pay, Tricare for reservists, a number of different things that we could and probably will have to do because of recruitment and retention problems that we will face down the road, but should do out of gratitude for our troops and particularly our Reserve and Guard components.

So I hope we can get the cooperation of both sides of the aisle in crafting a package for the upcoming mark of the defense authorization bill which will address many areas here where things can be done positively that go far beyond this bill.

Mr. SHAW. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I say to the gentleman from South Carolina (Mr. SPRATT) that I agree with him more than I disagree with him. I think he puts a nice positive spin on the closing side on the minority side. Yes, we are not doing enough, but I think now every 2 years we go through this.

This bill which this body is going to overwhelmingly support, and I am going to ask for a recorded vote, it has been called the height of hypocrisy, it has been called a sham, an insult. One of the speakers said it was pathetic.

Let me come back to Earth here and go through exactly what this bill does do. I think this is very important. Generally distributions from IRAs or pension plans are subject to 10 percent early withdrawal penalty if made before the age of 59½. And there are some exceptions right now that are in the law, such as distributions made for catastrophic medical expenses or first-time home purchases. I think there is also an exemption on educational funds.

What this bill simply does, and I compliment the authors of this bill, it would waive the 10 percent early withdrawal penalty for military reservists and National Guardsmen who are called into Active Duty for more than 179 days. Amounts withdrawn could be repaid on an after-tax basis to an IRA within 2 years after leaving Active Duty status. The bill would apply to individuals called into duty after September 11, 2001, and before September 12, 2005.

The Joint Committee on Taxation estimates that this bill would reduce revenue to the Federal Government by approximately \$4 million over 10 years. That is not, in the total scheme of things in this Federal Government, that is not a lot of money. The gentleman from South Carolina (Mr. SPRATT) knows this well. He is the ranking member on the Committee on the Budget and an expert on the minority side in this area.

It is the least we can do. Is it enough? No. Are we requiring people to take the money out of their IRAs? No. We are simply laying down another tool by which these families can help themselves. There are already many things that are in the law that protect our men and women who are called upon to serve. But are there enough things? Shall we continue to look for additional things? Of course we should. We owe them so very much. We can never repay the risks that they are taking, the sacrifices that they and their families are making.

GENERAL LEAVE

Mr. SHAW. Madam Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of this bill.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. STARK. Madam Speaker, I am in support of the Guardsman and Reservists Financial Relief Act.

The courageous Americans serving in harms way should not be forced to suffer for their services through unnecessary financial hardship. This legislation would allow members of the National Guard and Reserves deployed in extended duty in Iraq and elsewhere the opportunity to borrow against their 301(k) plans and retirement savings to make ends meet.

This bill may give reservists more flexibility to meet financial pressures. But President Bush and Republicans in Congress can—and must—do more for our troops who are making sacrifices on our behalf. They deserve better pay and better health care and benefits for their families.

Several thousands reservists who were on the verge of coming home from Iraq recently had their stay extended. By next month, the Pentagon expects reservists to make up 40 percent of the total force employed there. In fact, more than 325,000 Guardsmen and reservists have been activated since September 11, many taking a pay cut when called to active duty.

With the bill before us today, reservists aren't getting additional pay to help support themselves and their families. They're just being allowed to borrow against their retirement without a penalty—as if having to pay back their lost retirement savings later because of lost wages isn't penalty enough.

It is important to remember that most people who've joined the Guard and the Reserves never signed up expecting to be deployed on extended tours of duty. Yet, they have accepted that responsibility and served courageously in Iraq. But, let us not forget our reservists are still bearing the consequences.

Many families of Guard and Reserve troops have had to cope with lost income since their civilian salaries are suspended while they are on active duty. The military pay for most reservists is often far lower than their civilian job forcing many families to work overtime, use their savings or even go on welfare.

Rather than putting it on reservists to make up for this lost pay, Congress ought to pass the Equity for Reservists Pay Act, legislation I support to require federal agencies to pay employees the difference between their civilian and military wages while they are on active duty. Congress ought also extend military pay raises. We ought to extend the child tax credit to low-income families of those serving in Iraq or Afghanistan.

Although I support this legislation, Republicans have sadly missed the mark today. This just doesn't repay our troops for their service. But, I'm not surprised considering that President Bush wants to cut imminent danger pay and separation allowances, putting our troops further in the hole.

I urge my colleagues to pass this legislation today. But this should not be the last step this Congress takes to help those brave Americans who continue to sacrifice for our nation.

Mr. SPRATT. Madam Speaker, H.R. 1779 amends the Internal Revenue Code of 1986 to allow penalty-free retirement account withdrawals for national guardsmen and reservists called to active duty for an extended, and further authorizes a 2-year period to reimburse their accounts up to the amount withdrawn. I think you would be hard pressed to find a Member of Congress who opposes this low cost bill to benefit our troops. My only question is: Shouldn't we do more? The answer is clearly yes. I agree in spirit with this bill, but when I compare it with what the troops truly deserve, I'm reminded of the commercial, "Where's the beef?" come up short. The mere fact that we are considering legislation that allows guardsmen and reservists to withdraw funds from their retirement accounts indicates the problem. A solution for this problem must include more "beef" than simply allowing our service members to borrow from their long term savings to meet their short term obligations. A true solution lies in the form of better benefits.

Our troops, both active and reserve need and deserve better family separation and imminent danger pay. Reservists serving in Afghanistan and Iraq need TRICARE military health coverage. Retirees deserve better survivor benefits for military widows and our military families deserve better housing.

Recent events in Afghanistan and Iraq highlight the perils of war. In the FY03 Emergency Supplemental Appropriations bill, imminent danger pay, additional compensation provided to servicemen and women in combat zones, was raised to \$225 from \$150 a month. The family separation allowance, which goes to help military families pay rent, child care or other expenses while service members are away, was raised from \$100 to \$250 a month. Congress should act now to make these increases permanent. This will show our troops that we are aware of the hardships they face not only in the field, but also at home.

The Supplemental Appropriations bill also provided limited and temporary TRICARE benefits for Reservists. It stopped short of providing expanded health care benefits to members of the selected reserve and certain members of the Individual Ready Reserve and their families.

Representative JEFF MILLER's bill to end the survivor Benefit Plan (SBP) widow's tax has 303 co-sponsors, but may never make it to the floor for a vote. Congress should act on this important legislation.

We have thousands of service members and their families living in substandard housing. The Military Housing Privatization Initiative (MHPI) was passed to remedy this injustice. A spending cap was set as a safeguard. We anticipate reaching the spending cap by November 2004, and the problem has not been solved. We must raise or eliminate this cap in order to continue this necessary program.

Instead of rewarding our troops and retirees with tangible benefits, the legislation we are debating today simply permits select Reserve Component members to borrow their own money in the short term at the expense of their long term goal of a comfortable retirement. While H.R. 1779 allows a two year period to replace the withdrawn funds, I am doubtful that a financial strain that would require tapping one's retirement savings would permit complete reimbursement within 2 years. We can do better for the men and women of

the world's greatest military. Rather than simply removing the 10 percent penalty for early retirement account withdrawal, I urge my colleagues to support a permanent increase in imminent danger pay and the family separation allowance, provide adequate funding to include reservists in TRICARE, eliminate the SBP widow's tax, and raise or eliminate the MHPI spending cap.

H.R. 1779 is a low cost morale booster for our troops in the field, and I urge its passage today. However, the mere fact that we are considering this measure highlights a bigger and more lasting problem for our troops. Mr. Speaker, I will vote yes on this bill, but I urge my colleagues, especially the Republican Majority to follow up H.R. 1779 with the more meaningful and substantive legislation I have outlined, which is specifically spelled out in the "Military Benefits Proposal," which I am attaching and submitting for the RECORD. This list contains benefits I proposed when the \$87 billion Supplemental Appropriation was offered last year. Unfortunately, the Rules Committee did not make my proposal in order as an amendment. I intend to offer many of these benefits again when the Defense Authorization Bill is marked up in Committee and considered here on the floor.

#### MILITARY BENEFITS PROPOSALS

**Hostile Fire/Imminent Danger Pay:** Makes increase from \$225 per month to \$250 per month permanent.

**Family Separation Allowance:** Makes increase to \$250 per month permanent.

**Hardship Duty Pay:** Increases from \$300 per month to up to \$600 per month during FY2004.

**Eliminate Out-of-Pocket Housing Costs:** Accelerates from 2005 to 2004 the final year of the bipartisan effort to increase the Basic Allowance for Housing to completely cover average out-of-pocket housing costs for military families living off base.

**Family Assistance Centers:** Provides \$48 million for increased demand on family assistance centers for National Guard and Reserve to assist with problems related to increased deployments.

**Transition Assistance for Disabled Servicemembers:** Provides \$50 million to enhance DOD-VA transition programs for disabled servicemembers.

**Deployment Notification to Reservists:** Directs DOD to provide maximum advance notice to mobilized Guard and Reserve personnel on the timing and duration of their duty.

**Small Business Loans for Reservists:** Provides \$25 million for loans or loan guarantees for reservists whose small businesses have been disrupted by their mobilization.

**Vocation Development for Reservists:** Provides \$25 million for SBA grants for vocational or technical training for reserve-owned small businesses.

Mr. KIND. Madam Speaker, I rise in support of this legislation, H.R. 1779, the Guardsmen and Reservists Financial Relief Act, which will allow members of the National Guard and military Reserve forces to make penalty free withdrawals from retirement accounts if they are called to active duty for an extended period of time.

Our National Guard and reserve forces are playing a leading role in our operations abroad. Nationwide, over 325,000 members of the Guard and reserve have been called up to active duty since September 11, 2001. Serving in Iraq and elsewhere, these service members have fought side-by-side with their Active Duty

counterparts in often difficult and dangerous conditions.

Over the past year, I have had the opportunity to meet with many National Guard and Reserve members and families from Wisconsin who have been called up in support of operations Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq. Members of the 229th Engineer Company out of Prairie du Chien and Platteville, the 829th Engineer Detachment out of Richland Center, and the 652d Engineer Company out of Ellsworth all recently returned from yearlong deployments in Iraq. Their sacrifices, and those of their families, are greatly appreciated by Wisconsin residents.

With many Guard and Reserve members taking large pay cuts when called to active duty, it is proper that Congress act to relieve this additional burden. The legislation before us today helps by allowing activated Guard and Reserve members to withdraw money from retirement accounts without penalty.

While this legislation assists those Guard and Reserve members and families who need financial assistance to make ends meet, it is only a minor step. I, along with many other members of Congress, support additional tax relief for military families, pay increases for certain personnel, health care improvements, and reenlistment bonuses for members of the Reserve Component.

Our military commitments in Iraq and throughout the world are not likely to diminish in the near future, and the Defense Department expects Guard and Reserve units to make up about 40 percent of our total force in Iraq by May 1, 2004. With this in mind, we need to do all we can to support the men and women of the Guard and Reserve who are called to active duty and their families.

My thoughts and prayers are with those serving our country overseas, as well as their families. America is firmly behind our troops, and we are all hoping to see them home safe, secure and soon.

May God continue to bless the United States of America.

Mr. SHAW. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 1779.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SHAW. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

H.R. 3970, by the yeas and nays;

H.R. 4030, by the yeas and nays;  
H.R. 3147, by the yeas and nays;  
H.R. 4019, by the yeas and nays;  
H.R. 1779, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT OF 2004

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3970, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. GINGREY) that the House suspend the rules and pass the bill, H.R. 3970, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 14, not voting 17, as follows:

[Roll No. 121]

#### YEAS—402

Abercrombie	Capuano	Fattah
Ackerman	Cardin	Feeney
Aderholt	Cardoza	Ferguson
Akin	Carson (IN)	Filner
Alexander	Carson (OK)	Foley
Allen	Carter	Forbes
Andrews	Case	Ford
Baca	Castle	Fossella
Bachus	Chabot	Frank (MA)
Baird	Chandler	Franks (AZ)
Baker	Chocola	Frost
Baldwin	Clay	Galleghy
Ballance	Clyburn	Garrett (NJ)
Ballenger	Coble	Gerlach
Barrett (SC)	Cole	Gibbons
Bartlett (MD)	Collins	Gilchrest
Barton (TX)	Conyers	Gillmor
Bass	Cooper	Greig
Beauprez	Costello	Gonzalez
Becerra	Cox	Goode
Bell	Cramer	Goodlatte
Bereuter	Crane	Gordon
Berkley	Crenshaw	Goss
Berman	Crowley	Granger
Berry	Culberson	Graves
Biggert	Cummings	Green (TX)
Bilirakis	Cunningham	Green (WI)
Bishop (GA)	Davis (AL)	Grijalva
Bishop (NY)	Davis (CA)	Gutierrez
Bishop (UT)	Davis (FL)	Gutknecht
Blackburn	Davis (IL)	Hall
Blumenauer	Davis (TN)	Harman
Blunt	Davis, Tom	Hart
Boehlert	Deal (GA)	Hastings (WA)
Boehner	DeFazio	Hayes
Bonilla	DeGette	Hayworth
Bonner	Delahunt	Hefley
Bono	DeLauro	Hergert
Boozman	DeLay	Hill
Boswell	DeMint	Hinche
Boucher	Deutsch	Hinojosa
Boyd	Diaz-Balart, L.	Hobson
Bradley (NH)	Diaz-Balart, M.	Hoekstra
Brady (PA)	Dicks	Holden
Brady (TX)	Dingell	Holt
Brown (OH)	Doggett	Honda
Brown (SC)	Dooley (CA)	Hoolley (OR)
Brown, Corrine	Doolittle	Houghton
Brown-Waite,	Doyle	Hoyer
Ginny	Dreier	Hunter
Burgess	Dunn	Hyde
Burns	Edwards	Inslee
Burr	Ehlers	Isakson
Burton (IN)	Emanuel	Israel
Buyer	Emerson	Issa
Calvert	Engel	Istook
Camp	English	Jackson (IL)
Cannon	Eshoo	Jackson-Lee
Cantor	Etheridge	(TX)
Capito	Evans	Jenkins
Capps	Farr	Johnson (CT)

Johnson (IL)	Moran (KS)
Johnson, E. B.	Moran (VA)
Johnson, Sam	Murphy
Jones (OH)	Murtha
Kanjorski	Myrick
Kaptur	Nadler
Keller	Napolitano
Kelly	Neal (MA)
Kennedy (MN)	Nethercutt
Kennedy (RI)	Neugebauer
Kildee	Ney
Kilpatrick	Northup
Kind	Norwood
King (IA)	Nunes
King (NY)	Nussle
Kirk	Oberstar
Kleczyka	Obey
Kline	Olver
Knollenberg	Ortiz
Kolbe	Osborne
Kucinich	Ose
LaHood	Owens
Lampson	Oxley
Langevin	Pallone
Lantos	Pascrell
Larsen (WA)	Pastor
Larson (CT)	Payne
Latham	Pearce
LaTourette	Pelosi
Leach	Peterson (MN)
Lee	Peterson (PA)
Levin	Petri
Lewis (CA)	Pickering
Lewis (GA)	Pitts
Linder	Platts
Lipinski	Pombo
LoBiondo	Pomeroy
Lofgren	Porter
Lowe	Portman
Lucas (KY)	Price (NC)
Lucas (OK)	Pryce (OH)
Lynch	Putnam
Majette	Radanovich
Maloney	Rahall
Manzullo	Ramstad
Markey	Rangel
Marshall	Regula
Matheson	Rehberg
Matsui	Renzi
McCarthy (MO)	Reyes
McCarthy (NY)	Reynolds
McCollum	Rodriguez
McCotter	Rogers (AL)
McCrery	Rogers (KY)
McDermott	Rogers (MI)
McGovern	Rohrabacher
McHugh	Ross
McInnis	Rothman
McIntyre	Roybal-Allard
McKeon	Royce
McNulty	Ruppersberger
Meehan	Rush
Meek (FL)	Ryan (OH)
Meeks (NY)	Ryan (WI)
Menendez	Ryun (KS)
Mica	Sabo
Michaud	Sánchez, Linda
Millender-	T.
McDonald	Sanchez, Loretta
Miller (MI)	Sanders
Miller (NC)	Sandlin
Miller, Gary	Saxton
Miller, George	Schakowsky
Mollohan	Schiff
Moore	Schrock

#### NAYS—14

Cubin	Hensarling	Otter
Davis, Jo Ann	Hostettler	Paul
Duncan	Jones (NC)	Pence
Everett	Miller (FL)	Tancredo
Flake	Musgrave	

#### NOT VOTING—17

Frelinghuysen	Hulshof	Ros-Lehtinen
Gephardt	Jefferson	Tauzin
Greenwood	John	Toomey
Harris	Kingston	Velázquez
Hastings (FL)	Lewis (KY)	Weller
Hoeffel	Quinn	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1250

Mr. TANCREDO, Mrs. MUSGRAVE, Mr. EVERETT, Mrs. CUBIN, and Messrs. PENCE, MILLER of Florida and OTTER changed their vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of this series will be conducted as 5-minute votes.

#### CONGRESSIONAL MEDAL FOR OUT- STANDING CONTRIBUTIONS IN MATH AND SCIENCE EDUCATION ACT OF 2004

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the question of suspending the rules and passing the bill, H.R. 4030, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4030, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 7, not voting 15, as follows:

Roll No. 122]

#### YEAS—411

Abercrombie	Boucher	Cox
Ackerman	Boyd	Cramer
Aderholt	Bradley (NH)	Crane
Akin	Brady (PA)	Crenshaw
Alexander	Brady (TX)	Crowley
Allen	Brown (OH)	Cubin
Andrews	Brown (SC)	Culberson
Baca	Brown, Corrine	Cummings
Bachus	Brown-Waite,	Cunningham
Baird	Ginny	Davis (AL)
Baker	Burgess	Davis (CA)
Baldwin	Burns	Davis (FL)
Ballance	Burr	Davis (IL)
Ballenger	Burton (IN)	Davis (TN)
Barrett (SC)	Buyer	Davis, Jo Ann
Bartlett (MD)	Calvert	Davis, Tom
Barton (TX)	Camp	Deal (GA)
Bass	Cannon	DeFazio
Beauprez	Cantor	DeGette
Becerra	Capito	Delahunt
Bell	Capps	DeLauro
Bereuter	Capuano	DeLay
Berkley	Cardin	DeMint
Berman	Cardoza	Deutsch
Berry	Carson (IN)	Diaz-Balart, L.
Biggert	Carson (OK)	Diaz-Balart, M.
Bilirakis	Carter	Dicks
Bishop (GA)	Case	Dingell
Bishop (NY)	Castle	Doggett
Bishop (UT)	Chabot	Dooley (CA)
Blackburn	Chandler	Doolittle
Blumenauer	Chocola	Doyle
Blunt	Clay	Dreier
Boehlert	Clyburn	Duncan
Boehner	Coble	Dunn
Bonilla	Cole	Edwards
Bonner	Collins	Ehlers
Bono	Conyers	Emanuel
Boozman	Cooper	Emerson
Boswell	Costello	Engel

English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill  
Hinchev  
Hinojosa  
Hobson  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kirk  
Klecicka  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larsen (CT)  
Latham  
LaTourette  
Leach  
Lee

Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
Skelton  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Mushgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tancred  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Burr  
Bartlett (MD)  
Barton (TX)  
Bass  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—7

Flake  
Franks (AZ)  
Hensarling

Hoekstra  
Paul  
Pence

Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchev  
Hinojosa  
Hobson  
Holden  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kirk  
Klecicka  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larsen (CT)  
Latham  
LaTourette  
Leach  
Lee

Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larsen (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
Skelton  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Mushgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman

Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tancred  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Vislosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman

NOT VOTING—15

Frelinghuysen  
Gephardt  
Greenwood  
Harris  
Hastings (FL)

Hoeffel  
Hulshof  
Jefferson  
Kingston  
Ros-Lehtinen

Schrock  
Tauzin  
Toomey  
Velazquez  
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1258

Mr. PENCE changed his vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JAMES V HANSEN FEDERAL BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3147, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 3147, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 123]

YEAS—418

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Burr  
Bartlett (MD)  
Barton (TX)  
Bass  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Berkley  
Berry  
Berman  
Berra  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blunt  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doyle

Weiner Wicker Wu  
Weldon (FL) Wilson (NM) Wynn  
Weldon (PA) Wilson (SC) Young (AK)  
Wexler Wolf Young (FL)  
Whitfield Woolsey

NOT VOTING—15

Doolittle Hastings (FL) Ros-Lehtinen  
Frelinghuysen Hoeffel Slaughter  
Gephardt Hulshof Tauzin  
Greenwood Jefferson Toomey  
Harris Kingston Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1306

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARTICIPATION OF TAIWAN IN WORLD HEALTH ORGANIZATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4019, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4019, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 124]

YEAS—416

Abercrombie Boyd Crowley  
Ackerman Bradley (NH) Cubin  
Aderholt Brady (PA) Culberson  
Akin Brady (TX) Cummings  
Alexander Brown (OH) Cunningham  
Allen Brown (SC) Davis (AL)  
Andrews Brown, Corrine Davis (CA)  
Baca Brown-Waite, Davis (FL)  
Bachus Ginny Davis (IL)  
Baird Burgess Davis (TN)  
Baker Burns Davis, Jo Ann  
Baldwin Burr Davis, Tom  
Ballance Burton (IN) Deal (GA)  
Ballenger Buyer DeFazio  
Barrett (SC) Calvert DeGette  
Bartlett (MD) Camp Delahunt  
Barton (TX) Cantor DeLauro  
Bass Capito DeLay  
Beauprez Capps DeMint  
Becerra Capuano Deutsch  
Bell Cardin Diaz-Balart, L.  
Bereuter Cardoza Diaz-Balart, M.  
Berkley Carson (IN) Dicks  
Berman Carson (OK) Dingell  
Berry Carter Doggett  
Biggert Case Dooley (CA)  
Bilirakis Castle Doolittle  
Bishop (GA) Chabot Doyle  
Bishop (NY) Chandler Dreier  
Bishop (UT) Chocola Duncan  
Blackburn Clay Dunn  
Blumenauer Clyburn Edwards  
Blunt Coble Ehlers  
Boehlert Cole Emanuel  
Boehner Collins Emerson  
Bonilla Cooper Engel  
Bonner Costello English  
Bono Cox Eshoo  
Boozman Cramer Etheridge  
Boswell Crane Evans  
Boucher Crenshaw Everett

Farr Fattah Lewis (GA)  
Ferguson Lewis (KY)  
Finler Linder  
Flake Lipinski  
Foley LoBiondo  
Forbes Lofgren  
Ford Lowey  
Fossella Lucas (KY)  
Frank (MA) Lucas (OK)  
Franks (AZ) Lynch  
Frost Majette  
Gallegly Maloney  
Garrett (NJ) Manzullo  
Gerlach Markey  
Gibbons Marshall  
Gilchrist Matheson  
Gillmor Matsui  
Gingrey McCarthy (MO)  
Gonzalez McCarthy (NY)  
Goode McCollum  
Goodlatte McCotter  
Gordon McCrery  
Goss McDermott  
Granger McGovern  
Graves McHugh  
Green (TX) McInnis  
Green (WI) McIntyre  
Grijalva McKeon  
Gutierrez McNulty  
Gutknecht Meehan  
Hall Meek (FL)  
Harman Meeks (NY)  
Hart Menendez  
Hastings (WA) Mica  
Hayes Michaud  
Hayworth Millender-  
Hefley McDonald  
Hensarling Miller (FL)  
Herger Miller (MI)  
Hill Miller (NC)  
Hinche Miller, Gary  
Hobson Miller, George  
Hoeffel Mollohan  
Hoekstra Moore  
Holden Moran (KS)  
Holt Moran (VA)  
Honda Murphy  
Hooiler (OR) Murtha  
Hostettler Musgrave  
Houghton Myrick  
Hoyer Nadler  
Hunter Napolitano  
Hyde Neal (MA)  
Inslee Nethercutt  
Isakson Neugebauer  
Israel Ney  
Issa Northup  
Istook Norwood  
Jackson (IL) Nunes  
Jackson-Lee Oussle  
(TX) Oberstar  
Jenkins Obey  
John Oliver  
Johnson (CT) Ortiz  
Johnson (IL) Osborne  
Johnson, E. B. Ose  
Johnson, Sam Otter  
Jones (NC) Owens  
Jones (OH) Oxley  
Kanjorski Pallone  
Kaptur Pascarell  
Keller Pastor  
Kelly Paul  
Kennedy (MN) Payne  
Kennedy (RI) Pearce  
Kildee Pelosi  
Kilpatrick Pence  
Kind Peterson (MN)  
King (IA) Peterson (PA)  
King (NY) Petri  
Kirk Pickering  
Kleczka Pitts  
Kline Platts  
Knollenberg Pombo  
Kolbe Pomeroy  
Kucinich Porter  
LaHood Price (NC)  
Lampson Pryce (OH)  
Langevin Putnam  
Lantos Quinn  
Larsen (WA) Rahall  
Larson (CT) Ramstad  
Latham Rangel  
LaTourette Regula  
Leach Rehberg  
Lee Renzi  
Levin Reyes  
Lewis (CA) Reynolds

NOT VOTING—17  
Cannon Harris Radanovich  
Conyers Hastings (FL) Ros-Lehtinen  
Feeney Hinojosa Tauzin  
Frelinghuysen Hulshof Toomey  
Gephardt Jefferson Weller  
Greenwood Kingston

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1314

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GUARDSMEN AND RESERVISTS FINANCIAL RELIEF ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1779.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 1779, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 125]

YEAS—415

Abercrombie Brown, Corrine Davis, Jo Ann  
Ackerman Brown-Waite, Davis, Tom  
Aderholt Ginny Deal (GA)  
Akin Burgess DeFazio  
Alexander Burns DeGette  
Allen Burr Delahunt  
Andrews Burton (IN) DeLauro  
Baca Buyer DeLay  
Bachus Calvert DeMint  
Baird Camp Deutsch  
Baker Cannon Diaz-Balart, L.  
Baldwin Cantor Diaz-Balart, M.  
Ballance Capito Dicks  
Ballenger Capps Dingell  
Barrett (SC) Capuano Doggett  
Bartlett (MD) Cardin Dooley (CA)  
Barton (TX) Cardoza Doolittle  
Bass Carson (IN) Doyle  
Beauprez Carson (OK) Dreier  
Becerra Carter Duncan  
Bell Case Dunn  
Bereuter Castle Edwards  
Berkley Chabot Ehlers  
Berman Chandler Emanuel  
Berry Chocola Emerson  
Biggert Clay Engel  
Bilirakis Clyburn English  
Bishop (GA) Coble Eshoo  
Bishop (NY) Cole Etheridge  
Berman Carson (OK) Collins  
Berry Carter Conyers  
Biggert Case Cooper  
Bilirakis Castle Costello  
Bishop (GA) Chabot Cox  
Bishop (NY) Chandler Cramer  
Bishop (UT) Chocola Crane  
Blackburn Clay Crenshaw  
Blumenauer Clyburn Crowley  
Blunt Coble Cubin  
Boehlert Cole Fattah  
Boehner Cramer Ferguson  
Bonilla Crane Flake  
Bonner Crenshaw Foley  
Bono Crowley Forbes  
Boozman Cubin Ford  
Boswell Culberson Fossella  
Boucher Cummings Frank (MA)  
Boyd Cunningham Franks (AZ)  
Bradley (NH) Davis (AL) Frost  
Brady (PA) Davis (CA) Gallegly  
Brady (TX) Davis (FL) Garrett (NJ)  
Brown (OH) Davis (IL) Gerlach  
Brown (SC) Davis (TN) Gibbons

Gilchrest	Majette	Ross
Gillmor	Maloney	Rothman
Gingrey	Manzullo	Roybal-Allard
Gonzalez	Markey	Royce
Goode	Marshall	Rush
Goodlatte	Matheson	Ryan (OH)
Gordon	Matsui	Ryan (WI)
Goss	McCarthy (MO)	Ryun (KS)
Granger	McCarthy (NY)	Sabo
Graves	McCollum	Sánchez, Linda
Green (TX)	McCotter	T.
Green (WI)	McCrery	Sanchez, Loretta
Grijalva	McDermott	Sanders
Gutierrez	McGovern	Sandlin
Gutknecht	McHugh	Saxton
Hall	McInnis	Schakowsky
Harman	McIntyre	Schiff
Hart	McKeon	Schrock
Hastings (WA)	McNulty	Scott (GA)
Hayes	Meehan	Scott (VA)
Hayworth	Meek (FL)	Sensenbrenner
Hefley	Meeks (NY)	Serrano
Hensarling	Menendez	Sessions
Herger	Mica	Shadegg
Hill	Michaud	Shaw
Hinchee	Millender-	Shays
Hobson	McDonald	Sherman
Hoeffel	Miller (FL)	Sherwood
Hoekstra	Miller (MI)	Shimkus
Holden	Miller (NC)	Shuster
Holt	Miller, Gary	Simmons
Honda	Miller, George	Simpson
Hooley (OR)	Mollohan	Skelton
Hostettler	Moore	Slaughter
Houghton	Moran (KS)	Smith (MI)
Hoyer	Moran (VA)	Smith (NJ)
Hunter	Murphy	Smith (TX)
Hyde	Murtha	Smith (WA)
Inlee	Musgrave	Snyder
Isakson	Myrick	Solis
Israel	Nadler	Souder
Issa	Napolitano	Spratt
Istook	Neal (MA)	Stark
Jackson (IL)	Nethercutt	Stearns
Jackson-Lee	Neugebauer	Stenholm
(TX)	Ney	Strickland
Jenkins	Northup	Stupak
John	Norwood	Sullivan
Johnson (CT)	Nunes	Sweeney
Johnson (IL)	Nussle	Tancredo
Johnson, E. B.	Oberstar	Tanner
Johnson, Sam	Obey	Tauscher
Jones (NC)	Olver	Taylor (MS)
Jones (OH)	Ortiz	Taylor (NC)
Kanjorski	Osborne	Terry
Kaptur	Ose	Thomas
Keller	Owens	Thompson (CA)
Kelly	Oxley	Thompson (MS)
Kennedy (MN)	Pallone	Thornberry
Kennedy (RI)	Pascarell	Tiahrt
Kildee	Pastor	Tiberi
Kilpatrick	Paul	Tierney
Kind	Payne	Towns
King (IA)	Pearce	Turner (OH)
King (NY)	Pelosi	Turner (TX)
Kirk	Pence	Udall (CO)
Kleczka	Peterson (MN)	Udall (NM)
Kline	Peterson (PA)	Upton
Knollenberg	Petri	Van Hollen
Kolbe	Pickering	Velázquez
Kucinich	Pitts	Visclosky
LaHood	Platts	Vitter
Lampson	Pombo	Walden (OR)
Langevin	Pomeroy	Walsh
Lantos	Porter	Wamp
Larsen (WA)	Portman	Waters
Larson (CT)	Price (NC)	Watson
Latham	Pryce (OH)	Watt
LaTourette	Putnam	Waxman
Leach	Quinn	Weiner
Lee	Rahall	Weldon (FL)
Levin	Ramstad	Weldon (PA)
Lewis (CA)	Rangel	Wexler
Lewis (GA)	Regula	Wicker
Lewis (KY)	Rehberg	Wilson (NM)
Linder	Renzi	Wilson (SC)
Lipinski	Reyes	Wolf
LoBiondo	Reynolds	Woolsey
Lofgren	Rodriguez	Wu
Lowe	Rogers (AL)	Wynn
Lucas (KY)	Rogers (KY)	Young (AK)
Lucas (OK)	Rogers (MI)	Young (FL)
Lynch	Rohrabacher	

NOT VOTING—18

Feeney	Harris	Jefferson
Frelinghuysen	Hastings (FL)	Kingston
Gephardt	Hinojosa	Otter
Greenwood	Hulshof	Radanovich

Ros-Lehtinen	Tauzin	Weller
Ruppersberger	Toomey	Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1322

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. OTTER. Mr. Speaker, unfortunately I missed the vote on H.R. 1779 "Guardsmen and Reservists Financial Relief." Had I been present I would have voted for this bill.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker on rollcalls No. 124 and 125, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. HARRIS of Florida. Mr. Speaker, today, during rollcall vote No. 121 on H.R. 3970, I was unavailable for the vote. Had I been present, I would have voted "yea." During rollcall vote No. 122 on H.R. 4030, I was unavailable for the vote. Had I been present, I would have voted "yea."

During rollcall vote No. 123 on H.R. 3147, I was unavailable for the vote. Had I been present, I would have voted "yea." During rollcall vote No. 124 on H.R. 4019, I was unavailable for the vote. Had I been present, I would have voted "yea."

During rollcall vote No. 125 on H.R. 1779, I was unavailable for the vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. FRELINGHUYSEN. Mr. Speaker, Wednesday, April 21, I was in my district in New Jersey attending services associated with the funeral of LT John Wroblewski (United States Marines) of Jefferson Township. On rollcall No. 121, H.R. 3970—Green Chemistry Research and Development, I would have voted "yea." On rollcall No. 122, H.R. 4030—Congressional Medal for Outstanding Contributions in Math and Science, I would have voted "yea."

On rollcall No. 123 H.R. 3147—James V. Hansen Federal Building Designation, I would have voted "yea." On rollcall No. 124 H.R. 4019—To address the participation of Taiwan in the WHO, I would have voted "yea." On rollcall No. 125—H.R. 1779, Guardsmen and Reservists Financial Relief Act, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4090

Mr. ENGLISH. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4090.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PLAY THE TAPES

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Madam Speaker, it is time to play the tapes. Members of the administration seem to be rewriting history. The Secretary of State does not remember that the President forgot to tell him about the secret run-up to the war in Iraq. The Secretary of War does remember he often says what Bob Woodward quotes him as saying, but the Secretary cannot remember saying at that time. What is a person to do?

If the President were faced with this predicament, he would consult a higher authority. Our higher authority is closer, and he can speak without the need of a burning bush. Mike Wallace said on "60 Minutes" Sunday night he heard the tapes and read the transcripts for the book "Plan of Attack." There is a record.

If Mike Wallace can listen to the tapes, so can we. The House should have hearings for the American people. The secret war is not secret any longer. Let Americans decide what the truth is. Play the tapes in open session. Let the truth be heard, not staged.

THE PRESIDENT'S POLICIES ARE NOT WORKING

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Madam Speaker, the numbers are out again. Ohio and most of the rest of the country continue to lose manufacturing jobs. One out of six manufacturing jobs in my State has disappeared since President Bush took office. The President's solution and the solution for our government continue to be the same: more tax cuts and trickle-down economics tax cuts for the most privileged in our country with the hope that maybe some will trickle down and create jobs. That has not worked, or more trade agreements like NAFTA which ship jobs overseas, which does not work. The President refuses to extend unemployment compensation benefits to millions of Americans, literally over a million Americans who have had their unemployment benefits run out in the last 4 months; and the President refuses to extend those.

Madam Speaker, we should extend unemployment benefits, we should pass employment agreements that create jobs, and instead of tax cuts for the wealthy, we should do focused tax cuts that reward those manufacturers that create jobs in this country.

IMPLEMENT SYRIA ACCOUNTABILITY ACT

(Mr. ENGEL asked and was given permission to address the House for 1

minute and to revise and extend his remarks and include therein extraneous material.)

Mr. ENGEL. Madam Speaker, several months ago now the President signed the Syria Accountability Act, which was passed overwhelmingly by this House and the other body. Since that time, however, the act has not been implemented; and I believe, as do the vast majority of Members in this House and the other body believe, that the time is now to slap sanctions on Syria.

Just the other day, the word came out from Iraq that Syria was allowing weaponry to come from Syrian territory into Iraq and guerrillas to come from Syrian territory into Iraq to do harm to American troops. Syria has not patrolled its border and has allowed these anti-U.S. guerrillas to come in and kill our troops.

Also, the other day in Jordan a plot was discovered where poison gas was to have been released and there was to be an attack on the U.S. Embassy in Amman, Jordan. It was documented that this gas and these attacks came from Syria across the border into Jordan.

Syria is a major sponsor of terrorism. Syria illegally continues to occupy Lebanon, has a weapons of mass destruction program, and, as I mentioned before, is allowing its border to be used by terrorists to come into Iraq to do harm to U.S. troops. Those are the four things that this bill, the Syria Accountability Act, called on Syria to end. Syria has not ended, and the President should implement the sanctions immediately.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### ARE WE SAFER NOW?

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

Mr. BURGESS. Madam Speaker, we are here in this House; and it is our duty, it is our obligation to debate the important questions of the day, and that is one of the unfailing obligations of this House.

One of the questions I hear asked, particularly from the other side, but sometimes from my side of the aisle, are we safer now than we were a year ago? Are we safer now than at the time we went into the country of Iraq? I just think back to a year ago and what was going on in my congressional office here in Washington. And I look out over the floor of the House, and I see a gas mask under every seat. Truly in March 2003, we were concerned about the possibility of a poison gas attack within our country. And, of course, one of the reasons for that was because

there was country that was very much opposed to us who had a history of using that type of weapon in an offensive pattern different from any other world leader. So as we debate these points now, are we safer now than a year ago, we would be wise to remember what was going on in this body a scant 12 or 13 months ago.

As preparations were made for what eventually became Operation Iraqi Freedom, I was not in this body when the vote was taken. I am a newcomer to Congress, but certainly I recall during the fall of 2002 and during the early months of my first term when we could not get the time of day out of Saddam Hussein unless there was a gun held to his head.

As a consequence, the President of our country, who is now being called to task by the 9/11 Commission for not being aggressive enough, not having enough of a criminal mind ahead of time to envision the type of attacks brought against this country on September 11, 2001, our President is being criticized for not having the ability to foretell that kind of unthinkable act against our country. But at the same time, as the run-up to Operation Iraqi Freedom was going on, Iraq was perceived as a gathering threat. We knew in the past they had held weapons of mass destruction. No one in this House or on the other side of the Capitol seriously questioned that. The previous administration did not seriously question that, nor did the United Nations seriously question that.

□ 1330

But at the same time, in order to get just the ability to get the inspectors who had been kicked out in 1998, just the ability to get them back in the country, we had to put 150,000 troops on the border. When we do that, the clock starts ticking because in that part of the world, in order to have a military exercise, we are just not going to be as successful if we put off doing that until the summer months.

And I remember very well the talking heads and the pundits, before I came to Congress and after, talking about if Bush is going to do something, he needs to do it soon. We cannot let the clock fritter away while the weather gets warmer over there and it makes it even harder on our troops who may have to don protective gear to protect them from chemical attacks.

Again, the 9/11 Commission currently is criticizing the current administration and the previous administration, but the real loser in that criticism is the Bush administration because the Clinton administration is not running for reelection. But the 9/11 Commission is criticizing the President for not having a creative enough criminal mind to anticipate the types of attack that came to our country.

I have been to Iraq twice myself during this past year, and I know many other Members of this body have been there as well. I wanted to share with

the House of Representatives this afternoon a picture from the air base just north of Kirkuk in Iraq. This is a picture that I did not take. It was taken by a man named Doug Cox, a man down in my district who is actually a member of the Corps of Engineers, and he was one of the first groups in there with Operation Restore Iraqi Oil, or Operation RIO, and he took this picture off the wall of the air base in Kirkuk, and this was a picture used presumably for training or for whatever purpose by the Republican Guard generals who were in charge of the air base there in Kirkuk before we took it over. And it shows an Iraqi gentleman standing, looking off across the countryside, and we see a depiction of the map of the United States of America. We see a man standing there with either a cowboy or a pilgrim hat on, and in his heart is the cross hairs of this man's intellect, and pointed against the United States of America we see an Iraqi tank, we see an Iraqi jet, and we see Iraqi missiles.

There was no question in their mind what their intent was when they made this picture, when they used this picture to educate or indoctrinate their troops of the Republican Guard that were stationed at the Kirkuk airfield, and I simply want to remind my colleagues in this body it is our responsibility to question. It is our responsibility to have oversight. But we do need to be careful when we cross that line and provide aid and comfort to the enemy and give them additional embellishments to take on the kind of terror that they have done in the country of Iraq this past month.

#### COMMUNICATION FROM STAFF MEMBER OF HON. HENRY WAXMAN, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. BURNS) laid before the House the following communication from Kimonia Alfred, staff member of the Honorable HENRY WAXMAN, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 19, 2004.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the United States Tax Court, for testimony and documents.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

KIMONIA ALFRED.

#### OUR TRADE POLICY WITH CHINA

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

Mr. DEFAZIO. Mr. Speaker, today Chinese Vice Premier Wu is in town

meeting with Commerce Secretary Evans and Trade Representative Zoellick. This would give the President a chance to right mistake number seven of his administration, which is trade. The United States last year ran over a \$500 billion trade deficit. We have exported hundreds of thousands of manufacturing and now high-technology jobs outsourced under the Bush administration. And their response has been, from the President's chief economist Mr. Mankiw, this is a good thing, it is efficiency.

It is not a good thing. It is not efficiency. Americans need jobs. We need an economy. We need an industrial base. That is wrong-headed thinking.

So today they have got a chance in meeting with Vice Premier Wu to rectify the mistake of their trade policies. The mistake is at the insistence of President Bush, this Congress voted to give China, the Communist Government of China, permanent most favored nation or special trade status.

We gave up the right to annually review their compliance with trade laws. Big mistake. But the President said, Do not worry, I have a plan. Yes, he is right. They are stealing our products and our intellectual property left and right. Yes, they have violated five agreements on stealing our intellectual property and our products over the last 5 years or 7 years. But he had a plan. He was going to put them in the World Trade Organization because the President is big on rules-based trade.

So the President got his way. China is now in the World Trade Organization, and guess what? Last year, according to statistics of the Chinese Government, let alone our own government which will not talk about these things, they counterfeited and stole between \$20- and \$24 billion of U.S. products and intellectual property. Those are the numbers of the Communist Chinese Government about how much they are stealing.

Has the President filed one, one single complaint in his rules-based trade organization, the WTO, against the theft of product, property by the Chinese Government? No, not a single one. Yet I have a company in my district, Videx. Their company not only had their property stolen by China, they were totally cloned. The Chinese put up a fake Website to attract people with a little waving American flag on it, saying they were an American company, made an inferior product, have stolen the Chinese market, and now are stealing the Asian market from this American company.

I thought this is a no-brainer. The President likes rules-based trade. So I appealed to the Commerce Secretary and to the President. I said, help this company. They are not big enough to fight the Government of China. And the response was, no, we will not help that company because the big companies in the United States who are manufacturing in China do not care about the theft of property. In fact, they

think it might hurt their interest in accessing cheap labor and avoiding environmental laws and outsourcing jobs to China. So the Bush administration will not lift a hand to help Videx. The only response we have gotten was Lou Dobbs and Moneyline, and after my company Videx was on Lou Dobbs and Moneyline, they got calls from all over America, from other small businesses who have been stolen blind by the Chinese Government. And the response of the Bush administration is to do nothing.

They are having meetings today with Vice Premier Wu. She is going to give them the same empty assurances the Chinese have given us for the last decade: Oh, we will stop stealing \$24 billion a year worth of our product, sure. Do my colleagues believe that? I do not believe that, and I cannot believe that the President or his administration believes that. So what they should do today is tell the Chinese they are in the WTO, they said they would follow the rules, they are not, and that we are informing them today if they do not shape up by next week, then we are going to the WTO with complaints on the theft of products from Videx and dozens of other small companies across America.

This is an administration that supposedly cares about small business, yet when small business is being robbed blind by the Chinese, and big business says, hey, do not upset the Chinese apple cart, we are manufacturing really cheap over there, \$1-a-day labor, now they might get upset with us, and they might charge us \$1.25 a day for the labor over there, or they might even let them have a labor union or something else.

Help America's small business. Help them to fight the Communist Chinese Government. Help stop stealing America blind. Help stop stealing our industrial and intellectual base, and help turn around the international trade deficit. That is a mistake the President can begin to undo today in these conversations with Vice Premier Wu.

#### THE ANNAN PLAN FOR CYPRUS

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

Mr. BILIRAKIS. Mr. Speaker, for all of my 22 years in Congress, I have constantly and loudly proclaimed the need for a peaceful reunification of the Republic of Cyprus. That unification must be just and balanced.

Thus I rise here today to voice my serious concerns with the Annan plan for the reunification of Cyprus. I believe that the final version of the plan which was submitted on March 31, 2004, is unbalanced and biased against the Greek-Cypriots.

There are a number of provisions in the Annan plan that do not alleviate the basic fears of the Greek-Cypriot community. These concerns were not

appropriately resolved and may very well lead the Greek-Cypriots to reject the Annan plan. Security issues regarding the number of troops that will remain on the island and clarifying the Treaty of Guarantee to exclude military intervention are two major concerns for the Greek-Cypriots because Turkey insists that it will continue to have the right to intervene militarily in Cyprus. This Turkish arrogance increases the Greek-Cypriot fear of a repetition of the 1974 invasion and its tragic consequences.

The plan also would permit the vast majority of approximately 115,000 Turkish settlers who are now illegally in Cyprus to stay in Cyprus. At the same time, the plan sets complicated and restrictive provisions regarding the right of Greek-Cypriot refugees to return to their homes in the north. Additionally, the Annan plan makes the eventual return of territories from the northern part of the island to the Greek-Cypriot constituent state dependent upon the goodwill of Turkey and Turkish-Cypriots.

On the issue of property rights, the Annan plan allows for one-third restitution and two-thirds compensation for property owned in the north by Greek-Cypriots who will be losing the use of their properties. The funds for the restitution and compensation will be guaranteed by the Federal State and the Constituent State. Since nine-tenths of the Federal State's resources and 100 percent of the Constituent State's resources will be derived from Greek-Cypriots, they will be paying for, to a large extent, their own loss of property.

Mr. Speaker, in closing I would like to state that the Greek-Cypriots are asked to trust, to trust the Turkish Government and to have faith that the Turkish-Cypriot leaders will keep their promises. The problem is that since 1974, neither the leaders of the Government of Turkey nor Mr. Denktash has ever given the Greek-Cypriots any reason to trust them.

Each side will decide whether the plan would be beneficial for them and for the future of their children. Even though both sides knew they were not going to get everything they wanted, each side was guaranteed a fair plan and one that would be immediately functional. Unfortunately, I do not believe the Annan plan is balanced, and we should not be surprised if the Greek-Cypriot people do not support it.

The Cypriot people hold the future in their hands. During this difficult time, it would be inexcusable, Mr. Speaker, for foreign governments or organizational heads to exert excessive pressure or to issue ultimatums to the people and President of Cyprus to vote one way or the other. They must be free of pressure and free to vote with their conscience. If the plan is voted down, it would be an indication that the Greek-Cypriots, whose country suffered an illegal invasion in 1974, and a community which has for three decades advocated for a settlement, felt that they

would be giving up far more than they would be gaining, and that cost, Mr. Speaker, is just too high.

#### MISTAKES MADE IN THE WAR WITH IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Ms. SCHAKOWSKY) is recognized for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, in the last press conference, the President was asked if he had made any mistakes and what lessons had he learned. And what the President said was, I wish you had given me this written question ahead of time so I could plan for it. I am sure historians will look back and say, gosh, he could have done it better this way or that way. I am just not sure something will pop into my head here in the midst of this press conference with all the pressure of trying to come up with an answer, but it has not yet.

So kind of as a public service, a number of us are coming down to the floor to offer, for the President's consideration, a list of some mistakes that he might want to call up so he does not have to fumble around for an answer at the next press conference, if he has another public press conference.

One of the things that actually is surprising to me that this mistake happened at all, given what we know now, is the long lead-up to the war in Iraq, that they actually had been planning, and bases were being built, and air space to land was being constructed, was a failure to provide the troops with the protection they needed when they were put into harm's way. It surprises me that that mistake was made.

In some cases mistakes have been somewhat corrected, we think; so it would not even hurt the President to mention the fact that as recently as last October, a quarter of our troops in Iraq were lacking in the ceramic-plated body armor that would deflect the bullets that were coming their way. We are told that that has been corrected, although as recently as just a few weeks ago, families are still buying those at about \$1,500 a crack for their soldiers just to make sure that they are well equipped. But we know that still the Humvees do not have the proper armor, some of them still do not have the proper armor. A helicopter was shot down that did not have the missile detector that helicopters are supposed to have in order to be fully equipped.

□ 1345

I met the aunt of one of the soldiers who died in that last Sunday. She would think that that was a mistake that the President made and something he might want to mention.

He could have talked about a mistake making soldiers pay for their travel home when they would come on rest and recreation, R&R. In order to get to their homes once they were

landed in the U.S., they were paying their own way. That, I understand, has been corrected.

Or we just heard yesterday from the 333rd Military Police Unit in Freeport that was supposed to be coming home this week, that in fact they got redeployed; but all their equipment, their personal foot lockers, had been sent home, and now the families, at their own expense, are shipping the equipment back to their soldiers. They are having to buy all new uniforms. It seems that was a mistake in planning, according to some of the families. Maybe they could have planned better. That is a mistake, and it could be corrected somewhat, at least to reimburse the families that are having to ship back.

But it is not just those soldiers that are in harm's way, who are losing their lives now, unfortunately, sadly, horribly, in record numbers in the last little while; but it is the veterans. Again, it is astonishing that this President would not make sure that at the very least those who come home are well taken care of.

There was a mistake, and it has been corrected. He could cite that. Our wounded soldiers were being charged for food at the hospitals when they came home. Incredible. Now that has been fixed; they are not being charged for that food. But many were languishing with inadequate care in Army barracks when they came home.

Then, right now, this minute, 30,000 veterans are waiting 6 months or longer for appointments at VA hospitals, new increases are proposed in the cost of veterans health care for up to 1 million veterans, and long-term care funding has been slashed. It is really incredible.

What the veterans organizations are saying is that actually the amount of money allocated to veterans is millions of dollars short of what it needs to be. The gentleman from Texas (Mr. EDWARDS) actually has a proposal that would add \$2.5 billion for veterans health care. The President could acknowledge that it is a mistake to mistreat our veterans, and he could support the bill of the gentleman from Texas (Mr. EDWARDS) to restore that money.

He could do something about the fact that he has been refusing to end the survivor benefit penalty. There are a lot of things, a lot of mistakes. We think the President ought to acknowledge some of them and fix them up.

#### ADDRESSING THE SHORTAGE OF MEDICAL LABORATORY PERSONNEL

The SPEAKER pro tempore (Mr. BURNS). Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, today I rise to call attention to a piece of legislation that I introduced, along with

my colleagues, the gentleman from Illinois (Mr. JACKSON) and the gentleman from Florida (Mr. BILIRAKIS), to address the shortage of medical laboratory personnel, H.R. 623.

The United States is facing a severe and increasing problematic shortage of qualified laboratory personnel. Many rural areas and areas served by smaller hospitals are finding it increasingly difficult to recruit and retain qualified laboratory workers.

The vital role medical laboratory professionals play in health care must be recognized. Between 70 to 75 percent of all medical diagnoses are based on laboratory test results. But because these important health care practitioners seldom have direct patient contact, their important role in health care often goes unnoticed by patients. Ensuring that our Nation's laboratories possess the human resources, that is, laboratory professionals, to accurately process laboratory testing demands is critical to patient health.

The U.S. Department of Labor projects that approximately 13,200 medical laboratory professionals will be needed each year through 2010. Unfortunately, fewer than 5,000 individuals are graduating from accredited training programs each year.

The bill includes a scholarship program to help students meet their academic education and clinical training expenses. It provides for loan forgiveness by working in areas designated as having a shortage of medical laboratory personnel or allied health practitioners. In addition, this legislation establishes a program to provide awards to individuals who teach medical laboratory science.

These are just a few of the important measures created in H.R. 623. I would encourage my colleagues to join me in supporting this legislation.

#### MISTAKES THE PRESIDENT HAS MADE

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

Mr. BROWN of Ohio. Mr. Speaker, 8 days ago at the Presidential news conference, only the third he had done in prime time since he has been President, the President was asked just sort of an obvious question that we all deal with from time to time in our lives, political or not, tell us about one of the biggest mistakes you have made.

The President kind of looked a little deer-in-the-headlights and he said, "I am sure something will pop into my head here in the midst of this press conference, but with all of the pressure of trying to come up with an answer, it just hasn't yet."

We would today like to try to help the President, not because we want to criticize President Bush, but because we want to help him learn from his mistakes.

We see several of the mistakes here, from veterans cuts, to trickle-down tax

cuts for the wealthy, to trade that the gentleman from Oregon (Mr. DEFAZIO) talked about, to helping keep our soldiers as safe as possible that the gentlewoman from Illinois (Ms. SCHAKOWSKY) talked about.

I want to talk for a bit about Medicare, not the fact that the bill, they told us it would cost \$400 billion, it will cost \$534 billion. That was sort of a purposeful mistake from the President. Not about Medicare privatization, that mistake. Not about the gap in coverage, that if you have \$5,000 in drug costs, the government only pays \$1,000 of it, you have to pay \$4,000 out of pocket. The mistake I want to talk about is not even the fact that the drug and insurance companies wrote that legislation.

What I want to talk about is the specific prohibition in the bill that clearly the drug industry, the President at the behest of the drug industry, inserted into the bill that prohibits the government from negotiating the price of prescription drugs.

Now understand, the Canadians pay a lot less than we do for prescription drugs because the Canadian Government negotiates directly with the drug company on behalf of 29 million citizens of Canada to get the best price. But this legislation, written by the drug companies, excuse me, written by the President, this legislation expressly prohibits our government on behalf of 39 million Medicare beneficiaries, prohibits our government from negotiating the best price for our Medicare beneficiaries. That is why we pay so much for our prescription drugs.

Now, when the Architect of the Capitol bought the carpet in this room, he did not take the manufacturer's word that a fair price would impair carpet fiber research and then pay whatever the carpet company wanted. When the Park Service buys rangers' uniforms, it does not take just the first bid, no matter how expensive.

But with drugs, the President and his allies in the drug industry and his friends that run the House of Representatives, the Republican leadership, they say the government must pay any price the drug industry wants to charge. That is why Lipitor costs \$763 here, but \$438 in Canada. That is why Fosamax costs \$797 here, an anti-osteoporosis drug, mostly for women, but only \$323 in Canada. That is why Tamoxifen, a breast cancer drug, costs nine times in the United States what it costs in France, even though U.S. taxpayers paid for much of the research through the National Institutes of Health to develop those drugs.

Now, this policy, this mistake, this mistake on Medicare that the President made that says we are not going to negotiate price, we are going to let the drug companies charge whatever they want, this mistake is a joke on the American people; and the drug companies are laughing all the way to the bank.

Perhaps the reason for this Presidential mistake, the Medicare prescrip-

tion drug Presidential mistake, is the fact that the millions of dollars have come from the drug industry to the Republican Party, and the word on the street is the drug industry is going to give President Bush's reelection \$100 million.

#### A GROSS EXAMPLE OF STATE-SPONSORED DECEPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, our great country has sustained itself for more than 2¼ centuries because of the brilliant construct of our government, and the essential ingredient in that construct is the separation of powers.

Ultimate power does not reside in any one place. You have the executive branch, the legislative branch and the judicial branch, each with equal powers. It is the responsibility of the legislative branch to make the laws and then to oversee execution of those laws by the executive branch. The question that ought to be on the mind of every American today is to what extent is the legislative branch of this government, the Senate and the House of Representatives, carrying out its responsibilities under those separation of powers. I think when you begin to look at that question, you find that we are not doing a very good job at all.

The most recent example of that, of course, is the revelation that we have had in a recent book that the administration spent \$700 million, apparently illegally, that was allocated for Afghanistan, took that money and spent it in preparation for the war in Iraq, when they said they were not engaging in any such preparation. That is a grave deceit. It ought to be investigated by this Congress thoroughly and completely. But it is not the only deceit with regard to the war in Iraq.

We were told when the administration sent their resolution here to the Congress that we had to go to war in Iraq because of weapons of mass destruction. We have found no weapons of mass destruction more than a year later; no stockpile of chemical weapons have been found more than a year later; no mobile weapons laboratories have been found more than a year later. There is no uranium from Niger in Iraq.

Saddam Hussein was not an imminent threat, nor was he a grave and gathering threat. He was not in league with Osama bin Laden. The two were hostile to each other and antagonistic to each other.

What we have here is a gross example of state-sponsored deception. The Founding Fathers realized that this kind of condition could express itself at one time or another during the history of our administration; and, in fact, there have been times when it has, perhaps never as gravely as it has under the present set of circumstances.

But they set up a procedure to deal with it, and that procedure is in the hands of the leadership of this House of Representatives.

But, unfortunately, the separation of powers that has served this country so well for more than 2¼ centuries has now morphed itself into a monolithic government, where the leadership of this House takes its orders almost on a daily basis from the White House and there is no oversight of executive actions. There apparently is little or no oversight of executive spending.

So we go on, stumbling forward, blindly. Now more than 700 American servicemen and -women killed in Iraq in this illegal, unjust and unnecessary war; thousands of Americans maimed, injuries they will carry for the rest of their lives, if indeed their lives are not shortened thereby; tens of thousands of Iraqis, perhaps hundreds of thousands, including innocent women and children, killed.

Where is the oversight? Where is the action that is supposed to come from this House of Representatives in examining these illegal, unnecessary actions on the part of the executive branch? Have we not seen enough? When are we going to go into action? When are we going to live up to our obligations under the Constitution? When are we going to do what is necessary to sustain this great democratic Republic?

We need action now. We need an end to the monolithic government and a return to the historic separation of powers which has served this country so well.

#### AN UNJUST, UNPROVOKED WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, it has been a little over 1 year since the President of the United States, without just cause and without being provoked, invaded Iraq. Over 700 Americans have given their lives for this war, roughly 10 each week, not to mention the thousands wounded, the billions of dollars spent, and the international good will squandered.

This is the same President Bush who last week could not think of a mistake he had made. We were told that this war was necessary to keep us safe. We were told Saddam Hussein had the world's most dangerous weapons and could strike at any moment.

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Now even the President has made tacky jokes about looking for the missing weapons of mass destruction under his White House sofa. That was certainly an insensitive mistake.

In fact, the President's appetite for belligerence and bloodshed only weakens us, it makes us more vulnerable, encouraging further violence and increasing the risk of nuclear destruction.

The President's inaccurate declaration about Iraq's weapons of mass destruction capabilities are not just incompetent, they are immoral. And what a mistake that was.

There has to be a better way, and there is, one that emphasizes brains instead of brawn, one that is consistent with American values. I have introduced legislation to create a SMART security platform for the 21st century. SMART stands for Sensible, Multilateral American Response to Terrorism. We need to stop the spread of weapons of mass destruction, and keeping the American people safe must be our highest priority. On that point the President is not mistaken, but he is wrong, wrong to equate our security with aggression and military force. Just because you have a hammer, not every single problem is a nail. The United States possesses the world's largest hammer in the form of its mighty military, but some situations require a more delicate touch.

SMART security calls for aggressive diplomacy, a commitment to nuclear nonproliferation, strong regional security arrangements and vigorous inspection regimes. The United States must set an example for the rest of the world by renouncing the first use of nuclear weapons and the development of new nuclear weapons.

We must maintain our commitment to existing international treaties like the Nuclear Nonproliferation Treaty, the Comprehensive Test Ban Treaty, the Biological Weapons Convention and the Chemical Weapons Convention.

To be smart we would support and adequately fund programs like the Cooperative Threat Reduction Program, which works with the Russian Federation and the states of former Soviet Union to dismantle nuclear warheads, reduce nuclear stockpiles, secure nuclear weapons in Russia. And we must replicate this program in other troubled regions like North Korea and Iran, because it is a mistake to believe that every country will proactively choose to give up its nuclear program. In the long run negotiations with other countries will keep us much safer than believing we can scare them into submission.

The Bush doctrine has been tried, and it has failed. In fact, it is a huge, huge mistake. It is time for a new national security strategy. SMART security defends America by relying on the very best of America, our commitment to peace and freedom, our compassion for the people of the world, and our capacity for multilateral leadership. SMART security is tough, pragmatic, and patriotic. SMART security is smart, and it will keep America safe.

#### SAN JACINTO DAY

The SPEAKER pro tempore (Mr. BURNS). Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, today marks the anniversary of the

Battle of San Jacinto, the victory of the independence for Texas, and the greatest, most diverse State in our Union.

Proving its timeless value as a story of political struggle and personal heroism, the Battle of the Alamo has been made into another feature-length motion picture, "The Alamo," by Disney, not doing as well at the box offices we have, but I bet you it is doing well in Texas.

I encourage all Americans to learn and relearn this important historical story.

On this day I want to enter into the CONGRESSIONAL RECORD two newspaper articles from the Baytown Sun and the Pasadena Citizen that are newspapers in my district regarding the tremendous devotion and expertise of the San Jacinto reenactors, many of whom are my constituents. These folks have committed tremendous amounts of time and resources to providing an educational service to our community, and some of these reenactors have gone so far as mastering the original Mexican Army drills in the original Spanish, and many were involved in the production of the Disney film "The Alamo" as consultants and extras.

The story of San Jacinto occurs less than 60 days after the fall of the Alamo. On April 21, 1836, exactly 168 years ago today, approximately 900 Texans and Tejanos of the Texan Army overpowered a large and better trained Mexican Army. I say Texans and Tejanos because the struggle for Texas independence was not between Anglos and Hispanics.

For example, noted Tejano patriot Captain Juan Seguin commanded a cavalry company during the final victory at San Jacinto and later became a senator in the Republic of Texas. For those people that have seen the movie "The Alamo," they will remember he was sent out from the Alamo seeking reinforcements and against his wishes was told to stay away so he could live to fight another day at San Jacinto.

One of the main proponents of the Texas Revolution was Lorenzo de Zavala, who served in the Mexican Government until the military dictator General Antonio Lopez de Santa Anna abolished the Mexican Constitution of 1824. Zavala, a former Mexican citizen, went on to become the first Vice President of the Republic of Texas.

Less than 100 years after American patriots threw off the tyrannical British Empire's military domination, Texans and Tejanos succeeded in a similar struggle against a military dictator, General Santa Anna. In the words of the Texas Declaration of Independence, the people's government had been "forcibly changed without their consent from a restrictive Federal republic, composed of sovereign states, to a consolidated military despotism."

As Sam Houston and other Texas delegates signed the Texas declaration of independence, General Santa Anna's army was besieging the Texans and

Tejanos at the Alamo in San Antonio. The Alamo fell on the morning of March 6, 1836, when Lieutenant Colonel William Barrett Travis, former Tennessee Congressman David Crockett, and approximately 200 other Texans and Tejano defenders were killed in action.

The Mexican Army was full of confidence after their hard-fought victory at the Alamo, and Texan forces were in retreat, but in late April 1836 they chose not to flee to the safety of Louisiana and instead turned to fight on the banks of the bayous outside of Houston, Texas. In fact, the San Jacinto battleground is in the new congressional district that I am receiving.

On the afternoon of April 21, 1836, the two armies were camped near one another, but the Mexican Army, confident of its superiority, failed to post guards during their afternoon siesta. They underestimated the determination of the Texan army in its fight for an independent nation and were totally unprepared for the surprise attack. As a result, the nation, and then the State of Texas, was born. Like the American Revolution, the Texan Revolution brought many different people together fighting military oppression.

A misconception of the Texas war for independence is that the conflict was a case of Anglos versus Hispanics. But accurate Texas history tells us that Hispanics who had long lived in Texas mostly did not refer to themselves as Mexicans, but instead thought of themselves as Tejanos. Tejanos inhabited Texas long before Mexico existed, and they lived there for the same reason Anglos later moved there, for freedom and productive land.

Many folks were happy under Mexican rule until General Santa Anna's forces began plundering areas of Texas, and then Tejanos and Texans both reacted with revolution.

It is inspiring to me that many Tejanos joined the fight for independence when the Mexican Government became an exploitive military regime. The brotherhood of freedom can be stronger than the brotherhood of nationality, as Tejanos proved at Gonzalez, Bexar, Goliad, the Alamo, and also along the banks of the San Jacinto River, and in this the government of the Republic of Texas.

Like the American patriots in 1776, Texans did not create a perfect State with their independence. It would not be until June 19, or Juneteenth, 1865, that Texas' African American citizens achieved the freedom that is an inalienable human right. Every Juneteenth we remember that struggle for equal rights is long and difficult, and demands our own enduring commitment.

On San Jacinto Day we celebrate the achievements of Texan and Tejano patriots, and renew our commitment to preserving our represented government, freedom, and human civil rights.

Mr. Speaker, at this point I will include for the RECORD the two newspaper articles that I previously mentioned.

[From the Baytown Sun, Apr. 7, 2004]

RE-ENACTING HISTORY

(By Carla Rabalais)

"Let me die in the Alamo. Just let me get shot in there," I pleaded. But I was a Mexican officer, and no Mexican soldier died inside the Alamo."

Don Herlitz is a Baytonian, but most of all he is Texan, or Texian, or Mexican captain, depending on the year in which he's operating.

Re-enactors aren't strapped to the same calendar that most of us are. They have the privilege of operating in both the past and the present and with Disney's "The Alamo," set for release Friday, local re-enactors like Herlitz will also have a presence in the future.

The film stars Dennis Quaid, Billy Bob Thornton and Jason Patric. Already this week three sneak previews have unfurled in Houston.

Crowds who lined up for those free seats were greeted by local reenactors ready and willing to talk about their acting experience and field expertise . . . locals like Herlitz and his wife, Marie, Pete Juarez, Allen Hutton, Clabert Menard of Dayton and David Pomeroy of Pasadena.

"That's what we do," Marie said. "We talk to people about Texas history and we show them what it looked like."

The re-enactment window reveals all history's facts, from the mundane to the explosive, like period clothing, hand-sewn with home-spun cotton; cooking styles, with no electricity, gas or running water; toys and games, which often doubled as useful equipment; and weaponry, including home-fashioned muskets, gunpowder and knives. The common denominator in every category is "authentic."

Mexican artillery is one of Herlitz's specialties. He has re-enacted Texas history for almost 20 years, but for the past seven has portrayed a 19th century Mexican soldier. In the Alamo, that expertise earned him an officer's role in Santa Anna's army.

"Many of the re-enactors played both sides during the movie," Herlitz said. "I really wanted to—I even brought my Texian clothes with me—but they wouldn't let me switch.

"That's all right, though," he laughed. "After seven years of shooting at Davy (Crockett), I finally got to die beside him in the next film."

"The Alamo" united many reenactors, but that battleground wasn't their first time together and it certainly wasn't their last. In fact, since "The Alamo" completed filming last year, some reenactors have participated in two additional films, including the one Herlitz named. That film is "Remember the Alamo," a documentary that aired on the history Channel this spring.

David Pomeroy served as a site resource, re-enactor, and cook—along with his wife, Cait—for the two hour documentary. The business manager of Pomeroy Energy volunteers his time and knowledge for of the San Jacinto Battleground Association and is the author of "Pasadena: The Early Years."

"There are eyewitness accounts and there are myths that enhance the Alamo story," he said, "and in some cases the two contradict. The documentary addresses those historical issues."

Contradictory accounts of the Alamo were not the only issues re-enactors face as they re-create turning point battles in Texas history. To accurately re-enact, they had to

study history from multiple sources, not just American ones. In their study, they came face-to-face with facts they never were taught in grade school.

"The Alamo is a boiling pot of ideas and views," and Herlitz, "You can't just go by what a history book said, because it's tainted by political attitudes. 'The Alamo' is a lot broader story and I think those issues will come out more in the director's cut of 'The Alamo'" DVD.

"You see, those men on the inside of the Alamo were trying to create a new republic, and the men on the outside were trying to preserve a young republic. Who the heroes are just depends which side of the wall you're standing on," he said.

Allen Hutton of Baytown agrees. The pyrotechnician has re-enacted since he was 12 years old and has worked in the entertainment industry with movies like "American Outlaws" and "the Patriot". In "The Alamo," he portrays both a Mexican first sergeant and a Texian first sergeant.

"As a kid I learned the Alamo was about big, mean, mad Santa Anna against the poor innocent Texians," he said. "But the Mexicans weren't just 'bad guys,' they were protecting their country's land. Think of it in modern terms: What would we do if some of Saddam Hussein's guard came here and settled in a town and then said, 'This is our land now and you can't control us'?"

"I don't want in any way to minimize the sacrifices made by the Texians, but the Mexicans had a side too," he said.

Herlitz and Hutton filled similar roles in "The Alamo". Both were involved in the movie a year before actual filming took place and both were Mexican officers who trained hundreds of extras during three-day boot camps.

Herlitz and his wife spent six months camping in a canvas tent, cooking on an open fire, near Dripping Springs, where the movie was filmed. Hutton camped on the set for five months while his wife stayed in Baytown preparing for the birth of their first child.

As Mexican officers, the two Baytonians were required to learn maneuvers from an 1830s military guide written in Spanish. Not modern Spanish, not Castilian Spanish, but a colonial Spanish that is now obsolete. Or almost obsolete.

An extra who had come from New Mexico recognized the language. His native dialect is a preserved form of colonial Spanish, so he translated the book for the actors and trainers. The drills Herlitz and Hutton learned became second-nature to them.

"I can still tell you the (gun-) loading procedure in proper Spanish," said Hutton.

During boot camp, they trained hundreds of extras. One of those was Clabert Menard of Dayton, who was singled out for the Texian side as an expert marksman.

"I ended up helping to train about 40 guys under me," Menard said. "The more experienced re-enactors they put next to the stars and told us to keep the other guys from running in front of them."

Menard, like many of his peers, has re-enacted since his teens. He has represented many characters in his historical career, including World War II soldiers, a French and Indian trader and a Texas Army scout.

"I just want to eat, drink and sleep history," he said. "We can replicate anything, except the fear of death."

One of his favorite activities is to spend weekends hiking 15 to 20 miles into the Texas wilderness with nothing but his 1820s era gear. He used those items in "The Alamo" as well, including two of his homemade weapons, a flintlock musket and French pistol.

"I knew I could depend on my own gear," he said.

The boot camp involved marching drills and training stations for learning stunt-fighting, horseback riding, ladder manipulation, artillery use and firing orders. The extras weren't the only ones who grew accustomed to the orders, said Herlitz.

"The horses learned what the word 'Action!' meant, so whenever they heard it, whether they were supposed to move or not, they took off," he said. "So we had to have new commands for starting the filming, like 'Go!' or eventually, 'G-o!'"

Herlitz and Hutton recall one moment in their six month experience on "The Alamo" set that gripped both their memories.

The film's director, John Lee Hancock of Texas City, had been filming the Mexican siege on the Alamo for several nights. But he held back the final attack where the wall would be scaled and the Texian army killed. That would be filmed on the exact anniversary of its occurrence, March 6, at 5:30 a.m.

The actors filmed through the night March 5 and into the next morning's hours. But moments before the final siege, the entire set observed 13 minutes of complete silence, one minute for each day of the Alamo siege, in memory of those who lost their lives, both Texian and Mexican. Then at 5:30 a.m., the storming began.

"Whatever hardships we had to deal with during the filming were all worth it right then," said Herlitz. "To be a part of that moment was something I will always remember."

"When I do a job, I don't go to seek fame or rub shoulders with stars," said Hutton. "It's just a job and you concentrate on doing it well. But that moment brought it all together. That was as close as I will ever come to experiencing the reality of the Alamo."

"Many of our guys were moved to tears. They were on the Mexican side, and they saw it, too, as part of their heritage."

Local re-enactors who participated in "The Alamo" and other living history events hope that the new movie will have a ripple of positive effects through our state and nation.

"I hope it will get more people excited about history," said David Pomeroy. "Then historical venues will have more response and in turn receive more educational funding."

"It's all for the kids," said Herlitz. "As a re-enactor, I believe children don't understand what price was paid for freedom. The fertilizer to the tree of liberty is the blood of the patriots. Someone has to be willing to put their life on the line—for you to have the freedom to go downtown and buy a \$200 pair of tennis shoes. The Alamo is an excellent example of the price people were willing to give—the ultimate sacrifice."

Some children are understanding that concept.

"I never really thought about the Alamo, but when I saw the actual building and stood inside it, it was neat," said fourth-grader Cody Fisher. "A bunch of people were lost there fighting for what they believed in."

"There were brothers fighting each other, and whole families coming apart," added Cassie Perez, also a fourth grader. "They wanted freedom."

"I think if I had lived back then, and I was a little bit older," said Cody, "I think I would have fought for the Alamo."

David Pomeroy encourages families to "See the movie, then come smell the smoke."

On April 24, a re-enactment of the battle of San Jacinto will be held at the San Jacinto Battleground State Historical Park. This year the re-enactment will be accompanied by a living history festival. Local re-enactors from "The Alamo" will be onsite to autograph photos and talk about their filming experience. Festival hours will be from 10

a.m. to 6 p.m. with the battle re-enactment at 3:30 p.m.

[From the Pasadena Citizen, Apr. 14, 2004]  
POMEROY CONTRASTS REALITY, HOLLYWOOD  
(By Gloria Walker Smith)

Using the latest movie of The Alamo as a backdrop, Texas history expert and Pasadena native, David Pomeroy, brought an educational and entertaining program to the Bay Area A&M Club luncheon.

Focusing primarily on Texas history between 1820 and 1845, Pomeroy surprised the audience with a history pop quiz, where the winners received Alamo movie posters. Since Sam Houston is so much a part of any mention of Texas history, it was noted that Sam Houston IV is from Galena Park, which spawned a comment that Constable Bill Bailey was also from Galena Park and 'does that have any significance?'

Since Pomeroy has been involved in the making of this Alamo movie from its inception, (even back when Ron Howard visited and originally planned to make the film), he had many insider comments about the preparations, the actual filming, the actors involved and the differences in their personalities. One amusing story contrasted the behavior of Dennis Quaid (Sam Houston) and Billy Bob Thornton (David Crockett). At the end of each filming sequence, Thornton was most definitely "one of the easy-going run-of-the-mill" cast members, so he was very popular. On the other hand, Quaid dismounted his horse and headed for his tent, without any interaction. Consequently, the group almost 'hated' him for being so conceited. When filming was finally over, the cast saw a totally different Quaid, who was well aware of their previous feelings toward him. He explained that he found it necessary to remain completely immersed in his character throughout production.

One glaring omission to a historian was the lack of mention of the earlier battles at Gonzales, Goliad and Zacatecas, significant in their own right.

"It has been suggested that it would take a mini-series to adequately tell the story of the Texas war for independence," said Pomeroy. "Had there not been the battle at San Jacinto, much of the Alamo story would have been forgotten." The fact that so many made a conscious decision to stay and die, if necessary, for what they believed, makes the defenders stand out. And die, they did. Sam Houston had advised the leaders to abandon the Alamo, but Bowie, Fannin and Travis said no.

Going back centuries in history, Pomeroy traced the conquests in the area to the Spanish, who came first, then the French and then the English, each of whom took the land from the Indians and each other. Along came the American Revolution and later, the French Revolution—struggles to free citizens from the tyranny of rulers across the ocean.

In Mexico and the Spanish southwest, the people were determined to overthrow the foreign emperor, and Santa Ana headed this movement. After driving out the Spanish emperor and establishing a constitution, Santa Ana then installed himself as emperor and threw out the constitution. Originally, the Texans did not seek to leave Mexican authority, but wanted to be a separate state, instead of being part of the state of Coahuila. Santa Ana refused in the strongest terms and so began the Texas War for Independence.

Much like the American Revolution, the "colonists" in Tejas were facing a military trained in European-style. The Texans were a rag tag bunch, out-numbered, out-trained and out-gunned. However, they had the home-court advantage and used methods

far more suited to the territory than the more formal strategies employed by the Mexican generals.

Also attending the luncheon was Stan Wojcik, a fellow San Jacinto battle re-enactor. Wojcik was wearing an outfit that he sewed himself—deerskin britches, coarse vest and calico shirt. He has even made his wife a period costume for re-enactment programs. Although a very recent "Texan," Wojcik has become fascinated and knowledgeable about the San Jacinto battle.

During his appearance, Pomeroy was completely in character with his "almost stove-pipe" beaver hat, calico shirt and powder horn.

Responding to questions about the changes to be made to the San Jacinto Monument area, Pomeroy gave a brief overview of the plans to return the area to a more historically-correct look, with an emphasis on the educational value. Adjacent industries have donated land to affect many of the changes, which will eventually double the size.

On April 24, from 10 a.m. to 6 p.m., the San Jacinto Day Festival and Battle Reenactment will feature all-day exhibits, hand-on history activities for children, including an archaeological dig, as well as celebrity historians and authors. The admission is free and food booths will be available. For more information, call (281) 479-2421 or visit [www.sanjacinto-museum.org](http://www.sanjacinto-museum.org).

Mr. Speaker, God bless Texas and these United States.

#### WE MUST NOT ABANDON THE KURDS

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

Mr. MCDERMOTT. Mr. Speaker, the casualties in Iraq are a bitter reminder of the truth and consequences of war whether you oppose it, as I do, or wage it, as the President has.

As America grieves over our losses, we should also grieve over the losses suffered by the Iraqi Kurds in a war that went largely unnoticed in this country. In fact, this is not the second Gulf War, but the third in our memory.

After the first Gulf War, America pulled out of Iraq, leaving Saddam to reorganize his henchmen. They did more than take names; they took hostages, and they took lives, thousands of lives. It can happen again.

After the first Gulf War, we established a no-fly zone, but we did not disarm Saddam's Republican Guard, and we did not destroy his lethal helicopter gunships, killing machines used not against Americans, but against Iraqis. The outcome was a blood-drenched record of atrocities. At least 8,000 Kurds were massacred by Saddam and his henchmen after the United States withdrew from Iraq, having urged them to rise up. The Kurds cried out for help, but no one listened, and no one saw.

The war was over, then-President Bush number one declared. Victory was at hand. We marvelled at the stories told, many untrue, of how U.S. technology had spared lives, reduced casualties, and proved America's warmaking superiority. The satellite

images showed everything except the coming slaughter of these peace-loving people.

The Kurds represent about 20 percent of the Iraqi population. They have their own language and culture. Although Muslim, they are not Arab. Historically they have lived in the mountainous regions of northern Iraq in an area around Kirkuk. This region holds about 7 percent of the world's known oil reserves. The vast oil wealth represented around Kirkuk has always been a motive for Saddam and other ethnic Iraq groups to act. Remove the oil by removing the Kurds. Saddam used every opportunity to hunt them down and eliminate them. But America is barely aware of the suffering Saddam inflicted on these people.

While the President never found weapons of mass destruction in Iraq, Kurds would tell you that the President would have found evidence of mass murder. Kurds fear, and we should, too, that it could happen again. Kurds fear, and we should, too, that if the U.S. pulls out on the 30th of June, it will not take long before the killing begins again.

We should never have left the Kurds alone after the first Gulf War, and we must not leave them alone after June 30. The date is meaningful only for the President's political ambitions. We know what happened the last time we pulled out of Iraq. We cannot do it again and silently sanction a new outbreak of unspeakable crimes against the Kurds.

The Kurds deserve liberation. The Kurds deserve protection. The bloodshed we see daily in Iraq reminds us of the country's instability. It should be a warning of the bloodshed that will come if America forsakes its responsibility to Iraq and all the Iraqi people, all the Iraqi people.

We must stay the course. Stay past June 30. Stay until the Kurds are safe, until Iraq itself is a safe place. We owe Iraq and the world nothing less. By declaring war we took responsibility for the future of Iraq. We cannot walk away and throw it open to the chaos that we have created.

It was our warning to the President when we started, winning the war, the military part, that will be pretty easy because we have a tremendous fighting force. But as for establishing the peace, that is where the trouble is. The President never planned for it.

He ignored the State Department's efforts to do that. He ignored everybody's warnings. General Shinseki said it will take 300,000 troops. They said, shut up, and they fired him because he told truth. Anybody who tried to tell him the truth coming into this was discarded or shuffled off or put somewhere else.

We are about to do it again because the President wants to have another sign that says "Mission Accomplished, Democracy Delivered." You could have a little ceremony somewhere and hand some paper around, I guess. It reminds

me of a scene in Vietnam when the United States declared victory and left off the roof of the embassy. We must not let that happen again.

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#### WAR ON SAVINGS

The SPEAKER pro tempore (Mr. GINGREY). Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, just a few minutes ago before the House finished its legislative business, we passed legislation that would allow National Guard members and Reserve members to take money out of their IRA accounts and not have a penalty on those individuals. When they do that under current law, if you invade your retirement account, you pay a penalty if you do that because we are trying to encourage people to keep their savings intact so they can build a retirement fund.

It is outrageous that the best we can do for these National Guard and Reserve families that are under incredible economic strain because members of their family are serving longer tours in Iraq than they had planned to, that those who are scheduled to get out of the Reserves in the Army cannot get out because of the stop order.

So those people have been without those incomes for many months now, they have not been able to meet the obligations of their families. Their home mortgages are threatened. Their car payments are threatened. Loan payments are threatened. And we are telling them that they must invade their retirement savings in order to continue to subsidize the war in Iraq. It is unbelievable that we would do this.

So the Reserves and the National Guard members from my area, from the San Francisco Bay area, are being told that after we invaded Iraq they must invade their savings because we need them to continue to serve in Iraq. So the penalty they pay is that they are going to lose their retirement benefits down the road. Many of those people in the Reserves, many of these people in the National Guard do not have the kind of incomes that will let them then replace the 5, 10, 15, \$20,000 that they wanted to borrow from their IRAs. So for the sacrifice they have made to defend this country in Iraq, they have to lose retirement benefits in the future years. It is unbelievable that we would think that this is an answer to their problem.

This government could extend them interest-free loans. This government could give them additional pay if they are kept in the service beyond their contract date. If they are kept in Iraq beyond the original time frame, we could provide them additional pay.

At the same time we are giving tax cuts to the wealthiest people in this country, we are asking our service peo-

ple who are in harm's way, who are getting killed, who are getting maimed, who are getting injured in so many ways that they have to invade their savings so that they can keep their families together while they are protecting this country.

I cannot believe that that is the response of the Republican Party in this Congress, that that is the benefit that we are going to provide these families and these soldiers who are making this sacrifice on our behalf. Now, mind you, all of the advice that these soldiers had when they started their IRA accounts from their employment, from Goldman Sachs, from Merrill Lynch, from Charles Schwab is do not ever touch your retirement savings because the sooner you start and the longer you do it, the better chance you have at retirement where you will be secure. But because, unfortunately, they have joined the armed services or because, unfortunately, they cannot get out of the armed services because of the war on Iraq or because they have been sent to Iraq to fight the war for longer than they have anticipated or they were told was going to happen, they must now take their savings and try to support their families with that.

I cannot believe that is what a grateful Nation would do to these individuals; but that is the bill that just passed. We all voted for it. We want to do whatever we can to help them, but that cannot be the response of this Nation to these military families that find themselves in this kind of economic stress. How cynical of an approach that somehow we cannot help these families out beyond saying they will not have to pay the penalty for destroying their savings. Well, the minute they touch those savings, they are being penalized because they are giving up retirement benefits in the future.

This Congress owes our National Guard members, our Reserve members better than that, and we owe their families better than that. And we ought to correct this and correct it immediately because these families, the financial stress is continuing because of this war on Iraq. And we ought not to have them go into financial ruin because they have defended this country, because they have served this country, because they answered the call of this President.

#### HONORING VALLEY COMMUNITY SCHOOL

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

Mr. CARDOZA. Mr. Speaker, I am honored today to have four students in attendance here from Valley Community School in Merced, California. Valley Community School, led by its principal, Jill Macha, is an alternative education program that serves at-risk youth throughout Merced County. I

had the privilege of visiting Valley Community School in October during Red Ribbon Week festivities, and it left an impression with me and had a positive impact on alternative education and the impacts it was having on the students there.

However, I also had a very moving experience while I was visiting. I see school groups in my district frequently, but nothing compares with the interaction I had with the students at Valley Community School that day. After the Red Ribbon Week assembly was over, a group of children, young people, came and met with me. Many of them were products of the foster care system, just like those who are fortunate enough to be here in Washington today.

During our 90 minutes together, I heard many of their personal stories from the students that would shock anyone who cares. They told me about some of the horrible conditions that they had encountered as they moved from placement to placement in foster care. They told me about situations that have gotten them in trouble. They told me about a lot of things that I thought I would never hear or even have to hear from young people: abuse, neglect, domestic violence, sexual assault. These kids have been through more unfortunate events at a younger ages than most of us will ever go through in a lifetime. Many of them had begun to get tougher than they ever should have to become just to survive. But, ladies and gentlemen, in all their eyes, I saw a glimmer, a glimmer of hope, the glimmer of hope that I see, frankly, in all young people's eyes. But it was one that moved me even stronger than normally because these kids had had such a tough life.

They wanted to talk about and overcome their problems. They wanted people to become aware of the flaws in our foster care system, and they wanted people to understand how important it is for them just to have a stable home. I want the students of Valley Community School who are watching back in Merced to know that people really do care about them and the problems they are going through. Their principal, Jill Macha, is one of those people. They lead an alternative education program at the school that is one of the sources of stability for those kids in that situation, and stability is what they desperately need.

But, ladies and gentlemen, there is much work to be done. I am committed to working on improving our foster care system and the support network for children who are left behind. I hope my colleagues will take the time to learn more about the kids like those who are at Valley Community School and join me in the effort. I know that if they do, we can have a better understanding of the enormous challenges that at-risk kids face and that we can actually do something to improve their situation.

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

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MURPHY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. HENSARLING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. RYAN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### SPECIAL ORDER VACATED

The SPEAKER pro tempore. Without objection, the 5-minute Special Order of the gentleman from New Jersey (Mr. PALLONE) is vacated.

There was no objection.

#### THE CASE FOR LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. PENCE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PENCE. Mr. Speaker, I rise today in the discharge of an idea that began for me in September of 2003; and now today it has its fourth manifestation, a series of remarks on the floor of this Congress that I simply call "The Case for Life."

My inspiration for today's discussion, which is entitled "The Case for Life: Abortion and the Problem of Pain," was inspired not by a contemporary in this Congress, though I just came from a meeting with really the intellectual and moral father of the pro-life movement in this Congress, the gentleman from Illinois (Mr. HYDE), chairman of the Committee on International Relations, who simply referred to my humble efforts on the floor and those of colleagues who will join me as, in his words, "a great idea." But it was not from the gentleman from Illinois (Mr. HYDE) that I drew my inspiration for these series, but rather from another distinguished gentleman who served in this body from the years 1827 to his death on the House floor in the year

1848. That was the late Congressman and the former President, John Quincy Adams, who history recorded after he served as President of the United States for a term in the early 1820s, he actually felt compelled to return to Washington, D.C. from his home State of Massachusetts as a member of the House of Representatives, truly an extraordinary exercise in public service.

One can scarcely imagine a former President in the modern era becoming a Member of Congress after he served in the Oval Office. But John Quincy Adams was not an ordinary man. His father before him, John Adams, was our second President. John Quincy Adams was considered one of the great moral and intellectual minds of the 19th century and is considered so to this day. But he came to Capitol Hill, Mr. Speaker, not simply, as some get wrongly accused, to occupy a chair. He came here on a mission, a mission encapsulated in a book I am reading now entitled "Arguing About Slavery." Because when John Quincy Adams came to the Congress of the United States he did so as a Northerner, a former President himself, the son of one of the founders of this country, and a man who believed that the scourge of slavery was a blight on this Nation and threatened its greatness and threatened its destiny.

So as history records, Congressman John Quincy Adams came often not to this floor, but to the floor of the Congress just down the hallway, every few weeks for the nearly 20 years he served in this body to speak about one issue, and that was the issue of the abolition of slavery.

Now, one would argue that having died in 1848, John Quincy Adams could scarcely point to any accomplishment in his life ending slavery; but there, Mr. Speaker, you would be wrong. Because it would be none other than a lanky, gangly freshman member of Congress that arrived on Capitol Hill the year that John Quincy Adams would die who would be sitting on the back row in what is now Statuary Hall in the House of Representatives and would listen to the great man speak, make his powerful moral orations against slavery. And that young Congressman, known to his friends as Abe Lincoln, would be deeply moved.

□ 1430

History would record that young Congressman would go back to Illinois and run for the United States Senate and eventually become our President and eventually sign the Emancipation Proclamation. I am confident that once we reach the other side of heaven, as opposed to this side of heaven, we will know to a certainty that that Abe Lincoln was inspired by the words and the example of that humble former President and Congressman.

After I learned that story, I thought of my own time. I thought of the short period of time that I would have here to serve, and I thought about my passion about the sanctity of human life,

and I thought about the enormity of this issue and the fact that apart from a few important legislative advances, despite the fact that this Chamber could be considered the heart of the most powerful Nation on Earth, that actually the subject of abortion comes up here very infrequently, even though the statistics are startling about the impact that abortion has and has had on our society over the last 30 years.

Think of it, Mr. Speaker. Each year more than 1 million U.S. teenagers become pregnant, and the teen pregnancy rate in the last 30 years has become truly alarming. With regard to those who elect to end that pregnancy out of wedlock in abortion, 80 percent are single, 60 percent are white, 35 percent are black. Eighty-two percent of women having abortions are among that single or separated category, but the most startling statistic to me, and I think the reason why, Mr. Speaker, it begs that we grapple with this issue on this floor from time to time, in the same way that John Quincy Adams, however inconveniently, grappled publicly on the floor of the Congress about slavery, is that according to Planned Parenthood's National Center for Health Statistics, nearly half of American women, 43 percent of American women, will have an abortion sometime during their life.

Let me say again. This procedure, validated in the case of *Roe v. Wade* in 1973, has now given rise to a procedure that literally impacts the lives not only of the unborn, but of nearly half of childbearing women in the United States of America. So it is in that spirit that back in September I launched this series on the case for life and today come to the floor on the subject of abortion and the problem of pain.

I mentioned earlier that there have been some recent and important legislative achievements. This Republican majority in Congress has advanced not one, but two historic pieces of legislation that advance the principles of the sanctity of human life. To a lesser degree is the Unborn Victims of Violence Act. I helped to draft that bill as a member of the Committee on the Judiciary, and while it is not a prolife piece of legislation, it does, on the Federal level, certify what two-thirds of the States of this Nation have certified long ago is that when there is violence against a pregnant mother that results in the loss of the unborn child's life, that there are two victims, and while I would say that it is not a prolife piece of legislation, the principle about the sanctity of unborn human life is nonetheless there, and it is important.

I commend my colleague, the gentlewoman from Pennsylvania (Ms. HART), who almost single-handedly muscled this legislation to the floor of the Congress and saw to its passage and signature earlier this year.

Obviously, the most significant piece of legislation and, in fact, the very first restriction on the abortion procedure since *Roe v. Wade* also passed in

this Congress and is now the subject of not one, but three separate pieces of litigation in the Federal courts, and it is in that context that abortion and the problem of pain, I think, justifiably comes before us today.

Congress, as I am sure my colleagues are aware, Mr. Speaker, actually managed earlier this year in overwhelming numbers to pass the Partial Birth Abortion Ban Act. For those not aware of this procedure, partial birth abortion essentially involves, as hard as it is to say, the breach delivery of a child post-20 weeks. Virtually in every case of a partial birth abortion, the child could be delivered whole and could survive. It is certainly at the stage of viability.

But in the partial birth abortion, the child is delivered partially, and then a suction tube is, I will say it gently, inserted in the back of the skull. The contents of the skull are removed, and the remains of the child are taken from the mother's womb. It is a horrific procedure.

It was one of the joys of my life on November 5, 2003, to sit on about the third row as the President of the United States over near the White House in the Reagan Building signed that ban of that horrific procedure. As the President said, Our Nation owes its children a different and better welcome. He went on to say, The bill I am about to sign protecting the innocent, new life from this practice reflects the passion and humanity of America. And so it did. It affirmed our basic standard of humanity which can be summarized in the duty that the strong have to protect the weak.

The American people obviously overwhelmingly support this legislation. One survey after another has shown enormous support. A recent Gallup poll showed 68 percent of Americans believe that partial birth abortion should be illegal. The same poll showed that even 50 percent of those who considered themselves to be prochoice on abortion supported the ban of this horrific procedure, and here is a compelling number for my colleagues. Fifty-seven percent of obstetricians and gynecologists want partial birth abortion banned as well, according to a survey in *Medical Economics Magazine*.

It seems, as we like to say back in Indiana, Mr. Speaker, to be a no-brainer procedure like this has no place in a civilized society, and Congress, in bipartisan fashion, agreed. Members from across the political spectrum after literally 8 years of wrangling on Capitol Hill, 8 years of expert testimony, 8 years of public debate, finally came to broad agreement. Members across the aisle, as I mentioned, many colleagues in the Democrat minority in the House and the Senate, strongly supported this legislation. Senators, from conservative Republican RICK SANTORUM to Senator TOM DASCHLE, approved this measure in a 64-to-34 vote, and House Members in this Chamber, the distinguished gentleman from Michigan (Mr.

DINGELL) and my friend the gentleman from Rhode Island (Mr. KENNEDY), joined conservatives like me in approving the ban 281 to 142.

Congress made specific findings in this legislation as well, that partial birth abortion was essentially an inhumane procedure that is, and this was a finding of the Congress that is important in this moment, Mr. Speaker, because it is being litigated in Federal courts around the country at this very moment, that the Congress found that one expert after another, and even in agreement with the American Medical Association that supports abortion rights in America, found that this procedure is never medically necessary. Let me say again. That after nearly 8 years of debate, after examination of experts, including the concerted opinion of the American Medical Association, it was concluded that this procedure, known as partial birth abortion by the AMA, as well as, of course, by the overwhelming majorities of this Congress, was found to never be medically necessary, and that is a critical, critical conclusion by this Congress.

Partial birth abortion, it was concluded almost unilaterally or uniformly by medical and legal and ethical experts to be inconsistent with the obligations of the law. So we find ourselves nevertheless in litigation in America, and as a former trial attorney, I can tell my colleagues, Mr. Speaker, I would never stand between any American and the courthouse door. We all have the right to seek redress in the courts, and some are doing just that.

In fact, this law, the Partial Birth Abortion Ban Act, signed into law last November is being challenged not in one, but in three separate cases in Federal courts around the country: in New York City before Judge Richard C. Casey; in Lincoln, Nebraska, before Judge Richard Kopf; and in San Francisco, California, before the honorable Judge Phyllis J. Hamilton.

In two out of three of those cases, though, interestingly, Mr. Speaker, the judges on the bench have ruled that an issue that we did consider in this Congress, but an issue that has not gotten a great deal of public discussion, was relevant to the deliberations on the constitutionality of the ban, and that is, as I have said in the title of this discussion today, the problem of pain. It is the problem of pain that is literally being considered in two out of three of the Federal cases, and it may ultimately cause some pain in the hearts of Americans who may be looking in on our deliberations or may be reading accounts of this, but it seems to me, as we try and come to terms with the cost of abortion in America, we do well to listen to the experts about this issue of pain, and I want to speak gently and respectfully about it today.

The truth is, in the New York City case, the National Abortion Federation never wanted Dr. Kanwaljeet Anand to testify in the Partial Birth Abortion

Ban Act trials, but he did, and no wonder. This Oxford- and Harvard-trained neonatal pediatrician had some jarring testimony about the subject of fetal pain, and it is truly made more astonishing when one considers the fact that Dr. Anand is not a stereotypic Bible-thumping prolife.

In fact, interestingly, Mr. Speaker, Dr. Anand is not prolife at all. He is, in fact, a strong advocate of the right to an abortion. A native of India, he just does not meet the stereotype, not just the head wrap, the neat beard, the Rollie Fingers-style mustache, but he views abortion as an unalienable right for women in America. He gave his testimony in the New York court, even more credibility as one of the leading experts on fetal pain in America, if not the world.

Dr. Anand took the stand in the morning recently and testified for hours, excerpts of which I will read into the RECORD today. He testified for hours on a simple principle that unborn children can, according to his research, actually feel pain more vividly than recently born children or adults. It is an astonishing and truly chilling assertion that this expert came to.

Let me go back, as my old trial lawyer days taught me to do, and let me establish the credibility of the witness, if I can. Dr. Kanwaljeet S. Anand is a pediatrician specializing in the care of critically ill newborns and children. For more than 20 years, according to trial testimony, he has conducted intensive research on the study and the development of pain and stress in human newborns and fetuses.

I said before once again, and I repeat it for the sake of its significance and its addition to the credibility of his testimony, that Dr. Anand personally believes that a woman has an unalienable right to an abortion, which makes him solidly and unqualifiedly prochoice.

He received his medical degree from Mahatma Gandhi Memorial Medical College in Indore, India. After postdoctoral training in pediatrics, he was awarded a Rhodes scholarship to study at the University of Oxford. He received a Ph.D. from the Faculty of Medicine for research he performed on surgical pain and stress in premature and full-term newborns.

Following additional postdoctoral training at Oxford, Dr. Anand completed a fellowship in pediatric critical care at Massachusetts General Hospital.

He has numerous academic appointments, University of Oxford, Harvard Medical School, Emory University School of Medicine. He has authored or coauthored more than 200 articles and is currently professor of pediatrics at Arkansas University for Medical Science. Not a lightweight, and, virtually as we used to say in the law business, an unimpeachable witness on the subject of fetal stress and fetal pain.

□ 1445

Now, before I go into precisely what Dr. Anand had to say, it is important to point out that the damaging nature of this information coming in not only to the courtroom in New York, and not only has been ruled in order in Nebraska, Mr. Speaker, but also into the public domain was certainly not lost on the abortion rights activists who brought the challenge to the Partial-Birth Abortion Ban Act in both of those cases.

Literally, attorneys for the National Abortion Federation used virtually every legal tactic at their disposal to prevent Dr. Anand's testimony from being permitted in the court. NAF attorneys attempted time and time again to block Dr. Anand's testimony. And then once he was allowed on the stand, the plaintiffs' attorneys cross-examined him redundantly, in a style that actually drew the judge's rebuke. The judge actually asked one of the National Abortion Federation lawyers, he was being so pedantic and repetitive, and in some ways abusive of Dr. Anand on the stand, Judge Casey asked: "Is this a new school of cross-examination, where you make a statement and finish every statement with, is that correct?" Later, the judge actually drilled a plaintiff's lawyer for attempting to make one of their witnesses testify about events before they were hired.

It just was extraordinary the efforts to which the opponents of the Partial-Birth Abortion Ban Act went to prevent Dr. Anand's testimony from being allowed in. And for all the world, I do not think, Mr. Speaker, it was so much about what was happening in that courtroom as it was what was happening out here in the debate, the debate for winning the hearts and minds of 270, 280 million Americans who wrestle with this issue and are deeply divided. And not only are we divided just as a country, but most of even my very best friends and family members, who profess to be pro-choice, do so with a great deal of ambiguity about it, seeing abortion as a necessary evil in society, but an evil nonetheless.

I really believe, as I denominated this "case for life" installment, I believe that pain is a problem for the advocates of abortion in America, not just those who would oppose partial-birth abortion. Abortion and the problem of pain can be summarized in this idea, and forgive me if I have too high an opinion of people and particularly the American people, but I cannot help but feel that if most Americans became persuaded about the truth of what Dr. Anand has said, about the capacity of unborn children to experience pain, that we would, as a Nation, rethink this business of abortion.

And so I thought it all together fitting that we talk about the problem of pain in the little bit of time I have left. And I may be joined, Mr. Speaker, by the gentleman from Iowa (Mr. KING), who was actually in Nebraska, in the courtroom, where much of this testi-

mony took place and was facilitated just in the last 2 weeks.

Here is what Dr. Anand had to say, and I want to read this into the RECORD, if I can, Mr. Speaker, although I will submit the entire testimony for the RECORD.

When he was brought to the stand in New York City in the partial-birth abortion ban challenge case, Dr. Anand was asked a series of questions beginning with this: "Are there differences between fetuses and infants born at full term?" The answer: "There are certainly huge differences between a fetus at different stages of maturity and a full-term infant, yes."

Next question: "What effect, if any, does that have on your opinion in this case about a fetus's ability to feel pain?" This was the response of this Rhodes Scholar, Harvard-trained Ph.D. who supports the right to an abortion. Dr. Anand responded: "What we have noted from these multiple lines of evidence is that the pain system has a very low threshold, meaning that the fetus has a much greater sensitivity to pain during the early development of the pain system, and later on that threshold rises or the sensitivity decreases to pain. This is seen throughout development. So in a premature fetus, those 23, 24 weeks of gestation, they have a much lower threshold of pain compared to a full-term infant. A full-term infant has a lower threshold of pain as compared to, say, a 1- or 2-year-old child. And during childhood as well there is a progressive increase in the threshold of pain. So," Dr. Anand testified, "my opinion is that between 20 and 30 weeks of gestation there is the greatest sensitivity to pain."

The attorney went on to ask the question: "Doctor, can you explain the scientific reasons why that is so?" Dr. Anand responded: "There are many reasons to explain this increased sensitivity to pain. Firstly, there is the early development of the receptors and the density of these receptors is much greater in the fetal skin as compared to an older child or adult. These receptors have connections to the spinal cord," et cetera, et cetera, et cetera. "So it is that early period," he concluded, "there is the greatest sensitivity to pain."

Then it gets a bit more chilling, and this is where I would ask the forbearance of the Chair and any who are looking in; so that if there are little ears nearby, I, as the father of three small children, have no desire to offend, but this is offensive. Because here we will hear where Dr. Anand actually used the word "excruciating" to describe the experience of pain of an unborn child in a partial-birth abortion.

Question: "Do you have any opinion as to whether the partial-birth abortion procedure will cause pain to a fetus?" Answer: "Yes, it would, if the fetus is beyond 20 weeks of gestation."

And I would add parenthetically here, not as part of the testimony, that virtually all partial-birth abortions

take place after 20 weeks, according to medical statistics.

Back to the testimony. Question: "And could you describe, in your opinion, Doctor, what kind of pain you would anticipate the fetus would feel?" Dr. Anand responded as follows: "Given the increased sensitivity to pain at that period of gestation, the parts of the procedure associated with grasping the lower extremity of the fetus, of manipulating or rotating the fetus within the confines of the uterus, of delivering the fetus through an incompletely dilated cervix as well as the surgical incision made at the back of the head, the puncturing of the intracranial cavity through the occipital bone and through the membranes that cover the brain, all of those parts of the procedure would be associated with prolonged and excruciating pain to the fetus." So said Dr. Kanwaljeet Anand, a Rhodes Scholar and one of the leading experts on fetal pain in the Western World.

As you heard, Mr. Speaker, going literally step by step through each element, the doctor described of the procedure of a partial-birth abortion, and I cited here his reference to the grasping of lower extremities, the turning of the fetus in the uterus, the delivery of the fetus through an insufficiently dilated cervix, Dr. Anand concludes that these would all result in, and these are his words now, "prolonged and excruciating pain to the fetus."

There is more here; and as I mentioned earlier, Mr. Speaker, I will submit this testimony at this point in the RECORD, in its entirety, for any who might examine our work at some point in the future, because it is truly extraordinary to consider.

Mr. Speaker, I am grateful now to yield to a colleague and a friend who, while a freshman from the great State of Iowa, has arrived here with a vengeance and with convictions and with passion. And as I presented the issues that are being litigated at this very hour in New York and in Nebraska and in San Francisco, I was delighted to note that over the April recess, my colleague, the gentleman from Iowa (Mr. KING), was not content to stay in Iowa while these weighty matters were being debated.

As was reported to me, the gentleman from Iowa drove 470 miles one way to sit in the courtroom in Nebraska in the company of the Honorable Judge Richard G. Kopf, and reassert the principle of Congress' ability to make findings of fact and the deliberation that Congress used in concluding, as I asserted earlier, Mr. Speaker, that partial-birth abortion is never medically necessary. And, as I am sure the gentleman from Iowa will elaborate, that was a broad conclusion by this body.

Also, Mr. Speaker, I would be anxious to hear my colleague's reflections on the issue of fetal pain and how that may or may not play into this debate, both in and out of the courtroom.

My purpose today in this "case for life" entitled "Abortion and the Problem of Pain," is simply to do our part on this blue and gold carpet to bring these issues more into the public domain, not just to our colleagues here on the floor, but also to those that might be looking in, Mr. Speaker, to be aware that this business of banning partial-birth abortions, so overwhelmingly supported by the American people, is an unfinished work. The work goes on.

Mr. Speaker, again I yield to my colleague, the distinguished gentleman from Iowa (Mr. KING), a member of the Committee on the Judiciary

Mr. KING of Iowa. Mr. Speaker, I thank my colleague, the gentleman from Indiana (Mr. PENCE), for yielding to me to address my colleagues and America on this issue.

For many years now, this Congress, in response to the people of the United States of America, have fought diligently to end the most ghastly and ghoulish and gruesome procedure known to modern man. And as we have done so, this Congress has held hearings in the 104th, 105th, 106th, and 108th Congresses. That is over 8 to 9 years if gathering information and data and analysis of the concept of what we call and have defined in this Congress as partial-birth abortion.

Now, for myself, as I thumb through the phone book in the Washington, D.C. yellow pages, I can find in there ads for abortions up to at least 22 weeks, and I believe there are one or two that advertise up to 24 weeks. And if the advertisement goes to that, then you can be confident that those partial-birth abortions are taking place beyond the 24 weeks. And, in fact, in this country, there is a Supreme Court decision that allows for such a thing up until the very last minute before birth.

The circumstances around this law that we have then in this country come to Congress finally passing a ban on partial-birth abortion that was signed by our President. And that was something that was difficult, in fact impossible to obtain under the previous administration. We have it today.

I sit on the House Committee on the Judiciary, and we held hearings and we gathered facts, did fact-finding, due diligence, and gathered data that reaches out all across this country into all of the experts, the best experts that we can find, to bring them forward to testify before congressional hearings. There were people to testify on each side of the argument, both pro and con on this procedure that we know all across this Nation as partial-birth abortion.

And when that happens, these expert witnesses testify, they are cross-examined by nearly every member of the Committee on the Judiciary. At the end of that period of time, then we debate the relative merits of the issue. As that debate flows through, we bring the bill for a vote, and generally through subcommittee, full committee, and

then out to the floor. The same procedure takes place over in the other body.

That gathers all of the best expertise that can be gathered, it draws it all out of the United States of America, and then we have the administrative branch that also has their staff and their expertise, and they do their fact-finding.

So when the House of Representatives votes overwhelmingly and the other body votes overwhelmingly to ban that ghastly, ghoulish, and gruesome procedure of partial-birth abortion, and when Congress comes with findings that declare that a partial-birth abortion is never medically necessary to preserve the health of the woman, there is no system of fact-finding or data-gathering that exists in this country today that can begin to match the due diligence of the United States Congress.

□ 1500

So, when word came to me late Good Friday that a judge in Lincoln, Nebraska, had made remarks during the last witness' cross-examination in the case that is one of the three jurisdictions that the gentleman from Indiana spoke about, that the attorneys in the case had done more due diligence than Congress had, that echoed into my ears an hour or two, if not within minutes. When it did, it looked to me that the preparation was at least there to declare that Congress had not done due diligence, that the attorneys in the case had, and that would be reason or justification enough to overturn our congressional ban, our Federal ban on partial-birth abortion.

So the decision was made late that Friday afternoon, and I was in Lincoln at 9 on Monday morning. I make one minor correction to the gentleman from Indiana (Mr. PENCE): It was round-trip miles rather than one way. It was a little bit to adjust it into my schedule. I walked into the courtroom at 9, and I am confident most of the actors in the courtroom knew I was coming, judging by the reaction in the courtroom. I listened to that case between 9 and almost up to 12, nearly noon, just stepping out for a couple of message exchanges. At noon I went down there outside the Federal building in Lincoln, Nebraska, and held a press conference. I made the statement describing how Congress comes to their findings, what due diligence Congress uses, and that there is no substitute for the due diligence of Congress.

For a single judge to substitute his opinion for the collective wisdom of the United States of America is the height of arrogance. It also exposes judicial activism. It turns the law on its head. There is nothing that we could pass in this Congress that would meet that kind of standard that would allow a single judge to substitute his judgment for the wisdom of the people of America.

That is what that press conference was about. It echoed across this Nation

from the Atlantic to the Pacific Ocean and points in between, and I am hopeful that it echoes into that courtroom and the courtrooms of San Francisco and New York where any activist judge in this country realizes that the legislative power belongs to the United States Congress. That is defined in the United States Constitution. If we allow judicial activism to run its course, there is no point in this body existing. They will have taken away all of the legislative power of this Congress if we do not draw the line.

I would have said a year ago that the line was blurred between the judicial and the legislative branch of government. Today I will say it is obliterated. It has been obliterated in a number of cases not particularly relevant to the ban on partial-birth abortion.

We have the authority as Congress to rein in the run-away judiciary, to slap the wrists of judicial activism. In fact, all Federal courts, with the exception of the Supreme Court, exist because they have been established from time to time by the Congress. Whatever the Congress establishes, they can take away.

So it is conceivable that any of these Federal lower courts are not a requirement of Congress, we could do with them as we wish. We want to do what is prudent and appropriate, but we also have an obligation to preserve the separation of powers. I will continue to do that.

Mr. Speaker, I want to speak to the fetal pain issue as well. I do not think that is hard for any of us to understand. We have heard testimony during hearings of this Congress of a baby that was almost to the last moment of its life reaching its arm out with that fear-of-falling reflex. It is unrealistic to believe that baby did not feel the pain at that moment, at that moment when they are trusting into the hands outside the womb instead of the protection of the womb, to have those hands take the life and drain the brains from that innocent, most innocent little child.

If Members have seen the pictures that have been up on the Internet, particularly on the Drudge Report, during intrauterine surgery, a little hand reaching up, grabbing ahold of the finger of a doctor. Imagine a little hand grasping the hand of the surgeon that is there to protect and save its life, and that little hand and that little body cannot feel pain? Of course it does. For a doctor to say, I have never thought of such a thing, it did not occur to me whether there was pain there, that would not be the case if this were happening with an animal. There would be a national outrage, and there should be a national outrage on this.

We have to play this out in the courts in New York, Nebraska and San Francisco. We are going to see these three inferior courts come with a decision. Those decisions will find their way to the United States Supreme Court where the Supreme Court will in

the next year or so be obligated to make a decision on whether Congress can actually declare findings and declare fact. We have done so.

There are only two questions before the court, I understand. One of them is do congressional findings determine that a partial-birth abortion is never necessary to protect the health of the woman; and the other question is did we define partial-birth abortion accurately and precisely enough that one who is providing that procedure, and that is hard for me to say, understands clearly at what point they would be breaking the law?

I think we have a precise definition of partial-birth abortion. It is clear whether it is a head delivery or whether it is a breech delivery. We define that moment when it becomes a partial-birth abortion, and Leroy Carhart or any of those practitioners understand that, and they are simply trying to confuse the American public.

I will stand for life. I stand with the gentleman from Indiana (Mr. PENCE) and the hundreds of people in this Congress and the millions across this country that understand that innocent life begins at the instant of conception.

Mr. PENCE. Mr. Speaker, I thank the gentleman from Iowa (Mr. KING) for his statements, and again want to express my gratitude for the gentleman's tenacity in defending life and the processes of an institution. Our colleague, literally at a time when many Members of Congress with their families were stealing away to someplace warm, our colleague was headed to a courthouse to defend the integrity of an institution and the processes of this institution which the American people, many of whom may be looking into our conversation today, have a right to know that the Partial-Birth Abortion Ban Act signed 5 November, 2003, by this President was thoughtfully considered and carefully prepared and based upon findings of fact that are demonstrable.

I thank the gentleman from Iowa (Mr. KING) for his leadership and for his courage on behalf of the unborn and as truly a remarkable contributor to this institution in a very short period of time.

By way of closing this installment of the case for life, abortion and the problem of pain, I would reflect on those words from the ancient text that say whatsoever you do to the least of these, you do to me, and that for millions of Christians, me included, those were the words of God Himself. They express a principle that has been manifested throughout the 2,000-year history of Western civilization that societies and their justice and their definition of justice is defined on the manner in which the strong deal with the weak. That is the essence of justice.

At its very core, in my judgment, whether it is partial-birth abortion or abortion in any of its permutations, justice demands that we reconsider this practice. As the evidence that the

gentleman from Iowa (Mr. KING) defended in Lincoln, Nebraska, overwhelmingly attested in the case of partial-birth abortion, this is a procedure that is never medically necessary. In fact, we, from south of Highway 40 in Indiana, like to use common sense on things. It hardly seems like it could ever be in the interest of the health of a woman to deliver a child and to brutalize it in the birth canal, and that would somehow be safer for the mother than a simple caesarean section that is done countless times in America and has been done since Caesar, after whom it was named. It is never medically necessary.

Beyond that, it is my hope and my ambition, and I may even say my prayer, that the problem of pain becomes more widely known in this country. Just judging the intensity that abortion rights activists use to keep Dr. Anand's testimony about fetal pain out of the courtroom in these proceedings suggests to me that our opponents in this debate understand the political vulnerability because at our core I believe, as the President says so often, the American people are a deeply compassionate and caring people.

That is why I said at the beginning of this discussion today that in the case for life, the problem of pain is a problem for advocates of abortion rights. To the extent that these court cases and the attempts to challenge and pull down the Partial-Birth Abortion Ban Act ultimately result, whatever their outcome, in the American people having a broader understanding of the reality of what Dr. Anand called so chillingly that prolonged and excruciating pain to the fetus in a partial-birth abortion, then we may be making progress.

So I conclude this case for life, Mr. Speaker, with gratitude for your forbearance and those of my colleagues, with renewed appreciation to the gentleman from Iowa (Mr. KING), who, along with his lovely bride, are stalwarts on the case for life. I close this case for life with gratitude.

#### PRESIDENTIAL MISTAKES

The SPEAKER pro tempore (Mr. BURNS). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, last week during President Bush's press conference, he had a difficult time with a question from one reporter asking him whether or not he had made any mistakes as President since the fateful events of September 11, 2001. Today I would like to basically join with some of my Democratic colleagues who have already spoken today during their 5 minutes in trying to help out the President to answer the question about any mistakes he has made as President since 9/11.

I think one of the President's biggest mistakes over the last year was signing

a so-called prescription drug bill into law which he knew would benefit the pharmaceutical companies a lot more than the millions of seniors who need help now with their prescription drug bills.

Mr. Speaker, seniors have done the math. I had some opportunities during the district work period, during Easter and Passover, to meet with senior citizens, and they have done the math with regard to the President's so-called prescription drug plan. They realize that the President's law was a mistake because it will not help them with the ever-increasing cost of prescription drugs. I want to use an example because I know I have talked about this many times on the floor about how the so-called prescription drug bill will not really benefit most senior citizens.

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If one would consider a senior who now pays about \$1,000 a year on prescription drugs, who will pay at least \$857 a year out of pocket under the President's law, seniors with a bill of \$5,000 a year will still pay at least \$3,920 under the President's Medicare bill, and as we can see, the problem with the President's bill is that they are going to have to pay so much money out of pocket to get any kind of a meager benefit that for most seniors it is simply not worth the effort.

And I know from being back in my district in New Jersey for the 2-week break that the seniors see the minuscule help that they would receive under this legislation, and they realize that it is really not them, but the pharmaceuticals who are benefiting from the law because of all the profit that the pharmaceutical companies plan to make. And as I have said before, one of the reasons why the pharmaceuticals were so involved in this prescription drug legislation was because they wanted to make sure that the government did not do anything to lower the price of prescription drugs, because if the government got involved in negotiating to lower prices, as does the government in almost every other Western nation, they would not see the same level of profit that they wanted under the President's bill.

And we, as Democrats, made a point during the debate on the Medicare bill that we wanted the Secretary of Health and Human Services or the Medicare Administrator to have the power to negotiate better prices, essentially what we do now with the Veterans Administration, what we do with our military and our military retirees, but because of the support that the President receives and the Republicans receive from the prescription drug industry, that would not happen. That was not going to happen.

In effect, what was written into the law was a clause that specifically said that the Secretary of Health and Human Services and the Medicare Administrator could not negotiate lower prices. That was prohibited by law. I

would maintain that that was a mistake, a major mistake, on the President's part not to allow the negotiation of lower prices, but the bill itself was a mistake because the bill, as I said, does not really provide any meaningful benefit to seniors who are looking for their prescription drugs to be paid for in a major way by the Federal Government.

But the President and his administration made a lot more mistakes than these, Mr. Speaker. The President made a big mistake also when he allowed the Medicare Administrator, Tom Scully, to negotiate the final prescription drug legislation on behalf of the administration here on Capitol Hill. At the same time that Mr. Scully was the Medicare Administrator negotiating the legislation, he was also negotiating a new job with various companies representing health care interests that stand to make millions from this Medicare law. Tom Scully did not do this, as I said, outside. He was doing this at the same time that he was negotiating the Medicare bill.

And one might say to oneself, how does he do that? How does someone who is in charge of Medicare in the Bush administration end up basically negotiating a job for himself with those same interests that are now looking for some benefit in the Medicare bill? And the reason is because he received a waiver from the Bush administration that allowed him to participate in job negotiations while he was negotiating the Medicare bill. I would maintain that that is not only a conflict of interest, but also another mistake in the context of this Medicare legislation that President Bush made.

Administration officials should not be allowed to interview and go on job searches with the companies at the same time that they are working on legislation that directly impacts these companies. That is why we have laws that bar that as a conflict of interest, and it should not have been waived. That was a mistake of the President.

President Bush also knew that this Medicare bill he signed into law had passed Congress, in my opinion, under false pretenses. Members of this House did not know the true cost of the legislation, and the reality is we probably never would have known what the true costs were were it not for the fact that the President's own Medicare actuary actually came forward after the legislation was passed and detailed what the true costs were. But that Medicare actuary was not allowed to give the House Members, be they Democrat or Republican, the true costs of this Medicare legislation when we were voting and negotiating the bill because essentially this actuary was told that his job would be threatened, he might be fired, or he would be fired if he gave out the real information about the cost of the Medicare bill.

Last year when Republicans were writing their version of the prescrip-

tion drug bill that eventually became law, the Republican leadership made assurances to many of the conservative Members in the Republican Party that the total costs of the program over 10 years would not be higher than \$400 billion. That is what they put in the budget, and that is what the Republican leadership and the President told the conservative Members that they would be facing, a cost of \$400 billion. When the bill finally came up for a vote, the Bush administration said the total cost of the program would be actually \$395 billion, close to the 400-. But as my colleagues know, last month we learned that the administration's own analysts had concluded repeatedly that the drug benefit could cost \$100 billion more than what they said publicly at the time, not \$400 billion, but \$500 billion, a big increase, about a 20 percent increase, but they never made that information public until the bill was signed into law.

The individual who was the chief Medicare actuary, Richard Foster, at the time did come forward and say that the administration knew and that he knew at the time when the bill was being voted on that the true cost would be \$100 billion more, that it would be 500- instead of \$400 billion, but he was warned that he would be fired if he told his colleagues here in the House the truth; so he never told us.

So here we go again. What kind of mistakes did President Bush make in the context of this Medicare bill? Quite a few. In this case he knew, or at least the administration knew, that this information was available about the true cost, but they probably also knew that if that cost had come out, it would kill their chances for passing the bill. So essentially they kept the facts from coming out, and one could argue that the House made a mistake in passing the bill because it was based on misinformation, another mistake that the President made which contributed to the big mistake of this Medicare bill when it finally passed.

I just mentioned this because many of my colleagues on the Democratic side would like to point out some of the mistakes that the President made in the last year, and hopefully when he has his next press conference, he will have a little more opportunity to talk about some of those mistakes. If not, we can just give him more information ourselves along the lines of the Medicare bill, which was a huge mistake.

Mr. Speaker, I would also like to bring up some other matters that relate to what I consider the ongoing credibility problem that President Bush and his administration faced, and there are many. There are many cases where information has been given out that is essentially misleading, that Congress relies upon it, as it did in the case of the Medicare bill, or in the case, one of the biggest that I would mention, is the Iraq War. We know now that much of the information that was given to the Congress and they used in

making a decision to go to war and to pass a resolution to authorize the war was essentially misleading, information about the threat from Iraq, about the weapons of mass destruction, about links that did not exist between Iraq and Saddam Hussein and al Qaeda and those that bombed the World Trade Center on 9/11. And I would like to talk a little bit about the President's credibility gap with regard to the war in Iraq.

Again, some of my colleagues mentioned earlier that 100 of our U.S. soldiers have died this month, and not that I want to emphasize that, because I certainly do not, but I do think that this credibility gap has cost lives, and it is not just something that we can sort of toss aside and say, okay, well, we had this misinformation, and what was the impact? It had a major impact on our decision to go to war and upon the people who have lost their lives or have been injured during the war.

As concerns rise about the lack of planning for the war in Iraq, it is important that we determine how America got into the mess in Iraq, and probably even more important, because that is the past, how are we going to get out? Concern about the situation in Iraq crosses party lines. The House Republican leadership continues to block any congressional oversight. And, Mr. Speaker, we have heard some of my colleagues on the Democratic side of the aisle talk earlier this day during the Special Orders about the need for congressional oversight.

We have congressional oversight on everything. I am the ranking member on the Subcommittee on Fisheries, Conservation, Wildlife and Oceans. We have congressional oversight on what the agencies do with regard to fisheries management. If that is true, why would we not have it for something so important like the war in Iraq?

The House Committee on Armed Services and the House Committee on International Relations are not holding hearings to ask important questions that must be asked about the Bush administration with regard to the war in Iraq. Essentially House Republicans are allowing the President and his administration to do anything they want in Iraq, no questions asked. And I just find that simply unacceptable given the responsibility of this House and the committees of jurisdiction to have oversight over any important matter that we deal with.

Yesterday in the other Chamber, the Foreign Relations Committee held a hearing where Members of both parties asked the tough questions about Iraq. Yet here in the House, Republicans have completely abdicated their power to President Bush and essentially said that he as Commander-in-Chief can do anything he wants without any oversight.

Mr. Speaker, the problems in Iraq, I believe, are the direct result of the Bush administration's failure to adequately plan for what would happen

after the initial U.S. incursion in Iraq. We know what happened when the U.S. first went to war. We know that it was largely successful in a very short period of time. But what planning was done about the aftermath after the initial incursion and after essentially Saddam Hussein and his forces were defeated and forced to flee? President Bush and his national security team assured the world that Iraq would be a swift and easy mission where U.S. troops would be greeted as liberators. This assessment proved dead wrong and is now costing Americans greatly in terms of lives, funding, and international support. And I do not think there is any question when we listen to some of what has come out the last few weeks both before the 9/11 Commission and other venues that the Bush administration was caught off guard.

Secretary of Defense Rumsfeld said last week that he was surprised by the recent level of violence in Iraq. Secretary Rumsfeld said, "If you said to me a year ago, describe the situation you would be in today 1 year later, I don't know many people who would have described it. I would not have described it the way it happens to be today." Those are Secretary Rumsfeld's very words.

The fact is that the Bush administration was warned before the war of the possibility that events might not play out as well as the administration was telling Congress and the American people. General Anthony Zinni, the former CENTCOM Commander, questioned how the escalating war in Iraq could have caught Rumsfeld off guard, and General Zinni said that he was surprised that Secretary Rumsfeld was surprised, because General Zinni said a lot of other people were telling him that it was going to be similar to what we are now seeing.

The administration's coalition of the willing is quickly unraveling, meaning more burdens on American troops. We had Secretary Rumsfeld saying that this was going to be quick, and our troops were not going to have to be there that long essentially. But obviously the opposite is the case. The coalition of the willing, of those forces from other countries that are willing to support us, seem to be dissipating. Spain, Honduras, and the Dominican Republic have announced plans to withdraw troops as soon as possible. Poland is also considering withdrawing from Iraq. Lacking troop support from other countries, about 20,000 American soldiers who were due to come home will now have their tours extended, breaking a Pentagon commitment to limit assignments in Iraq to 12 months. Again, the President's credibility is at stake.

Mr. Speaker, this is not a war that we had to fight. It comes from an administration that from its very first days in the White House was preparing to take out Saddam Hussein. And I join my colleagues here today to highlight the misrepresentations that the Presi-

dent and his administration included in their public comments. If the Members are interested in reading this comprehensive report, they can find it, and I will give out the information at [www.reform.house.gov/min](http://www.reform.house.gov/min).

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We can go into that a little more if some of my colleagues want to. But the bottom line is that this misinformation that was given out seriously makes us question the credibility of this administration and what they were doing then and now in terms of the future and what we are doing in Iraq.

I see that some of my colleagues have arrived. I would like to yield to the gentleman from Washington, who has been down on the floor on a regular basis talking about this issue of credibility, particularly with regard to the war in Iraq. I thank him for joining us this afternoon.

Mr. McDERMOTT. Mr. Speaker, I want to thank the gentleman from New Jersey for coming out here and giving us an opportunity to talk about the abuses of power of this administration.

I think we have had so many that it is really hard. You sit in your office and say, which one should I come out here and talk about? Well, the most recent and striking one to me was on "60 Minutes" last Sunday night when they talked about the book by Mr. Woodward in which he describes the run-up to the war.

Now, anybody who knows anything about the Congress knows it is our job to collect the taxes. I sit on the Committee on Ways and Means. We collect the taxes, and then the Committee on Appropriations says this is how it is going to be spent, and the President is supposed to spend it that way. He does not have the freedom to just spend it anywhere he wants. Otherwise, what do you need a Congress for? Why do you not just give him the money and say, Mr. President, do whatever you want? If it looks good to you, buy it. Do it. See if you cannot make it work.

So with that background, the revelations that came out of this book on Sunday on "60 Minutes" were absolutely mind-boggling. The President secretly diverted \$700 million from the war on terror in Afghanistan to begin building airstrips in Kuwait, starting a war that nobody knew anything about, that was hidden totally from view. They took \$700 million appropriated for dealing with the war on terror.

We just had two enormous buildings in New York knocked down and the Pentagon attacked, we were over there trying to find Osama bin Laden, and the President decided, on his own, I do not know, sitting there talking to I do not know whom, maybe he was praying, for all I know, and he came up and said, I am going to use \$700 million to start a war in Iraq. Now, the question is whether that is not only not constitutional, but whether it is illegal for the President to have done that,

whether he has broken the law, and we hear nothing of it.

Ask yourself just for a minute, what would \$700 million have bought in Afghanistan? It is fascinating. Just today the Pentagon came out and said it needs another \$700 million to keep 20,000 troops in Iraq for another 90 days. So effectively what the President of the United States did was, in the middle of this war on terrorism in Afghanistan, he said, I am taking \$700 million, I am taking 20,000 troops for 90 days out of the country. I am reducing our ability to deal with the war in Afghanistan, because I want to start this war over in Iraq.

It was not inconsequential what he did. Remember, this is when the Secretary of War, Mr. Rumsfeld, was quick to point out that they knew, it was not even close, that we suspect or anything else, we knew that bin Laden was hiding in the Tora Bora area of Afghanistan. Right in the middle of our dealing with Tora Bora, the President says, hey, Rumsfeld, out of my way. I want that money, and I want to put it over here.

Now, we were still in the shock of the attacks of 9/11, and all America watched and waited for the word that bin Laden would harm us no longer. The President still has not found bin Laden. He still is out there, still organizing, still sending out tapes, still having impact on us. And the President decided, I am tired of this, I do not want to chase bin Laden anymore. Because when this was happening, right in the middle of having him located in Tora Bora, the President said, I have lost interest in this, and I am going somewhere else.

Now, he acted unilaterally and without the Congress or the people of the United States understanding what he is doing. The President reduced America's resources in the hunt at the very moment when we had the best information about where bin Laden was.

Now we are talking about maybe he is in the border areas with Pakistan, or maybe he is here, maybe he is there. We knew apparently where he was at that point, but the President was not interested in getting him, I guess. I do not know.

He must have a short attention span to just say I am going to walk away from this. My belief is that unilaterally reducing American resources in the hunt for bin Laden really raises questions the President must face with the families of every 9/11 victim and with the Congress and with the American people and the mothers and fathers and brothers and sisters and husbands and wives of the 700 Americans who have died in Iraq.

What was he thinking about? Now, none of us think that the President was stupid, none of us think that Rumsfeld is dumb. But the question is, why were they so intent on going to Iraq? It clearly was not about weapons of mass destruction. It clearly was not about al Qaeda. There is no connection.

Yet we are now mired down in the war, and the question is, how do we get out of it? The fact was that the State Department predicted all of this in a big study, and the War Department just ignored it.

Mr. EMANUEL. Mr. Speaker, if my colleague would yield for a minute, you talk about the misappropriated or misallocated \$700 million. One of the issues that I have repeatedly talked about, and I think has come to affect all Americans, is larger than the \$700 million, although that is an adequate question, and it is we passed a budget here for \$2.3 trillion that had a \$500 billion deficit here at home; and in that budget, there were some priorities set for America. But it is very interesting how you contrast those priorities for Iraq, which I think raises a lot of questions about the misappropriated values by this administration.

I will give you an example. In the area of health care, in Iraq there are 150 clinics that have been rebuilt, serving 3 million Iraqis that provide 100 percent prenatal care and infant coverage in Iraq. In America, there are 43 million uninsured Americans, of which 10 million are uninsured American children of parents who work full-time. In the President's budget, we have cut the dollars for health care training for doctors and nurses and professionals.

If you expand that, in the area of veterans, we have provided Iraqi veterans \$60 million for job training. Yet in the United States, the President's budget cuts \$257 million for medical care for American veterans.

In the area of education, we built 2,300 schools in Iraq, rebuilt and refurbished the schools. Yet in America, under the President's budget, \$8 billion for Leave No Child Behind has been underfunded by this year alone.

Iraqi universities are receiving \$20 million for higher education job training, yet Pell grants here in the United States, the biggest assistance for Americans to go to college, have been frozen for 3 years in a row while college costs have risen by 10 percent on average.

In the area of law enforcement, the President has dedicated \$500 million for training of law enforcement and the police in Iraq. As you know, they did not perform too well the last 2 weeks. Yet the President's own budget for the United States cut \$657 million for the police program to train our police on community policing on America's streets.

In the area of housing, \$470 million has been allocated for Iraq's housing program, yet we have cut \$700 million out of section 8 here at home for our housing.

It is true about the environment, one last area. We are rebuilding all of Iraq's water and sewage for drinking water to the tune of \$3.6 billion, yet the revolving fund in the United States for water treatment and drinking water has been cut by \$500 million.

When the President said in 2000, not said, he declared he was opposed to na-

tion-building, who knew it was America he was talking about? So as we talk about the \$700 million of allocated money, where it went from Afghanistan to Iraq and the theater of war, we have allocated well over \$150 billion to that mission, of which \$20 billion is for rebuilding Iraq's society, and we have made a commitment.

What worries me, because the American people have been very generous and have been very committed, what worries me is when you start to talk about a future for Iraq and their children that is better than the one we are providing here at home for our own families and our own children. We will continue to be generous, we will continue to provide, but we have misallocated, in my view, billions of dollars. The \$700 million on the war front in building an airport in Kuwait is only the tip of the iceberg, in my view, of the misallocated dollars that raises real questions about the commitment.

When you look at the two budgets, the one here at home for America and America's future and the one in Iraq, you realize this administration is not only running two sets of books but they have two principles and two value systems. We need to have the same values at home that we are talking about for Iraq, the same type of investments we are talking about, law enforcement, education, health care, the environment, policing; and we need to make that commitment here so the American people maintain that the future for their families and their children is one for a good tomorrow, a better tomorrow, not one that is less than the one we are talking about overseas.

Mr. PALLONE. Mr. Speaker, if I could reclaim my time, I just want to stress, if I can briefly, that this did not have to be. I do not want to keep talking about the past, because I believe the President made a huge mistake in going to war. But it was not only that he made the mistake. It is also the way he went about it, and, even more so, the way he continues to go about it.

Not only would we have saved tremendous resources if we had not gone to war, as well as the lives of those who have been lost, but also if this had been done in an effort to try to internationalize the war, so that we had our allies not only fighting the burden in terms of their own soldiers, but also the burden of the cost of the war, which was what was done in the case of Bosnia and the Persian Gulf War before. I was here, so I remember. But not only did the President not want to do that, but he continues along the same path.

I know he is saying he is going to go to the United Nations; but the attitude, and, in my opinion, the arrogance of the President and the administration in wanting to go it alone, even when they talk about going to the U.N., it does not seem real. I think that is why countries like Spain and some of these others are pulling out.

In other words, instead of seeing countries get more involved, not only

in terms of men but also resources, we see less. I think that continues. I really question, as much as I would like to see and I think this needs to be, that the U.N. needs to get into Iraq and the situation needs to be internationalized. This whole idea of other countries sharing the burden is very much, I think, something that the President opposes.

Mr. EMANUEL. Mr. Speaker, I know we want to get back to our friend from Washington State, but people remember in the first Gulf War, which cost \$60 billion, the United States paid \$5 billion of that \$60 billion and we were part of a larger international effort that included members of the armed services of Syria, Egypt, and other Arab-Muslim countries. Today we are bearing 95 percent of the cost and well over 90 percent of the, shall we say, the blood and the force presence in Iraq. So the contrast is stark.

What is also stark is if you look at both the war in Kuwait, the first time, Bosnia, Kosovo, East Timor, all have been very successful strategies in the post-Cold War era, where America with its allies fought the war, but America was a partner in the rebuilding of the society. And it worked successfully, especially in Bosnia, Kosovo and East Timor.

Why you would take a successful playbook like that, throw it out, when everybody, regardless of what their position was on the war prior to the war, everybody said the war would be easy, the peace would be hard, you need a plan. How you commit 150,000 to 175,000 American troops, \$180 billion worth of our resources, and not have had a plan on the peace, this was not Monday morning coaching. Everybody knew that peace would be hard and that you went to war with no plan, when Democrats and some Republicans, but all Democrats, regardless of what their position was, said the war will not be hard, it will be the peace and rebuilding once you own it that will be hard. And you did it without that, when the President has an obligation to have asked questions. Not to have asked questions and not have a plan was a miscarriage of responsibility, in my view.

□ 1545

Mr. MCDERMOTT. Mr. Speaker, one of the things that the gentleman from New Jersey (Mr. PALLONE) raised was the issue of arrogance. And certainly it takes a certain amount of self-confidence to be a national leader. I mean, a President has to be a confident person and act confident and so forth. But there are times when one needs to ask forgiveness for making mistakes.

This administration has absolutely blanket not asked for a bit of forgiveness on anything. The dismantling of the entire Army they now say was a terrible mistake. The dismantling of the police was a terrible mistake. The dismantling and driving out everybody who was a Ba'ath Party member, uni-

versity professors, doctors, lawyers, everybody, they threw them out of work. They threw the whole country out of work. And then they are surprised by the chaos.

Now, it would be bad enough, as that was a long time ago, but the viceroy we put in there, Mr. Bremer continues to do these stupid things on his own. I was talking to some people who are in Iraq at the moment who said it is absolutely inconceivable that he shut down a newspaper.

Mr. EMANUEL. Mr. Speaker, if the gentleman will yield, he did not do these things on his own.

Mr. MCDERMOTT. Mr. Bremer?

Mr. EMANUEL. Mr. Speaker, he is in constant contact with both the State Department, the White House, and Defense.

Mr. MCDERMOTT. Mr. Speaker, he never talked to the Iraqi Governing Council. No Iraqi would have given him that advice. I mean, it is the President's mistake for putting a guy like that there.

Mr. EMANUEL. Mr. Speaker, my colleague is obviously referring to the mistakes the President was asked at his press conference, and he could not think of a mistake.

The first lesson in life your parents teach you and your first grade teacher teaches is one learns from their mistakes. That is the first lesson in life. Usually by 8 in the morning my wife has identified four of them for me. By 5 when I am heading home, I come to the conclusion she may have something there.

But to not have known, as my colleague identified four in literally a minute, the first lesson is you learn from your mistakes. Saying that he cannot think of one is why we got the situation we got both in the war and on terror. In 3 years 3 wars, and he cannot think of one thing he would do different, even if he did not want to call it a mistake.

Mr. MCDERMOTT. This most recent one I spoke about, this closing this newspaper, now, we are bringing them democracy, right? Free speech. Newspapers should be able to say whatever they want to say. Well, we do not like somebody, so we go over and shut it down. These Iraqis say, hey, what is this about? I thought we had free speech now that we had democracy.

Now, clearly we want them to have free speech as long as they say what we want them to say. The conflagration that has come out of the Shia community was provoked by Mr. Bremer. That did not come from the outside. It did not come from foreigners. It came from the United States Government going in and saying, you shut your mouth.

We put gasoline on the fire of a guy who was a nobody. He had been talking 6 months before, and he lost all of his oomph. So we go down and throw some gasoline on the embers, and now we have a flame.

We have the worst month we have had in the entire war. More people have

died this month. They have not learned anything from their mistakes. They continue to make them because they are arrogant. They think because they are from the United States, and they come over with all this knowledge in their head, that they could not possibly know anything about what was exactly the right thing to do.

We are doomed as long as the President of the United States and Mr. Bremer and Mr. Rumsfeld and Mr. Wolfowitz who cannot ever reexamine what they have done are in control. We have no chance if they do not go to the United Nations and get the United Nations actively involved and in control so that the United States is not the sole occupying force.

There is a wonderful article in the Atlantic Monthly by James Fallows that I think everybody ought to read from almost 6 months ago that lays it all out. It is called "Blind into Baghdad." It is a statement about every mistake we have made. And we still continue to make them, and our kids are dying. That is the worst part.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman for his comments and certainly join in them, because I think you have it right on point that this administration simply is not capable of conducting this war. Whether you are for the war, which I voted against it, or you are against it, it does not matter. Bottom line is the administration is just not capable of carrying it out.

I now yield to the gentlewoman from California (Ms. LEE), who has been one of the most vocal persons on the Iraq war from the very beginning. I appreciate what she has been saying for the last few years.

Ms. LEE. Mr. Speaker, let me thank the gentleman from New Jersey (Mr. PALLONE) for his continuing leadership and his quest to pursue the truth. Our democracy is standing at a crossroads, and he is helping us move in the correct direction. Hopefully we are not too late.

I also want to thank the distinguished chair of the Congressional Black Caucus, the gentleman from Maryland (Mr. CUMMINGS), for being a leader on this issue and on so many issues that we are confronted with here in our country and for continuing to try and every week now attempt to wake up America.

And at this moment in time, our Nation is confronting a growing credibility gap from the highest reaches of power. So I am glad that my colleague continues to keep on this because there is no way we should rest until the gap between the administration's rhetoric and reality become closer together. I think people deserve to know the truth.

Let me just first start by talking about the ongoing tragedy in Iraq. I would also like to talk about how this pattern of distortion about the most fundamental issues of war and peace is

really reflected in other foreign and domestic policies also. This is a very consistent kind of trend that we are seeing.

In Iraq, first of all, we have to begin by recognizing that the latest and ongoing tragedies really, once again, cause us to pause in terms of the terrible loss of life and in a conflict that is escalating every day out of control. So our thoughts and our prayers go out to all of those who have lost loved ones or who really anxiously now watch the news each night, each terrified night, actually, and worry about what they might hear.

The chaos in Iraq today is a direct contradiction to the picture painted by the administration before and during this war. When it comes to Iraq, we see an enormous gap between the truth and the administration's message to the American people, the Congress, and the world. As the Carnegie Endowment for International Peace, also our ranking member of the House Committee on Government Reform, the gentleman from California (Mr. WAXMAN) and many others have found, this credibility gap on Iraq emerges especially in terms of claims about weapons of mass destruction, claims about Iraqi connections to al Qaeda, and claims about how much the war would cost and how long it would take.

For instance, on the weapons of mass destruction before the war, Vice President CHENEY stated that we believe Saddam Hussein has, in fact, reconstituted nuclear weapons. Before the war President Bush said that Iraq was buying aluminum tubes and African uranium for nuclear weapons. Secretary of State Colin Powell said, and these are quotes mind you, that by conservative estimates, he said, Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. Secretary of Defense Donald Rumsfeld stated that Saddam Hussein has another, quote, "large unaccounted for stockpiles of chemical and biological weapons and an active program to acquire and develop nuclear weapons."

Now, all of these statements are frightening, and they present a portrait of an Iraqi Government that possessed enormous stockpiles of chemical and biological weapons and even nuclear weapons. Well, even the administration's chief weapons inspector David Kay said, "We were almost all wrong."

Well, the fact is there were many people who were not wrong, many countries who were not wrong, from Members of Congress who voted for my amendment that would have rejected the war and would have said the U.N. inspections process should move forward, that is the way we find and destroy weapons of mass destruction, to IAEA Director Mohammed el-Baradei who challenged the administration's interpretation.

In fact, it has really become increasingly clear that there were voices inside the United States Intelligence Community who also raised questions.

But their questions and voices were silenced, which, again, is a pattern that we have noticed with this administration. Their shades of gray were repainted in stark black and white. So it is not just that mistakes were made, I believe the choices, deliberate choices were made.

Secondly, we have the issue of alleged Iraqi connections to al Qaeda. Nothing could frighten Americans more than this combination of Iraq with its supposed nuclear weapons and al Qaeda with its proven terrorist agenda.

President Bush said that Iraq was the central front on the war on terror. The President also said "You cannot distinguish between al Qaeda and Saddam." The administration could and should have been able to distinguish between al Qaeda and Iraq.

And many argue that the war in Iraq has seriously, seriously undermined our efforts to bring al Qaeda to justice and to make our people and our country safe. In fact, it appears that because of the Bush administration's policies, terrorists are now consolidating forces. That is now. That did not happen 4 years ago.

Finally, regarding credibility in Iraq, there is the question of how long the war would take and how much it would cost in terms of blood and our treasure. Before the war, Vice President CHENEY predicted that the conflict would be measured in weeks, this is what he said, rather than months. Well, it has been over 56 weeks since the fighting started. Our casualties are still rising, and our troops are continually being told to expect longer and longer tours of duty.

White House Budget Director Mitch Daniels predicted in April of 2003 that Iraq would be an affordable, he said, an affordable endeavor that will not require sustained aid. This is coming from the administration, the White House.

When White House Economic Advisor Larry Lindsey dared to speak the truth and estimated that the war would cost between \$100 and \$200 billion a year. Remember, he got fired.

If you downplay the cost of war in dollars and lives, then you deceive the American people, and that is what has happened. If we refuse to plan for post-war chaos, then you will be poorly prepared to deal with it, and our young men and women and other Iraqis and other international workers will die.

In May of 2003, President Bush landed on that aircraft carrier under the banner of "Mission Accomplished." Well, then, I ask why are American soldiers still dying, and why is it Iraq is still in chaos?

Why does the Washington Post, I believe it was this morning, why does the Washington Post predict that the administration will come back right here, must come back to Congress, and will come back for money for the escalating war on top of the \$166 billion already authorized, and also that is on top of the \$420 billion defense budget?

We see here there is really a growing and very clear credibility gap. Also this extends far beyond Iraq. Let us look at Haiti, for example, where the administration claimed it was defending democracy while, in fact, it was undermining that democracy and engaging in regime change by other means. That is why we need an independent mission to investigate just what was the role of the United States Government in the overthrow of the democratically elected Government of Haiti. That is also why we still need a truly independent commission to investigate the use and misuse of intelligence in the war in Iraq.

And this same pattern of saying one thing and doing another really permeates the domestic agenda of this administration. The President said his tax cuts for the rich would create jobs, yet we have seen around 3 million jobs disappear in our country. He said the majority of those tax cuts would go to those at the bottom end of the spectrum. Instead the top 1 percent of earners reap over a third of tax benefits all by themselves.

□ 1600

Of course, we know the President said we would have greater resources for education. What has happened to Leave No Child Behind: 9.4 billion-plus underfunded. Leave No Child Behind has been a shame and disgrace.

I will conclude by saying that we need to also look at the credibility gap as it relates to another life-and-death issue and that is the HIV/AIDS pandemic. In 1998, the Congressional Black Caucus and the Clinton administration worked together to establish the Minority AIDS Initiative, but of course since President Bush came in, despite the growing trends of infection in the African American rate, which today accounts for 39 percent of AIDS cases, despite the fact that only 12 percent of our population is African American, once again he talks about increasing funding, but we cannot even seem to get the additional money not only for domestic AIDS programs but also for our international programs. It continues to be 600 million-plus underfunded.

Let me conclude by saying that I believe this country is deeply divided today. Actually, it is more divided than when President Bush came in even though he said he would be a uniter, not a divider. I think we must once again communicate directly to the American people what we know and that is the fact that their tax dollars are going from misplaced priorities of waging war rather than securing peace, waging a PR campaign to try to instill in the American people these notions of facts that they want us to believe, they want people to believe, when really they are not fact. They are really distortions put mildly and, in fact, a way to boost the foundation and the debate and the rationale for waging war which, unfortunately, has cost the

lives of hundreds of our young men and women.

I thank the gentleman for once again giving us this opportunity to try to convey what we know to the American people. I want to thank the Congressional Black Caucus for continuing to be the conscience of the Congress and for pushing this information forward so hopefully we will be able to save our democracy and save our young men and women from more injuries and more deaths abroad.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman, and I want to thank the members of the Congressional Black Caucus for this ongoing debate that they have been putting forth about the President's credibility gap, whether it relates to the war in Iraq or other issues that have been raised.

I just want to mention I think there are about 11 minutes left, and I do not know how many other speakers there are. I think there are maybe three. Please keep that in mind, we have 11 or 12 minutes.

Mr. Speaker, I yield to the gentlewoman from Washington, D.C.

Ms. NORTON. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE), and I thank the Chair of our own Black Caucus for his leadership in coming forward.

I will try to be as brief as possible so everyone can speak. I do want to say that as we reach more than 700 Americans now killed in Iraq, more than were killed in the taking of Iraq itself, we have the obligation to come to the floor as we have, even if the President did not fulfill his obligation to tell us what we need to know, because we have an obligation to ask the hard questions and to pose those questions for the American people.

The largest question in my mind has to do with money. This President has said he will not come to the Congress for more money until January. Does something not seem strange about that date to you? As we are about to send more troops to Iraq, as we were told when the \$87 billion was before us that this was all they would need, is it credible to say that we can go until January without any sense that there may be more money needed? Particularly since Members have gone to Iraq and told us that members in the service are wanting for equipment, the very equipment that could mean the difference between life and death.

This is the question we should pose over and over again. Is there enough money? Are there enough troops? And this without saying, I told you so, because, indeed, we did tell him so; but it looks as though if these troops do not have what they need that we are going to be sacrificing the lives of troops that could have been spared had they been given what they were entitled to there. This is not a question that the Members on the floor are raising.

No one who heard Mr. LUGAR yesterday, a member of the President's own

party, the Chair of the Foreign Relations committee, has ever heard sterner words from a member of his own party. The Congress is no better informed than the general public about where we are going and how we will get there because this President has refused to come forward.

Mr. Wolfowitz came forward yesterday and his half-hour speech was about demonizing the demon, the demon that has a hundred percent demonization from all the American people without giving us any sense of what the President's plans were for stabilizing Iraq, for getting out of Iraq, for turning over power to somebody in Iraq.

I have been asked recently by the press about these coffins that no one can see at Dover, Delaware. I think that is a matter for the family. If the family wants to be in Dover, the family should be in Dover. If the family wants the hometown newspaper to be in Dover, they should be in Dover. No one should be telling the people that you cannot come to Dover to get your own folks. What is happening is that the administration believes it can hide the policy by hiding coffins. It will not work.

This administration was willing to embed photographers and reporters in the scenes of battle because they wanted the American people to be with them in battle. But they are not willing to let us see folks who want to be with their folks when they come home. They want us to see the mission, but they do not want to let us see the cost of the mission.

It is very scary to hear these folks act as though this is a bunch of thugs. There have got to be thugs about them, but this is an uprising. When you see it here and everywhere, them fighting back the way you saw them fighting back in Vietnam and World War II, this is a battle. This means we do not have this place under control. We wake up each morning, and there is some new coordinated attack. This time, bomb attacks in three different places on no less than police stations.

Ultimately, I am going to continue to look for ways that we can help our country, but if I were to be absolutely truthful, I would have to say that I do not think the United States is going to get back its credibility, is going to draw allies to us from NATO or anyplace else until we start with a new President of the United States.

Mr. PALLONE. Mr. Speaker, I agree with the gentlewoman. I was thinking about this whole idea of getting our allies involved, and what immediately comes to mind is after the initial incursion the U.S. had essentially routed the Iraqi Army and Saddam Hussein had fled. If you remember, both France and Germany offered at that point to get involved in the rebuilding of Iraq, and the President said absolutely not. He did not want them involved in any way. That is the kind of arrogance we face. I think if we do not have a change of leadership at the top, there is no way to conduct this war.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise this afternoon in solemn recognition of all the soldiers who have lost their lives or who have been injured in the war on Iraq. I want to thank the gentleman from New Jersey (Mr. PALLONE) and the Congressional Black Caucus who stood up for our soldiers in this war.

As I am sure you are aware, Mr. Speaker, April has been one of the deadliest months in the war in Iraq. Approximately 100 troops have lost their lives and countless others have been injured in the escalating violence. I continue to pray for the families of the deceased and wounded and for the safe return of those fighting in the Iraqi desert.

Mr. Speaker, as Members of Congress we must ask the crucial questions that go to the heart of our mission in Iraq, namely, Mr. Speaker, we have the responsibility to our constituents and to our American servicemen and -women to ask what is the strategy for returning Iraqi governance to the Iraqi people. How long are our troops expected to be in Iraq and at what cost in American tax dollars and human loss of life must we expend?

Just last week, the President held a prime-time press conference to address the concerns of the American people regarding the United States occupation of Iraq and the resulting loss of life. President Bush told the American people that we must unequivocally stay the course. But I must ask, Mr. Speaker, is this really a course worth staying? And most courses have an end. On our current course, Iraq Shiites have now joined forces with the Sunnis to fight against the United States occupation of their country.

Mr. Speaker, the irony of this situation is that the United States expected the Iraqi Shiite majority to be the most grateful to the United States for liberating them from years of oppression. But now they are literally united with their former oppressors against the United States.

Mr. Speaker, on our current course, our servicemen and -women do not have the necessary equipment and support necessary to succeed in their mission and furthermore to protect their own lives. Week after week I hear from my constituents and others in the military that are lacking the proper resources despite the fact that they face real and present dangers every day. When I hear these stories I am completely baffled. This Congress recently appropriated \$87 billion in addition to the \$79 billion in an original funding request for the war efforts in Iraq and Afghanistan. And we were assured that these monies were being used to supply the troops with equipment and other needs.

At that time, I came to the House floor to request a full and complete accounting of what the funds would be used for and received no such reporting. And now, Mr. Speaker, we see a

story in today's Washington Post which reads, "The Army has publicly identified nearly \$6 billion in funding requests that did not make Bush's \$402 billion defense budget for 2005, including \$132 million for bolt-on vehicle armor; \$879 million for combat helmets, silk-weight underwear, boots and other clothing; \$21.5 million for M249 squad automatic weapons; and \$27 million for ammunition magazines, night sights and ammo packs. Also unfunded: \$956 million for repairing desert-damaged equipment and \$102 million to replace equipment lost in combat."

Mr. Speaker, the article goes on to further say, "The Marine Corps unfunded budget request includes \$40 million for body armor, light weight helmets and other equipment for 'Marines engaged in the global war on terrorism.'"

Mr. Speaker, this is simply outrageous. While the President tells the Nation that we need to stay the course, his own budget did not include the funds necessary to accomplish that goal.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman. We started this Special Order today talking about the lack of planning and the cost of the war and how we are getting all kinds of misinformation in that regard, and it continues. This is the problem. We are hearing now the President saying that he wants to go to the U.N. and internationalize the war, but we are still not getting any adequate information about what the strategy is, what the cost is going to be. And I think those are answers that the American people want.

I think, again, whether you supported the war in the beginning or you did not, I did not, I know most of us who spoke today did not, but that is not the issue any more. The issue is where are we going from here. We are still being given inaccurate information about where we are going.

Mr. CUMMINGS. Certainly the issue is accountability. We simply want accountability. We are asked to appropriate large sums of money, but the question is, where does the money go?

Mr. PALLONE. Mr. Speaker, I want to thank all of our speakers that joined us today.

#### CREDIBILITY GAP

The SPEAKER pro tempore (Mr. BURNS). Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, in concert with the theme that has just preceded me in the 1-hour session, I wanted to talk about the credibility of our present administration with respect to the war in Iraq also.

A lot of us have chosen in say that we are into a second Vietnam. And there are some people who are quite upset that we compared the war in Iraq to the war in Vietnam. It is true that

the war in Vietnam cost us 58,000 lives, and so far we have only loss 700 officially in Iraq. But should that be the barometer? 58,000 have not died; 58,000 wives, mothers, sisters have not yet cried.

But why wait until that happens? Why not see every human life as being sacred? Every life is sacred. The men and women who die on the battle field give us their total, and we ought to appreciate that by not jeopardizing it for goals that are questionable.

This is a war that should never have been. This is a war that does not have much to do with fighting terrorism.

□ 1615

Yes, Saddam Hussein is gone. He is out of office now, and that is a great benefit for the world, as well as the people of Iraq, but is the price worth it? Are we not paying too great a price just to get rid of Saddam Hussein?

We were never told that was just the objective. We were told it was a question of weapons of mass destruction, and it was a question of Iraq operating in concert with the al Qaeda terrorists. We were told that there were stockpiles of chemical weapons. We were told other reasons other than just getting rid of Saddam Hussein.

Saddam Hussein is gone. The price is too high. We are paying financially more than \$1 billion a week to keep the war in Iraq going. We are building schools in Iraq while we are denying construction funds to school districts here in America. We are doing a lot of other things in Iraq which drain money away from badly needed programs here, despite the fact that Iraq has oil deposits which should be able to pay the cost of any rebuilding of Iraq eventually.

So what do we do at this point? Do not ask us to keep begging our troops to remain loyal and steadfast and sacrifice their lives unless you have an exit strategy, a reason for it. We do not want to see 58,000 die.

Our Vietnam memorial wall is one of the greatest monuments of its kind. It does not celebrate one general or a handful who led the war. It celebrates and makes us remember every individual who died. All of our war memorials in the future should do that. Every individual gave their life for their country, for the cause. Regardless of what you think of the cause, they, as individuals, are heroes. We do not want another memorial wall of heroes unless it is absolutely necessary.

Vietnam turned out not to be necessary. The domino theory was not correct. We lost Vietnam, and we still won the Cold War with the Soviet Union. We still won the Cold War with the Soviet Union. We did not go on from Vietnam to other areas.

We have a great affinity and alliance with Communist China right now, which baffles me. Why are we so kind to accommodate China and have so many business dealings with them if we fought and died in Vietnam to keep communism from extending itself across the world?

So my plea is that let us understand the lessons of Vietnam without having first to see 58,000 die. Fifty-eight thousand should not have to die for us to understand that we need to work backwards and understand that eventually we are going to settle this war in Iraq like we settled the complex war in Vietnam.

There was an argument about what the shape of the table would be. Let us look at the same table they used in Vietnam, and let us begin right now to negotiate backwards exactly what our terms are going to be and how we are going to get out and maintain law and order. And I am in favor of maintaining law and order until we do have a strategy and exit that can leave the people of Iraq in better shape than we found them.

Let us do it now. Let us share that plan with Members of Congress. Let us share that plan with the public. Let us share power with all of the members of the United Nations Security Council and all the members of NATO. Let us challenge them to come forward and help us bring it into this. We need more troops. Let them come from Russia, let them come from China, let them come from France, let them come from Germany, but give them the power to help make decisions and exit from Iraq before we have 58,000 of our loyal soldiers die.

#### APPROPRIATING MONEY

The SPEAKER pro tempore (Mr. BURNS). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes.

Mr. SMITH of Michigan. Mr. Speaker, today I am going to discuss what Congress is doing in the last several weeks and the next several months, and that is appropriating money.

A week or so ago, most of the people in the United States were completing their tax bills. This is sort of a tutorial on what happens to the tax dollars of American taxpayers and what happens to the FICA tax, the payroll deduction tax, taken out of American workers.

I start with a pie chart, if you will, Mr. Speaker, and this pie chart represents how we are spending the \$2.4 trillion that we are budgeting for this coming year. We see the biggest piece of pie is Social Security at 21 percent. The previous speakers were talking about defense. Defense and national security, they are probably the prime objectives of the Federal Government compared to what State governments do, and yet we have diminished the share of total Federal spending of defense since World War II down to 20 percent of the total expenditures of Federal Government.

I want to especially pay attention to the 14 percent that says interest. The interest of the Federal Government now is \$240 billion a year. That is the interest that we are paying on the national debt. It is an interest rate that

is almost at record lows. Alan Greenspan, the Chairman of the Fed, said today in testimony that interest rates probably are going to increase. We know what interest rates are today, a little over 4 percent for the prime. Compare that to the early 1980s where interest rates were approaching 12 and 13 percent.

Now, if we have a 14 percent of the budget, a cost of \$240 billion on the interest we pay out for this increased debt of overspending, that that side of the aisle and this side of the aisle and the Senate and the White House have been overspending, spending more money than has been coming in, if interest rates were to double, and we continue increasing the size of the debt, it is easy to see that servicing that debt is going to be a huge challenge, even for a Nation as rich and as prosperous as the United States of America.

What happens to empires that do not pay attention to serious problems are empires that diminish and cannot survive. So I suggest, Mr. Speaker, it is so important that we start looking at our overspending and our overpromising.

Briefly, to go around the piece of pie, discretionary spending uses up 16 percent of the budget. Discretionary spending is what we spend most of the year doing with our appropriation bills.

Other entitlement spending, the food stamp program, the WIC program, the welfare program, the other entitlement programs, if you reach a certain age or a certain level of poverty, you are automatically entitled to some of those payments. That is what entitlement programs are.

Then we have Medicaid, now at 6 percent of the budget, Medicare at 12 percent of the budget. The projections are that Medicare will overtake Social Security as far as cost within the next 20 years, and that leads me to the overpromising.

Two bad things that Congress does and the administrations for the last 25 years have done, and that is make a promise when they do not know where the money is coming from, and I call that unfunded liabilities.

The unfunded liability report that came out 3 weeks ago, when the actuaries of Social Security and Medicare met, were enormous, and their estimate is that the unfunded liabilities, to pay for programs that we promised but do not have the money to pay for, and so we need extra money on top of the payroll tax and the FICA tax and the other revenues coming in for those programs, amounts now to \$73.5 trillion. And remember, what is our budget? Our budget is now \$2.3 trillion this year, about \$2.4 trillion we are anticipating for next year.

In breaking it down, there are two parts to Medicare. Medicare Part A is mostly the hospitals. Medicare Part A is projected by Tom Savings, one of the actuaries of Social Security, and he is also an actuary of Medicare, he is estimating \$20.8 trillion; Medicare Part B,

mostly doctors, \$23.2 trillion. Medicare Part D, drugs, the drug program that we passed last November, is now estimated to be \$16.6 trillion. Last November when we passed that bill, Tom Savings, the same person, estimated the unfunded liability to be about \$7.5 trillion, and now with the new report that has just come out for Medicare and Social Security, the estimate has dramatically gone up, and that is based on the increased cost and the increased number of people that are expected to use the program.

Then we come to Social Security, Social Security, a program that was started in 1934 by Franklin Delano Roosevelt. We have made promises in excess of the money coming in from the Social Security tax that amounts to about \$12 trillion. The estimate is between \$11.9 trillion and \$12.3 trillion that we would have to put into a savings account today that is going to have a return to cover inflation and the time value of money to accommodate the money that is going to have to be paid out in future years. So if you want to be really dramatic, you can say what we are going to need in the next 75 years is \$120 trillion more than is coming in to Social Security to pay promised benefits.

So what are we going to do? Are we going to reduce benefits? Are we going to increase taxes? Is it going to be a combination? What we have done historically in this country is the combination. We have increased taxes and reduced benefits, and I think the danger might be demonstrated by the predicament that some other countries of the world now find themselves in.

France, for example, the percentage of the payroll that is used to finance the senior citizen population in France is now over 50 percent. So you can imagine a company or a business trying to compete in world trade that has one of two choices with that kind of cost coming out of the payroll tax. They either have to increase the price of their product to pay for it, or they reduce what they are paying to workers. Either way, let us not allow that to happen in the United States.

The country of Germany just went over 40 percent in terms of the amount of payroll tax that is required for their senior population. I just think it is very important that when we talk about this unfunded liability, you compare it. That is about seven times the total production of the United States, the GDP. So it is about seven times GDP. At a little over \$2 trillion a year, that means that we would have to come up with the equivalent of about 35 years of government spending to accommodate what would need to be put in a savings account now.

So why do not we pay attention to some of these huge challenges that are facing this country? Let me give you my best guess.

Politicians have discovered that they are more apt to get reelected or elected if they promise more and more bene-

fits, and, look, there are a lot of problems out there. There are a lot of things that need to be doing. So the question is, how much should government do? But we now have evolved into, if you will, dividing the wealth with our tax system where we have 50 percent of the adult population that now pay less than 1 percent of the income taxes in this country. So 50 percent pay less than 1 percent of the income taxes.

What is the natural reaction of some of those 50 percent? The natural reaction is to elect Members to Congress that bring home more pork, that bring home more benefits, that start more social programs, and that is what we are evolving into.

I am a Republican, a farmer from Michigan, and we are now doing our Lincoln Day banquets, the Republican fund-raising dinners, celebration dinners of Lincoln's birthday. It is the 165th birthday of Abraham Lincoln. In his famous Gettysburg Address, he sort of expressed a wonder whether a Nation of the people, by the people and for the people can long endure.

□ 1630

And I think that challenge is now before us.

We hear other Members talking about the conflict of this war. Certainly we have had huge challenges, such as the Civil War. But I would respectfully suggest that the challenges of overspending and overpromising are probably greater in terms of the survival of this great Nation than any of those wars. So somehow, how do we get the discipline to try to make changes?

I chaired the bipartisan Congressional Task Force on Social Security and served on the Committee on the Budget for 8 years and have sort of been on my soapbox, pulling my hair and complaining about the fact that we are not dealing with the increased cost of Social Security and Medicare and our reduced ability to pay for that dramatic increase in cost.

This is another demonstration of the unfunded liabilities. It just says that if we do not make some changes by 2020, 16 years from now, we are going to have to take out 28 percent of that pie chart that we started out with. We are going to have to use 28 percent of the general fund budget to accommodate the shortage of money that is needed to cover those three programs: Medicaid, Medicare and Social Security. By 2030 it is going to be over 50 percent that is required of that budget.

This body and the Senate quite often do not deal with problems until the disaster is almost on us. But the problem with solving Medicare and Social Security is the longer you wait, the more drastic the solution is going to have to be.

The Social Security bills that I introduced when I first came to Congress in 1993, 1994, and 1995 were much simpler then because we had surplus money coming in from Social Security. Right

now, this year, coming in from the Social Security FICA tax will be \$645 billion. What we are using to pay benefits out of that money coming in is \$490 billion. So there is a little surplus there that we could do something with. But what we do is we spend it for other government programs.

My caution is that this money is going to be running out in the next 8 or 10 or 12 years, and at that time we will have less money coming in from the Social Security FICA tax. That is 6.2 percent on workers now and 6.2 percent on the employer. But, really, if you are going to be fair, it all comes out of the employee's pocket when an employer has to pay part of it, even though it is not a deduction on the check of the employee.

So here is a time that we have more money coming in that offers us the opportunity to make changes to the program and use that surplus money coming in. In my Social Security bill that I introduced 10 years ago, I did not require any extra funds. The Social Security bill that I have introduced this session requires that we borrow almost \$1 trillion from outside borrowing to accommodate a transition to keep Social Security solvent for the long run.

I thought it would be good just to give sort of a thumbnail impression on a chart of the predicament we face in Social Security in the future. What happened with the Greenspan Commission in 1983, they decided the way to solve the Social Security problem and the increased number of seniors in relation to the people and workers paying in that money was to raise taxes and reduce benefits. So they said, starting in 2001, we would start increasing the retirement age for maximum benefits from 65 to 67, and they said we are going to dramatically increase the taxes that are charged to American workers by a 20-plus increased percentage on the increase in taxes.

Here is how Social Security works. Benefits are highly progressive. Everybody pays the 12.4 percent tax. If you are self-employed, you pay it all yourself. If you have an employer, then, theoretically, the employer does not pay you quite so much and the employer pays 6.2 percent and 6.2 percent is deducted from the employee's wages. At retirement, all of a worker's wages, up to the tax ceiling, which is now \$89,000, are indexed to the present value using wage inflation.

In other words, it is not complicated, but if wages for a particular job double every 12 years, and you were making \$20,000 12 years ago, then that would be indexed in the computation of your Social Security benefits up to \$20,000. So it is what that particular job would pay today is how they calculate the kind of benefits you are going to get.

And here is how it is calculated. The progressivity of the program says if you are a low-wage earner, earning less than \$7,344, you get 90 percent back in Social Security checks of what you were making while you were working.

Then the difference between the \$7,300 and the \$44,000 is 32 percent. So 32 percent of the earnings between the \$7,300 and the \$44,200 you get 32 percent of that back, and you only get 15 percent back over the \$44,000.

Now, what I do in my Social Security bill to come up with some of this extra money, I add what are called ben points, but I add another ben point of 5 percent. What that means is that if you are a high-wage earner retiree, the increase in your benefits are slowed down. So we make it a little more progressive and we save some of the money to make the transition to really investing some of this money that is coming in and getting a better return than the 1.7 percent that the average retiree gets in Social Security.

Let me just mention that early retirees receive adjusted benefits. So the actuaries make the best guess of how long the average person is going to live. So on average, the person that retires at 62, with a slightly lower benefit, is going to receive the same total benefits by the time they die as the individual that waits to 65 or 66 to start drawing benefits.

And, by the way, if you wait until you are age 66 or 67, there will be a 4 percent increase for each one of those years to increase your Social Security benefits. So if you are jogging, if you are really healthy, it might be in your best interest not only to wait from 62 to 65, but to maybe wait and retire at 66 or 67.

SSI, by the way, does not come out of Social Security. There is a lot of concern amongst my constituents in lower central Michigan who complain about those who are receiving Supplemental Security Income payments who do not deserve it. But SSI comes out of the general fund. Even though the Social Security Administration administers and handles that program, it does not come out of the Social Security trust fund.

Well, insolvency is certain. We know how many people there are, we know when they are going to retire, we know that people will live longer in retirement, we know how much they will pay in, and we know how much they will take out. Also, the payroll taxes will not cover benefits starting in 2017. The shortfalls will add up to \$120 trillion between 2017 and 2075. The \$120 trillion is what we are going to need in future years. What we need right now is to put \$12 trillion in a savings account with compounded interest that will grow at least at the rate of inflation.

The demographics are what is bringing this pay-as-you-go program to a crisis situation. There are 78 million baby boomers beginning to retire in 2008. The baby boomers are what we call those babies that were born right after World War II, roughly from 1946 to 1966, that age group, that are now in their maximum earning. So they are paying in maximum social security taxes, but also, when they retire, number one they stop paying those taxes in

and they start taking out maximum benefits.

The baby boomers that are retiring probably will be the most well-off generation that we probably have ever had in this country, possibly the best well-off generation that we will ever have in this country, considering the fact that we are putting a huge burden on future workers and future retirees by making more promises than we can afford and going deeper into debt.

Social Security spending exceeds tax revenues in 2017, and so Social Security trust funds go broke. Technically, if we pay back the \$1.4 trillion that we now owe the Social Security trust fund, then that will allow Social Security to continue. But the problem is that the trust fund contains nothing but IOUs.

And here is a worse situation, or a more dangerous situation. The Supreme Court, on two occasions now, has said that no one is entitled to Social Security benefits, and it does not make any difference whether you paid in social security taxes. Social security taxes are simply another tax, is what the Supreme Court said; and benefits from Social Security are simply a new benefit passed by Congress and signed into law by the President.

This chart sort of pictorially represents the demographics of living longer, of seniors living longer and the birthrate going down. So back in 1940, there were about 36 workers paying in their Social Security tax for every one retiree. By the year 2000, it came down to three workers. So we dramatically increased taxes. The estimate by 2025 is that there is going to be two workers paying in their Social Security tax for that growing number of seniors. There is going to be two workers paying in their tax to accommodate the Social Security benefits of every one retiree.

This is a huge challenge in terms of putting this kind of pressure on our workers, and we talked about what has happened to the tax rate in countries like France and Germany and the predicament that now Japan is facing with their senior population.

I did this picture of FDR just to start a discussion of should we have privately owned accounts. When Franklin Delano Roosevelt in 1933 started advocating a Social Security System of mandated savings while you are working, to help assure that you will have a little Social Security instead of going over the hill to the poor house when you retire, he started out saying that individuals should own their own savings account, but it should be a law that they had to put so much money in it, and that it should be a law that they could not take it out until they reached the retirement age of 65.

By the way, when we started Social Security, the retirement age was 65; but the average age of death was 62. That meant most people paid in their Social Security tax but did not live long enough to take out Social Security benefits. And, of course, the program stayed funded very well. But

today, the deduction is made on your payroll check; and immediately, within 3 or 4 days, that money is sent out to beneficiaries. So we are going deeper in the hole even as we increase taxes and reduce benefits.

Social Security benefits are indexed to wage growth. And I say that because I hear so often many of my colleagues saying that when the economy gets better, then everything will be okay. But because benefits are indexed to the wages you make, and even if there are more people that have a job and more money coming in to Social Security in the form of taxes, and maybe some are making higher wages so they pay in a higher amount, that 12.4 percent times the higher amount of earnings, because eventually when they retire they are going to take out more from Social Security, in the long run economic growth does not solve the problem that we are facing with Social Security running out of money.

□ 1645

Growth makes the numbers look better now, but leaves a larger hole to fill in the future. I think what has happened with a lot of Members of Congress is that it is easy to put off the solution. When I give speeches in Michigan and around the country, a lot of people say if Congress would just keep their hands off the Social Security trust fund and that surplus money, everything would be okay.

Well, I did this bar chart to represent what the Federal Government now owes the Social Security trust fund. We borrowed \$600 to \$700 billion; but because we will write another IOU for interest, the total debt that government owes the Social Security trust fund is now \$1.4 trillion; but the total problem needs \$12.2 trillion. So we owe \$1.4 trillion that is in the trust fund, but to solve the problem we need between \$11.9 trillion and \$12.3 trillion to solve the problem. Government should stop taking that money and spending it for other government purposes. We also need to start investing some of the short-term surplus we have had.

Like I mentioned, coming in from the Social Security trust fund today, there is about \$645 billion, and what we are paying out in benefits is \$490 billion.

I will jump to the second blip. The Social Security trust fund contains nothing but IOUs; and to keep paying promised benefits, payroll tax will have to increase by nearly 50 percent, or we will have to cut benefits by a third. I have a chart that I will be coming to on how Washington has increased benefits over the years. But I wanted to show this chart to try to demonstrate that Social Security is not a good investment. It is nice to have that guarantee. Nobody is suggesting any Social Security reform. Certainly not in the five or six bills that I have introduced, nobody touches the disability portion, so getting hurt on the job continues to be a Federal Government insurance policy and no-

body is touching that. All we are dealing with is the old age and survivor benefit portion of Social Security. By the way, in only 5 years, the disability insurance is going to have less money coming in from that particular trust fund than is needed to accommodate disability payments.

This chart shows that the average return for the average retiree is 1.7 percent of what they and their employer sent in to Social Security. I put down what has happened in the last 10 years in the Wilshire 5,000 stock market. The Wilshire 5,000 earned, even with the 3 bad years we have been experiencing on stock markets and equities, the average over the last 10 years has been 11.86 percent. If we take the last 100 years in this country where we have kept track to what has happened to stock and equities, the average is 7.4 percent. So in some way, we can guarantee that you can have a better return on your private accounts. And so what I do in my proposal in my bill, I allow 3.5 percent of your wages to be put into your own personal retirement account and then we limit where you can invest it. Simply to try to get Democrats on board, and my bill is a bipartisan bill, we have added provisions where any investment is going to be limited to index stocks and index bonds.

But I think one of the challenges that needs a lot of explaining is the fact that we hear Members of Congress brag sometimes that we are paying down the debt, and that is not true. One of the strong advocates of explaining the fact that the debt is never really reduced is the gentleman from Maryland (Mr. BARTLETT).

Mr. Speaker, I yield to the gentleman for his comments and maybe a couple of his solutions on Social Security, Medicare, going deeper into debt, and unfunded liabilities.

Mr. BARTLETT of Maryland. Mr. Speaker, I would like to spend a moment talking about the debt and some terminology that we use. I suspect there is not one person in 100 outside the beltway, and maybe not many more than that inside the beltway, that knows that the public debt and the national debt are not the same thing. For about 4 years we were telling the American people that we were paying down the public debt. That was true. The implication was that we were paying down the debt which the government owes and that was not true. Let me explain why that was not true.

The total debt that we owe is called the national debt, and that is made up of two subparts. One of those subparts is the public debt, and the other subpart is the trust fund debt. The public debt is the Wall Street debt. And the lockboxes we had on Social Security and Medicare, and these lockboxes did nothing to preserve and protect Social Security and Medicare, they are totally unrelated to the future of these two funds, what the lockbox said was if we had a surplus, and we did and do for the moment in those two, that we can-

not use that surplus for ordinary spending. We have to use it to pay down the debt. The debt that we pay down with that is the public debt. But for every dollar that we pay down the public debt, the trust fund debt goes up a dollar, and the total of those two debts, which is the national debt, does not change at all; but there are 50-some trust funds and only two of them had a lockbox or have a lockbox now.

So we took the surpluses, and there are surpluses in others, like the civil service retirement and railroad retirement and transportation trust fund and there are surpluses in some of those, and so we happily took those surpluses and spent them.

Mr. SMITH of Michigan. Mr. Speaker, our forefathers thought they were putting a little safeguard on it when they said if you ever increase the debt limit of this country, you have to vote in the House and the Senate, and it has to be signed by the President. They thought that might protect us a little bit in not dramatically increasing the debt the way we have. I think what the gentleman is saying is the fact that the total debt has never gone down.

Mr. BARTLETT of Maryland. That is true. I checked with GAO, and they told me that although there were 14 months during those four periods when revenues exceeded expenditures, if we kept our books on an accrual basis, like we force every business that handles more than a million dollars a year to do, there never was a moment in time when the debt went down. What that meant, of course, was that we were getting ever closer and closer to the debt limit ceiling. I kept teasing Members by quoting the Bible, "Surely your sin will find you out." What are you going to tell the American people when we are going to have to raise the debt ceiling limit when we have been telling them all this time that we are paying down the debt?

As a matter of fact, we had to do that in a very interesting evening. We debated until about midnight. We debated for hours. We were being harangued, how could you be so irresponsible? How could you run up the deficit and the debt? At midnight we recessed and we convened the Committee on Rules. They came out with a rule about 1 a.m. that said we were going to debate the rule for 1 hour and then go immediately to a vote on the bill. So we did that, and we raised the debt limit ceiling.

As Members know, because we were embarrassed by that, we decided we would not want to do that again in the future. So what we did, without my vote and against my wishes, we voted the Gephardt amendment.

Mr. SMITH of Michigan. Mr. Speaker, I hope Members are watching this just as a reminder of what we have done to try to not embarrass ourselves as we sort of secretly increase the debt.

Mr. BARTLETT of Maryland. What we did was to incorporate the Gephardt amendment, which said whenever we

pass a budget resolution that the debt limit ceiling would be raised whatever it needs to be raised to accommodate the spending anticipated by the budget resolution. But budget resolutions do not include emergency supplementals, and we keep voting emergency supplementals because we do not want the budget resolution to be such a high number.

In the future, there will be another debate on raising the American debt limit ceiling, and I hope America is listening when we do that. What we are doing is amassing the largest intergenerational debt transfer in the history of the world. We cannot run our government on current revenue, and so what we are doing is systematically borrowing from our kids' and grandkids' future. When I ran for Congress 12 years ago, I promised those who I hoped to be my constituents, and they are my constituents now, that I would try to conduct myself here so my kids and grandkids would not spit on my grave because of what I have done to their country. I am still trying to do that.

I think it is unconscionable for us to amass this larger and larger debt that we are going to pass on to our kids and grandkids.

Mr. SMITH of Michigan. Members are pretending that our problems today are so important that it justifies taking the money that our kids and grandkids have not even earned yet. It is sort of like breaking into their piggy bank and saying I will try and pay you back some time, but for now let us go out and buy some candy bars and ice cream. There might be a better word, but "unconscionable" comes to my mind to consider the burden of debt, to consider the burden of promises that exceed our ability to pay for them in terms of unfunded liabilities that we are placing on future generations.

Mr. BARTLETT of Maryland. What we are doing is systematically borrowing from our kids' and grandkids' future. We cannot run our government on current revenue, so what we are doing is borrowing from their future. When it comes their turn to run the government, not only will they have to run it on current revenues, but they will also have to pay back all of the moneys we borrowed from their generation.

We have a systemic problem here, and that is by law the only place we can invest these surpluses is in non-negotiable U.S. securities. These surpluses are the order of magnitude of about \$200 billion a year, more or less. The only place we can invest them is in nonnegotiable U.S. securities. There is no money laying around Washington we have not spent. As a general rule, government spends all of the money you give it plus as much more as it can get away with. This government is no different.

I think it is important for our people, our kids and grandkids, to understand what we are doing. The reason I am so

concerned about this fact that we are hiding some of the deficit is that it is obscuring the magnitude of the problem. I think the American people want us to balance the budget, and I think they want us to do it honestly.

Last year we were told that the deficit was about \$500 billion, but the debt went up \$700 billion. That is because the \$200 billion in Social Security surplus and Medicare surplus that we took and spent is not called deficit, but it does represent debt.

Mr. SMITH of Michigan. Mr. Speaker, this pie chart shows that currently the interest that we are paying on the debt, servicing the debt, the interest is \$240 billion a year. This represents 14 percent of the budget. Yet interest rates are almost at record low levels, and so what happens as we increase the debt by \$500 billion to \$700 billion a year, and interest rates go up, and Alan Greenspan said today that is going to eventually happen, it is going to eat up a bigger piece of that pie. One of these days it has got to come to our obvious attention that something needs to be done to control spending.

Mr. BARTLETT of Maryland. I would hope, because we cannot continue to amass this ever-increasing debt. As the gentleman stated, interest rates are now very low, and still interest on the debt is a meaningful percentage of the largest item in our budget, which is defense. When interest rates go back to normal levels, the interest on the debt will be just about as much as we are spending on defense.

Mr. SMITH of Michigan. Right now interest is 14 percent of the budget. Defense is 20 percent of the budget. It is easy to at least assume there is a good possibility that the very low interest rates today could double. That would mean \$440 billion a year, or 28 percent of the budget. It would mean our borrowing and servicing that debt is more important than what government should be paying attention to, and that is security and defense.

Mr. BARTLETT of Maryland. By the way, the interest on the debt is part of what we call mandatory spending. Our total expenditures this year will be about \$2.4 trillion. We will vote on about one-third of that, about \$800 billion, and about half of that will be defense. Defense is running roughly half of our total discretionary spending. This mandatory spending is kind of hidden, but it represents two-thirds of all of the money that we spend.

□ 1700

Mr. SMITH of Michigan. And, Mr. Speaker, of course the lobbyists that come in, they would prefer that it be mandatory spending; so some of these programs, if they can write it in law that if they meet certain qualifications, they automatically get it and it does not go through the appropriation process, it is not subject to prioritizing. So we have ended up with more and more of our budget being spent in this mandatory spending, and

really even though technically defense is discretionary, most of the defense budget becomes the kind of obligation, because that is what we are here for, defense and security, becomes almost untouchable.

Mr. BARTLETT of Maryland. Mr. Speaker, a bit more than half of all the expense budget is salaries, and we now do not have enough military personnel, who are having to extend their tours. They have been on the ground over there, reservists on the ground for a year, and now they are being extended for 3 or 4 months. So obviously unless we are going to have fewer people in the military, we are not going to be able to cut defense spending.

So the gentleman is right. In a sense a lot of that is mandatory because we cannot imagine a smaller military because our present military is really not large enough to do what we are now attempting to do because we are having to extend reservists who have already been there a year.

Mr. SMITH of Michigan. Mr. Speaker, how do we change? How do we develop the kind of discipline, intestinal fortitude to start slowing down this huge growth of government to the extent that we have decided we will simply borrow more and more money to take home to our districts or to start new social programs? Does the gentleman have any thoughts on how we can discipline ourselves better than we have been?

Mr. BARTLETT of Maryland. Mr. Speaker, we need to get back to constitutional government. Thomas Jefferson said, The government which governs best is the government which governs least. Now we are a million miles from his dream of what his country would be at this time in history. And we need to look at our Constitution at what our Founding Fathers believed the Federal Government ought to be doing.

And there are several things that we spend a lot of money on, and I will challenge my colleagues to go to Article I, Section 8, and that is the part of the Constitution that delineates the appropriate functions, the allowable functions of the Federal Government, and find any justification for philanthropy. I really believe in philanthropy, but they did not believe it was the proper function of the Federal Government. We will see no hint there that we should be involved in health care other than the health care of our military people. We are responsible for them. We will find absolutely no hint that we should be involved in education. As a matter of fact, for the 24 straight years when the SAT scores were falling lower and lower and lower in our schools, the Federal Department of Education was getting better, bigger and bigger and bigger, and exerting more control over education. We contribute about 6 percent, 5.9 I think is the actual number, percent of the funds for education. We would like to have 100 percent of control. We just need to get back to constitutional government.

Our Founding Fathers believed that States do some things better, many things better, than the Federal Government. They believed that the private sector did most things better than government. And what we are now trying to do is to have government do more and more of what our Founding Fathers thought that the private sector ought to be doing.

Mr. SMITH of Michigan. Mr. Speaker, I think it is good to remind ourselves that our Founding Fathers in the original Constitution did not want to penalize individuals that were going to school and working and saving. So the original Constitution says we cannot have a tax based on how much we earn, and that is what we were founded on. That is part of the incentive. But this body and Congress and the White House over the last 50 years have decided trying to equalize that wealth, dividing the wealth, taxing the people that have made it a little more and giving that back in some forms of government service to the individuals than have not. And there is a balance there. There is a golden mean.

We want to help people that really need help, but we need to try to develop programs that help lift them up because we have got now a tax system that the young couple that decides to go get a second job ends up not only being taxed more for working harder to try to earn enough money to do well for their family, but they get taxed at a higher rate. So we have sort of evolved into taking away from the people that work hard and try and are successful, and dividing that wealth in a system of government where now 50 percent of the adult population of the United States now pay less than 1 percent of the total income tax.

Mr. BARTLETT of Maryland. Mr. Speaker, our Founding Fathers not only did not permit personal income tax in the Constitution, they prohibited it with the original Constitution. So to get a personal income tax, we had to amend the Constitution.

The numbers that the gentleman mentioned are very interesting. The lower 50 percent of taxpayers pay 4 percent of our taxes. The upper 50 percent of taxpayers pay, I think, 96 percent of our taxes. And the top 1 percent of taxpayers, I think, pay 34 percent of our taxes. So if we are going to give a tax cut to people who pay taxes, people who pay taxes are going to get a tax cut. And since 34 percent of the taxes are paid by the top 1 percent of wage earners, and the top 50 percent of wage earners pay 96 percent of the taxes, clearly those who earn money are going to get a tax cut because they are the ones who pay taxes.

Mr. SMITH of Michigan. Mr. Speaker, so there we come to the popular criticism that it is a tax cut for the rich, but because of the fact that that 50 percent of the population pay essentially very little of the income tax, when we have any kind of a tax cut, it tends to go to the 50 percent that do pay taxes. So here again it is a balance.

But as we talk about jobs and economic expansion, when we have a system that taxes our companies and our businesses 18 percent more than what their competitors in other countries are taxing their businesses, we are putting our business at a competitive disadvantage, and our overzealousness to pass on new regulations and more taxes so that this body and the Chamber across the Capitol can have more money to spend I think is one of the negatives and something we have to correct if we are going to expand business and jobs and the economy in this country.

Mr. BARTLETT of Maryland. Mr. Speaker, in a former life I was a small businessman, and I would like to make the argument for a moment that it is impossible to tax business. A tax on a business simply becomes a part of the cost of doing business. If they are going to stay in business, they have to pass that cost on to the consumers, to their customers, which makes a tax on business the most regressive tax we have because the poorest of the poor pay more for everything they get, more for their food, more for their clothing, more for everything they get, all goods and services, because these companies are taxed. So the poor are hurt, first of all, because everything they buy costs more because we are taxing businesses. And, secondly, they are hurt because the tax on business, as the gentleman pointed out, makes them less competitive in a global marketplace. So finally they become noncompetitive, and the job disappears here and appears somewhere on the Pacific Rim. So the poor person who had to pay, to begin with, more for the things he bought now does not even have a job to earn the money to buy the goods. So it is a doubly regressive tax.

My liberal friends, when we talk about this, seem to understand it for about 5 minutes, but 10 minutes later they are saying, those rich businesses, we really need to tax them. But in the final analysis we cannot tax a business. It simply becomes a part of the cost of doing business, and they pass that tax on to their consumers.

Mr. SMITH of Michigan. Mr. Speaker, I happen to be the prime sponsor of the flat tax. But whether it is a flat tax or a value-added tax or a type of sales tax, we need to change our Tax Code if we are not going to continue to put a lot of people at a disadvantage and a lot of businesses at a disadvantage. Most of our businesses pay the same 1040 personal income tax that the gentleman and I do. As we increase the tax on those businesses, it hurts the chances of the survival of that business.

How do we get the discipline? How do we get the discipline to police ourselves? We are talking about a PAYGO bill. Maybe that will help. It sort of helped during the 1980s and some of the 1990s, but convincing the American people, I think, might be the best way in terms of getting that voice heard in

this Chamber and in the Senate Chamber and at the White House.

Mr. BARTLETT of Maryland. Mr. Speaker, I think there are two ways that we can discipline ourselves. The first is that we need to understand that it is unconscionable to amass an ever larger and larger debt that we are going to pass on to our kids and our grandkids.

By the way, the gentleman was talking about Social Security earlier. A recent poll of young people believe more that they would see a UFO than believe they would ever see a Social Security check. So this is not a big vote of confidence in our system.

I think there are a couple of things that we need to do to curb spending. One is to recognize how unconscionable it is to continue to amass a larger and larger debt we are going to pass on to our kids and our grandkids. And the second thing is we need to go back to the Constitution. We would not have any problem in spending if we would just stop the spending on things that are unconstitutional.

There was a very interesting speech that Davy Crockett gave in the Congress. There was a fire, when he was here in Congress, over in Georgetown, and they could see the buildings burning over there, and there were a number of people who were burned out of their homes, and one of them was a widow woman for whom everybody felt sorry. So a couple of days later, the Congress voted \$20,000, which is not much today, it was a whole lot more money then, \$20,000 to help the victims of this fire.

Davy Crockett was campaigning a bit after that, and there was a farmer in a field who came to the end with his horses and stopped them, and he told Davy Crockett, I have always voted for you in the past, but I cannot vote for you anymore. And Davy Crockett asked, Why can you not vote for me? So he reminded him of this fire. He reminded him of what they had voted. And he said, Sir, that was not your money. That was my money. Philanthropy is not a proper function of the Federal Government. I cannot vote for you anymore.

Davy Crockett came back and gave a speech, and I am sure people can find it if they go on the Web and click on Davy Crockett. They can find his speech there. This was a great speech. It points out that no matter how philanthropic that is, that that is not a proper function of the Federal Government.

As a matter of fact, the Bible says, "It is more blessed to give than to receive." Does the gentleman from Michigan know a single person who has a good warm feeling on April 15 because so much of their money is going to philanthropy? Has not the government usurped the role of philanthropist and denied our citizens the reward that the Bible promises, that it is more blessed to give than to receive? A whole bunch of the money that the

government forcibly takes from us on April 15 goes to philanthropy, a totally inappropriate function of the Federal Government, a constitutionally denied function of the Federal Government. And because they thought that we might not understand, 4 years after the Constitution was ratified, they ratified the first 10 amendments, the tenth of which, the most violated amendment in the Constitution, the tenth of which says it in everyday English, and we cannot find it in Article I, Section 8. The three things I mentioned I cannot find there. And I defy anybody to take out their Constitution and find it.

Mr. SMITH of Michigan. Mr. Speaker, the gentleman from Maryland (Mr. BARTLETT) carries the Constitution in his pocket.

Mr. BARTLETT of Maryland. I always have a Constitution next to my heart.

Mr. SMITH of Michigan. Mr. Speaker, I want to show this chart of what government has done historically every time Social Security has less money than what is needed to pay benefits, and it is a pay-as-you-go program. It is deducted from the paycheck at the end of the 1 week or the 2 weeks or the month, and within days it is sent out to beneficiaries. So there is no savings account with one's name on it. So we have run into problems of not having enough money in Social Security to pay benefits on several occasions, but what we have done historically, and I use this because I think it is a danger of what can happen in the future, is simply that we have increased taxes and reduced benefits. This is a chart that shows the increase in taxes.

In 1940, we had 2 percent of the first 3,000. By 1960, it went up to 6 percent of the first 4,800. By 1980, 10 percent-plus of the first 26,000. In 2000, 12.4 percent of the first 76,200. And currently it is not a rate increase, but it is a base increase; so it is the same 12.4 percent on the new base of \$89,000 a year. So continually we have continued to increase taxes on working Americans to the extent that most working Americans now pay more in the Social Security tax than they do in the income tax.

Mr. BARTLETT of Maryland. Mr. Speaker, I object to calling this Social Security because it is clearly not Social Security. If that is all one has at their retirement, they are in a world of pain and hurt. If we look at those dollars over there, we see that on many pay stubs the FICA tax is the biggest tax that we pay. That worker has every right to believe that since it is called Social Security, because it is the biggest tax item on his pay stub, that it is Social Security. So he is not doing what he ought to be doing, saving providently for his retirement.

We need to change the name of that. It is not Social Security. It never was Social Security. It never was intended to be Social Security. But the tax has gotten so large, and it has gotten large because originally there were 42 people working for every 1 on Social Security.

Today it is three people working for every one on Social Security. Shortly it will be two people. That is a pretty heavy burden to carry, two people supporting one. That is why the trust fund will be depleted.

□ 1715

We will be able to meet only 70 percent of the demands on Social Security.

Mr. SMITH of Michigan. So the challenge is Social Security has an unfunded liability of about \$12 trillion now. But now we have made even more promises in Medicare and Medicaid. So not only deficit spending is how much we overspend in one year; the debt is adding up every year's overspending. It is now over \$7 trillion of debt in this country, in addition to the promises that do not know how we are going to pay for.

But within the next 3 months, Congress probably again, as the gentleman from Maryland (Mr. BARTLETT) and I talked earlier, is going to have to face up to increasing the debt limited. My guess is we will do it again like we have done in the past, so that we do not have to talk about it, so we are not embarrassed in this Chamber. It will be some legislation that is hidden in the rule, so if you vote for the rule you vote for an increase in the debt limit, which I think should disturb us, because it does not make us stand up and deal with the huge challenges we are facing in this country in terms of overpromising and overspending.

Mr. BARTLETT of Maryland. \$7 trillion is a very big debt, but I would like to talk for a moment about the debt.

If we kept our books like we force companies to keep their books, and some people say that we keep Enron-type of books, if we had to count as debt the contingent liabilities, our debt would not be the \$7 trillion. It would be, I am told, between \$25 trillion and \$30 trillion, and some people think as much as \$60 trillion.

I think that we need to keep the kind of books that we require businesses to keep. I think the American people have a right to know what the debt is that totally they owe. If you divide this by the number of working families, I think it is, what, about \$10,000 for every man, woman and child in the country.

Mr. SMITH of Michigan. The debt is \$7 trillion divided by about 290 million. It comes out to almost \$25,000 for every man, woman and child in terms of their share of the debt.

Mr. BARTLETT of Maryland. That is about \$10,000 per family. Just paying interest, by the way, the first thing that comes out of your paycheck is interest on the debt. Before you can do anything, before you can build roads or fund your schools or do anything, you have got to pay interest on the debt. So it comes right off the top. Every year we do not balance the budget makes it that much harder to balance the budget next year, because we have a larger interest debt to pay.

By the way, in our fondest dreams today, in 4 or 5 years we are going to cut the deficits in half? That will not get us there, will it?

Mr. SMITH of Michigan. No plans. I do not see it in terms of responsibility much different than what any family should do, what any business should do, and that is you cannot just keep going deeper and deeper into debt without any plan to ever pay that debt back.

I am a farmer from Michigan, the gentleman is a farmer from Maryland, and philosophically we felt that if we can pay down the mortgage on the farm so that we can leave our kids a little better chance of having a better life than we have, we should.

But in this body, in Congress, we are not doing that. We are not only not paying down the debt; we are increasing the debt load that they are going to have to be responsible for, and the tremendous amount that is going to have to come out of their pockets to pay the increased promises and even the interest on the debt, not even mentioning starting to pay that debt down.

Mr. BARTLETT of Maryland. The gentleman mentioned the family as an analogy of our country. In a 4-year period, we went from being the world's largest creditor Nation to being the world's largest debtor Nation. I saw a fascinating editorial that said, gee, is that not great? Look how credit-worthy we are.

I related that to my family. I said, gee, if last year I had \$10,000 and this year I owe \$10,000, I am having some trouble figuring out that I am better this year than I was last year.

That is what this editorial was saying: Is it not nice that we are so credit-worthy that we now are the world's largest debtor Nation? We in 4 years, we went from the world's largest creditor Nation to the world's largest debtor Nation.

Mr. SMITH of Michigan. It is a whole different 1-hour debate and discussion; but just, for example, one country, we have \$100 billion deficit trade with China, and what does China do with that extra \$100 billion? They probably invest it in our companies, or buy some of the property in the United States. So it makes this country more vulnerable.

But in terms of the total debt, both our Treasury bills, the debt of companies, we are becoming more and more dependent on other countries.

It is time we took ahold of ourselves, pulled ourselves up from our bootstraps, and started to be responsible, and not leave the kind of debts and responsibility to our kids and our grandkids simply because we think our problems today are great.

I thank the gentleman from Maryland for joining me.

#### SUPPORT THE VOTER CONFIDENCE AND INCREASED ACCESSIBILITY ACT

The SPEAKER pro tempore (Mr. BURNS). Under the Speaker's announced policy of January 7, 2003, the

gentleman from New Jersey (Mr. HOLT) is recognized for 60 minutes.

Mr. HOLT. Mr. Speaker, I would like to address the subject at the heart of our democracy, voter confidence. What is the central act, Mr. Speaker, of our democracy? It is the vote. For that to work, we must have confidence. In fact, for our government to work, we must have the confidence of the citizens. This is a self-governed country, and it only works if we believe it does. It only works if we maintain faith in the system.

Now, obviously, that has a lot to do with how elected officials behave today, it has a lot to do with how the citizens feel that their money is spent, it has a lot to do with how much we elected officials stay in touch with the people.

But it also has to do with the process of voting, itself; and in recent efforts to strengthen our voting procedures, particularly following the problems that became apparent in the 2000 election, a number of changes have been made that might actually serve to reduce voter confidence.

In November of this year, it is expected that 50 million votes, almost one-third of the votes that are likely to be cast in this country, will be cast on machines, touch screen, electronic machines, what are known as direct recording electronic voting machines, or DREs; and these 50 million votes will be unauditible. If we do not pass legislation requiring a voter-verified audit for each vote at the time each voter votes, we may as well outlaw recounts.

Now, I ask my colleagues if they know any candidate for office who would want to run without the possibility of a recount if there were questions about the election. If we do not take legislative action, we might as well outlaw recounts in Federal elections. Somewhere along the way, we allowed the vote count to become privatized, and we should act now to undo that.

In July of last year, California Secretary of State Kevin Shelly released a report of a touch screen task force. It was comprised of computer scientists, election officials, representatives from the Secretary of State's office, election reform groups, and election officials. This task force said, "There needs to be voter verification imposed by a date certain."

By voter verification, what they meant was a procedure, a mechanism, so that each time a voter goes into the booth that that voter can verify that his or her intentions are correctly recorded, in other words, that the vote cast is the same as the vote recorded.

Now, at the same time that the Secretary of State of California was releasing this task force report, computer scientists reviewed the source code used by one of this country's major voting machines; and their analysis, which is commonly referred to as the "Johns Hopkins Report," found that "this voting system is far below

even the most minimal security standards applicable in other contexts. We identified several problems, including unauthorized privilege escalation, incorrect use of cryptography, vulnerabilities to network threats and poor software development processes. We show that voters without any insider privileges can cast unlimited votes without being detected by any mechanism within the voting terminal software. Further, we show that even the most serious of our outsider attacks could have been discovered and executed without access to a source code. We conclude that this voting system," and now this is one of the most common voting systems in America, "that this voting system is unsuitable for use in a general election."

Well, there are a lot of technical computer science terms there, but what they mean is the software is unreliable, that the machines may not record the votes the way the voters intended them to be recorded, either through inadvertent error or through malicious software hacking.

The State of Maryland commissioned a third-party review of their electronic voting machines. This review was conducted by Science Applications International Corporation, SAIC, last summer. A version of that report was released and it said: "This risk assessment has identified several high-risk vulnerabilities in the implementation of the managerial, operational, and technical controls for the voting system. If these risks are exploited, significant impact could occur on the accuracy, integrity, and availability of election results. The system is at high risk of compromise."

Again, this is written in technical terms, but it says quite simply, your vote may not be counted.

Now, even if great pains have been taken to get rid of the bugs in the software and the systems are guarded so hackers do not get to them, we still cannot be certain, we still cannot be certain that the system works to record the voters' intentions accurately.

Now, some election officials say, well, we have been using these electronic machines for several years now and we have never had a problem, to which I say, Mr. Speaker, how do you know? If the system has an obvious breakdown, then you know it does not work. But if it appears to be recording votes, you cannot know, fundamentally cannot know whether it does work.

That is why it is necessary that there be a parallel audit trail, so that each voter owns the verification. Not some discount company that vouches for its machine, not even the election officials of the State, but the voter herself or himself can verify that the vote that is recorded is the vote that was intended.

Maryland commissioned yet another study, because there was continuing uncertainty following the really troubling results of that first study. This study, prepared by another organiza-

tion, was released in January of this year. It was based on what they called a "red team exercise," a deliberate attempt to compromise the system, to see how easily they could be compromised.

That reported said: "The State of Maryland election system, comprising technical, operation and procedural components, as configured, contains considerable security risks that can cause moderate to severe disruption in an election."

Mr. Speaker, we are talking about the central act, the centerpiece of our democracy, voting. What could be more important?

Well, there is a way to deal with this problem. It is technologically and practically feasible. In fact, it is easy to give each voter the control of the verification, to give each voter the assurance, the confidence, that his or her vote has been recorded the way she or he intended.

I have introduced the Voter Confidence and Increased Accessibility Act. I introduced this about a year ago, working with a number of computer scientists and election officials and others, seeking input from civil rights groups and public interest groups and groups of citizens with physical disabilities; and we crafted language that would solve this security problem.

Quite simply, my legislation would require that all voting systems produce a voter-verified paper record for use in manual audits. So you go into the booth, if there is an electronic machine, one of these DRE touch-screen machines, for example. You would vote. Before you submit the vote, after you have chosen the candidates and selected your position on the referendum and so forth, the machine would produce a parallel audited record, a paper account of your vote.

□ 1730

One can look at it and say, yep, that is my vote. Or if it is not, one can declare it a spoiled ballot and have the election officials reset the machine and vote again, or, vote once and the other ballot is disposed of.

The legislation would not only require a voter-verified paper record for each voter at the time of voting, it would ban the use of undisclosed software and wireless communication devices in voting systems. It would require that all voting systems meet these requirements in time for the general election of this year, November 2004. It would require that electronic voting systems be provided for persons with physical disabilities 1 year earlier than is provided under the current versions of the law.

My legislation would also require mandatory surprise recounts in one-half of 1 percent of all jurisdictions so that the voters, each voter, can have assurance that the system is working. This will go a long way toward removing one of the areas of uncertainty.

I think any of us, when we hold town meetings or just walking around the

streets of our towns, we encounter people who say, "I do not vote. My vote does not count." I spend a lot of time arguing with people like that. As someone who won an election by a razor-thin margin once, I can assure them that every vote does count.

But more and more I hear people saying, my vote will not be counted. And that is a very troubling sign. If people do not go to the polls for whatever reason, it is a loss to democracy. It is a tragedy for our country. And we dare not let them have the excuse that their vote will not be counted because the machine will malfunction, because there are bugs in the software, or because the software has been tampered with.

The centerpiece of our democracy, that is what we are talking about.

And I am pleased to be joined in this discussion by two people who have given a great deal of thought to this issue. I am joined by my friend the gentleman from New Mexico (Mr. UDALL) who served as attorney general in New Mexico before coming here to the House of Representatives. And he understands how important it is that we maintain the confidence of citizens in their government and in the process of government. And he understands how we can do that.

I would be pleased to yield to my colleague from New Mexico.

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from New Jersey (Mr. HOLT). And let me first of all say that it is a real pleasure to be here with him this evening and have the opportunity to carry on a debate with him about this important issue. I want to thank the gentleman for his leadership on this.

I had a series of town hall meetings in my district recently. And maybe my colleague could help me with some of the questions that people have. I thought I would just begin with a question and then with a statement, and maybe we can just carry a little bit of a discussion on about this one question.

I have talked to machine manufacturers. I have talked to elected officials that supervise these elections. They tell me we have a lot of touch machines in New Mexico, and they say things to me like, we do not have to worry because we have three levels of redundancy in the computers. We do not have to worry because there is backup in the computers.

And I think my colleague has explained it somewhat in his opening remarks, but I would like to kick that back to him at this point and have my colleague, because I know he has called many of these computer experts over the course of developing this legislation, when they say three levels of redundancy in the computer, is that a level of protection my colleague is satisfied with, and does it, in fact, in this piece of legislation give security to the ballot itself?

Mr. HOLT. Mr. Speaker, reclaiming my time, it does not provide enough se-

curity. This past Tuesday, a day ago, I voted in the school board elections in my home district. For the first time our county, Mercer County, New Jersey, used electronic touch screen machines, the so-called DRE, one brand of the DRE machines.

As I expected, they were clear, easy to use, accessible. I think they would be good for people with physical disabilities, better probably than the old lever machines. And they were, as I expected, totally unverifiable. Now, why do I say that? Because the manufacturers will say, oh, we have batteries in there so if the power fails, they will not crash. Of course, there are a lot of computer engineers who promise that their software will not crash. But the manufacturers say, well, we store the votes in two different memory locations so there is redundancy.

With the electronic machines there is no way after the polls close that you can go back and determine what was the intention of each voter because there is this fundamental principle of secrecy. One's ballot must be kept secret. They cannot go back and say, you, Mr. UDALL, voter number 23 today, voted for candidate A in this election and candidate C in that election.

So it is fundamentally different from your ATM machine, your cash machine at the bank or from other electronics that you work with because at the end of the month, with your bank, you have got either your checks or photocopies of your checks, and the bank tells you how much they think you have, and you tell them how much you think you have, and you get together on it.

With a secret ballot one cannot do that. They cannot tell someone how they voted. They cannot know how someone voted. So there is necessarily a gap between the casting of the vote and the recording of the vote. It is fundamental to these machines. One cannot get around it. We cannot build redundancy in there because there is a gap filled with software between the casting of the vote and the recording of the vote.

Mr. UDALL of New Mexico. Mr. Speaker, would the gentleman yield?

Mr. Speaker, I hope that that is very clear to everyone out there. It was very clear to me the way that was explained. And I want to say that the reason we are here today on the floor is because we believe in the improved use of technology. Computerized voting systems will soon become the primary method for voting across the country, and with this new technology comes a potentially serious problem: The fact that these systems will not have a verifiable paper trail of how a citizen actually voted.

Without this component, voters and election officials have no certainty that votes have been properly recorded, because computer voting machines are not currently required to produce a voter-verified paper trail. Any errors or

irregularities they cause are difficult or even impossible to discover.

Voters would never know and election officials could never determine whether a faulty machine erroneously recorded the voter's intent. A growing host of nationally and internationally renowned computer scientists consider a voter-verified paper trail to be a critical safeguard for the accuracy, integrity, and security of computer assisted elections.

Thankfully my colleague the gentleman from New Jersey (Mr. HOLT) has introduced H.R. 2239 to address this problem. H.R. 2239 requires the electronic voting systems to provide a mechanism for voter verification of results. H.R. 2239 would require that voters be able to verify the actual paper record after it is printed.

Requiring a voter-verified paper trail is both easily solved and immediately necessary. Localities are making purchasing decisions right now. If Congress acts now, we can ensure that every election is voter-verified and auditable, and localities can move forward with confidence. The technology is there to make this happen.

I am proud to be a cosponsor of H.R. 2239 and hope that this Congress will take action on this legislation immediately. There is broad-based support for voter-verified paper trails. In fact, more than 70 organizations, including Common Cause, the National Organization For Women, the National Federation of Republican Women, as well as the editorial boards of more than 20 newspapers have endorsed voter-verified paper trails.

With a critical election looming, it makes it that much more important that we address this situation now.

Mr. Speaker, I would once again like to thank my colleague, the gentleman from New Jersey (Mr. HOLT), for his leadership on this issue. I look forward to working with him, with the gentleman from North Carolina (Mr. PRICE), with the gentlewoman from Ohio (Ms. KAPTUR) and all the other fine sponsors of this legislation to help ensure and improve the integrity of our electoral process.

Mr. Speaker, I yield back to the gentleman from New Jersey (Mr. HOLT) and thank my friend again.

Mr. HOLT. Mr. Speaker, I thank my colleague for those stirring words that speak to democracy. I cannot emphasize strongly enough what we are talking about here. This is not an exercise in computer science. It is not a game of political gotcha. It is not a partisan matter. It is not antitechnology. It is simply an effort to see that voters believe that they own their government, that they own their vote, that the sanctity of their vote is preserved.

Now, someone who has studied this both theoretically and practically is the gentleman from North Carolina (Mr. PRICE), who has looked at this with the eyes and the mind of a political scientist, but also as someone who has had his share of close elections and

knows what it would mean if we had elections all across the country without the possibility of a recount.

I am pleased to yield to my friend from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding, and I commend him for his good work on this critical issue.

Like our friend the gentleman from New Mexico (Mr. UDALL), I have been hearing a lot about this from constituents, from town meetings, from people who just understand that it is unthinkable that we should go through another national election with an outcome that is in doubt. And we have put some machinery in place to replace outmoded, inaccurate voting machines. So it would be ironic if some of that machinery turned out to have serious problems of its own.

So I want to commend my colleague for understanding the gravity of this issue and introducing the bill H.R. 2239, which offers a very promising remedy. I am proud to be a cosponsor and join in this Special Order today to talk about this issue.

The bill of the gentleman from New Jersey (Mr. HOLT) would require all electronic voting machines, also known as direct record electronic voting systems, or DREs, would require all the DREs that are used in the upcoming election to produce some kind of verifiable paper trail. This bill would thus create a way for American voters to ensure that their votes are counted accurately.

There are very few things that are more important, I think, to the workings of democracy. You have got to be able to assume the legitimacy of election outcomes. If we do not act quickly on this bill, I am afraid we may face the possibility of having two Presidential elections in a row where the outcomes are contested.

Often we get so caught up in the debate about electronic voting machines that we forget that there are other reliable and verifiable options to these direct record electronic voting systems.

□ 1745

Not all of them are particularly high-tech devices. This may be an area where at least for the present, high tech is not necessarily better. For example, in my district of North Carolina, we use what we call optical scanning systems. You take a piece of paper and take a magic marker and connect arrows on this ballot. You feed the ballot into the machine. The machine reads the vote instantly and produces an outcome at the end of the day instantly, but then there is this paper record if the outcome is contested. In case there is a malfunction, there is a paper record that could be consulted to back up the result.

We may well have these more sophisticated, more complicated direct record electronic voting systems in our future. But the current counting mech-

anisms on many of these machines are not foolproof, as several elections in this past year have shown.

I wonder if the gentleman from New Jersey (Mr. HOLT), I know he has studied this extensively, if he could elaborate on that a bit. What have been some of the problems that have been pointed out by the studies in terms of perhaps a potential for hacking, perhaps a potential for fraud, the potential for malfunctioning? Just what kinds of problems are we talking about?

Mr. HOLT. These electronic machines are now in fairly common use around the country, and so we are beginning to get a number of stories of questionable behavior or real horror stories. There are cases where it appears that the electronic machines have actually counted backwards as the evening has gone along. There are other cases where, well, in one election recently, ironically in the State of Florida, there was a special election for a State office, several candidates on the ballot in a couple of counties. Some thousands of voters turned out for this single election. There was only one election on the ballot, and 137 voters who showed up, signed in and went into the voting booth evidently did not vote. Their votes were not recorded.

In other elections there are suspicious results where all of the candidates, all of the winning candidates got exactly the same vote total number in the thousands. So there are a number of instances where there are questionable results, and the point is you will never know was there something wrong because you cannot go back and audit them. There is no audit. There is no recount possible.

So I am afraid that anytime there is a close election from now on, unless we have this parallel voter-verified audit trail, there will be a cloud hanging over every close election and the loser and the loser's supporters will wonder if they have been cheated out of the election by some sort or error or, at worse, by hacking, by theft, by fraud. And that cloud cannot be dispelled.

Mr. PRICE of North Carolina. No matter whether we are talking about a malfunction intended by no one or something much more mischievous or fraudulent, a system like there where you have no way of checking, no backup system, simply leads people to suspect the worst. And so it would appear to me that we would want to offer maximum assurance. As I said earlier, to move from these punch card systems which were so inaccurate and so problematic to move to high-tech electronic systems with all these bells and whistles which nonetheless have no basic capability to offer a back-up check, that would not seem to be the way we ought to be moving in election reform. Some of these low-tech alternatives might be better for the present.

Mr. HOLT. Would it not be ironic.

Let me refer to what a couple of States are doing, partly because Con-

gress has been slow to address this problem. My bill has been sitting in committee for a year now. Some States have acted on their own. I have mentioned the studies that were undertaken in California and the Secretary of State of California has decided to act and has declared that in the future the California machines must have a voter-verified paper trail.

In past months, the Secretary of State of Nevada, Dean Heller, announced his decision to buy touch screen voting machines for all of Nevada's counties, and he also announced a mandated paper ballot be created through the use of a voter-verifiable record in all new DRE machines purchased in the State of Nevada in time for the 2004 general election. Said the Secretary of State, "I did so because the voters of this State overwhelmingly supported the inclusion of a paper trail to protect the integrity of our election." Maybe it is time for the voters to let their county officials know how important a voter-verifiable receipt printer is to them.

Now, it would make sense for Federal elections that this be handled on a national level and not count on each county and each State to try to protect the integrity of the system for the voters. As the Secretary of State of New Hampshire wrote, "People in other States talk about the unbelievable burden of recounts. They do not realize the costs of restoring legitimacy is far greater than the costs of maintaining it."

He gets it. He understands that we have to have an election system that is recognized as legitimate, that allows recounts, that gives voters confidence. New Hampshire uses paper ballots in 100 percent of its precincts; 55 percent of New Hampshire precincts use an optical scan system where you fill in a circle or a box next to the candidate, and then an optical scanner or machine will count those ballots. But you have the record that the voter has marked herself or himself so that provides a voter-verification paper trail. That is 55 percent of their precincts and 45 percent use paper and nothing else. And New Hampshire's system for a number of years now has been highly successful, in the words of the Secretary of State, and "successful in promoting voter confidence and reliability."

In fact, to make the pointed that this is not a partisan matter, should not or need not be a partisan matter, I have here a resolution passed by the New Hampshire State Republican convention in 1988 no less. So it is not only not partisan; it is not all that new. They said, "Whereas, the State of New Hampshire has computerized voting equipment that does not have the ability to recount manually, does not have the ability to recount at all, uses secrecy of internal procedures as a primary security strategy, does not give the voter the ability to ensure the computer has voted as instructed, now therefore, it be resolved," etc., etc.,

“computerized voting equipment must either produce a manually recountable ballot for the voter’s inspection prior to electronically casting the voter’s ballot or use as its input a ballot which can be used in a manual recount.”

The Republican Party said, we must have a voter-verified paper trail.

I am pleased now that we are joined by our colleague, the gentlewoman from Ohio (Ms. KAPTUR), who has given a great deal of thought and energy to this question. I yield to my colleague.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from New Jersey (Mr. HOLT) for his outstanding national leadership for his question of the integrity of our vote and wish to join him in support of H.R. 2239, his measure to instill voter confidence and increased accessibility of 2003 by requiring a voter-verified permanent record or hard copy under title III of the Help America Vote Act that we passed back on October 29, 2002.

The bill does need perfection, and it is to the gentleman from New Jersey’s (Mr. HOLT) great credit that over 132 Members of this House already signed on as co-sponsors of this measure.

It is a pleasure to join the gentleman from New Mexico (Mr. UDALL), the gentleman from North Carolina (Mr. PRICE) here this evening, and the gentlewoman from Florida (Ms. CORRINE BROWN) in supporting this measure.

Let me just say that the goals of the original act were to provide funds for new voting equipment and training and that the Election Assistance Commission that was established as a national clearing house for Federal elections was expected to do many things that they have not done to date, simply because they were appointed too late. In fact, a year late. They were not confirmed in their position until December 9 of last year. And the first public meeting of the commission was just about one month ago on March 23. Therefore, when counties in our congressional district looked to the Federal Government for information about secure voting systems, and which electronic voting devices can really be trusted, guess what? There is no advice, because the commission has not completed its work. And in fact as we meet here today, the public comment period on the various State election plans that have been submitted to the Federal Register for comment which will end on May 8 allow for the States to self-certify. Those comments are just given back to the Secretaries of the various States and then Federal money begins to kick in, \$2.3 billion for election training, \$650 million for equipment; but the point is that there are not Federal standards by which we can judge this equipment. This has never happened before across our Nation.

There are many delays associated with those appointments to the commission, and several deadlines in HAVA have already been missed in that act. I will submit those for the

record tonight. It is important to say over two dozen States have requested and granted a waiver for compliance with the HAVA voting equipment requirements until the first election after January 1, 2006.

I would say to many elections officials across this country and across my own State of Ohio who have asked me, go to the act. We can provide this to you. You do not have to buy this equipment this year if you do not believe it is secure. If you do not believe the smart cards are trust worthy, you do not have to buy those machines under the act that we passed here. There are no Federal standards in place yet so you have no guidelines. So why make decisions prematurely?

We want to make sure that that equipment works once you bring it on line, and you have to think about the long-term costs of the maintenance of the electronic equipment. Right now the act does not provide for storage costs at a certain humidity, which many of those electronic systems do require. You have to also think about the training of the booth workers who will be working this year. The training money has not gone out yet. Who will do the training? What kind of training? Will we be sufficiently trained on this new equipment by November or should you use your traditional system that has been in place through this year and then move the HAVA legislation and then the equipment and so forth on board for elections after January 2006?

I just wanted to mention the gentleman from New Jersey’s (Mr. HOLT) tremendous work in this area, specifically as regards the paper trails and how you recount from a device that sends its votes into cyberspace.

We currently have several places in the country where elections have been conducted on this equipment and the votes cannot be recounted because the votes are in space. There is no paper record. There is nothing in the machine you can go back to. It only repeats what it did before. There is no paper record. And I totally support your efforts to try to get an auditable, verifiable paper trail. With all of the money we are spending, well over a billion dollars in this country, why can we not get it right the first time and make sure that whatever is necessary to provide that machine with intelligence so we can audit that trail is available? In the State of Ohio, I will end and just say, we have a State requirement that if an election is within one half of 1 percent, we must recount. It is Ohio’s statute. We must do this. If we have votes in cyberspace, there is no way that we can accomplish this state-mandated test.

So I want to thank the gentleman for taking on this major effort. And believe me, you have my support in the Committee on Appropriations and in any other way to try to get these machines to function the right way and to get our poll workers the proper training before the election in which any of this equipment is brought on line.

RUSH HOLT has introduced H.R. 2239, the Voter Confidence and Increased Accessibility Act of 2003, to require a voter-verified permanent record or hardcopy under title III of the Help America Vote Act. The bill now has 132 cosponsors. Congressman HOLT will speak more about his bill later.

HAVA was signed into law on October 29, 2002. Its goals were to provide new voting equipment in those communities where it is needed and wanted; to provide training programs for election workers and voter education programs for the public; and to establish an Election Assistance Commission to serve as a national clearinghouse and resource for the administration of Federal elections.

Under the Act, the four Commissioners were to be appointed by February 26, 2003. Their nominations were not even sent to the Senate until October 3, 2003, and they were not confirmed until December 9, 2003. The first public meeting of the Commission was just about 1 month ago, on March 23rd. As we meet here, the public comment period on State Election Plans is underway. At the conclusion of this period, State Election Plans can be self-certified by the States and they will begin to receive more than \$2.3 billion for election training and assistance, in addition to the \$650 million that has already been put out to the states.

Due to the delays in the appointment of the commission, several deadlines specified in HAVA have already been missed:

Recommendations and voluntary guidance on Section 302 provisional voting requirements (October 1, 2003);

Recommendations and voluntary guidance on Section 303 provisions on computerized statewide voter registration list requirements and mail registration requirements (October 1, 2003);

Human Factors Report to the President and Congress (October 29, 2003);

EAC adopts voluntary guidance recommendations relating to Section 301 Voting Systems Standards Requirements (January 1, 2004);

First Annual EAC report to Congress (January 31, 2004);

A report and recommendations to the President and Congress for facilitating military and overseas voting.

Additionally, 24 states have requested and been granted a waiver for compliance with HAVA voting equipment requirements until the first Federal election after January 1, 2006.

Testing by NIST on voting machines, and its obligation to help develop tough standards for this new equipment, was suspended for 2 months this year because of the lack of federal money. The Commission is thankful that NIST has been able to identify \$375,000 to help the Technical Guidance Development Committee get underway. But no recommendations are expected for another 9 months, while the Commissioners themselves recognize that State and local election authorities are looking for federal guidelines to help them develop their own standards.

Over the course of the past year, there have been many concerns raised regarding the security of new voting equipment. Will there be a paper trail that can be used for recounts? Can the summary data stored on the memory components of equipment provide a source for a recount in which voters can have confidence? Expert opinion is divided, and several

states, including Ohio, California, Maryland and others, are looking into adopting state legislation that will build upon HAVA's minimum requirements.

The Commission itself is scheduled to hold a hearing regarding concerns about election equipment and other start-up issues on May 5th. The Technology Subcommittee of the House Government Reform Committee, which had planned to hold a hearing on similar concerns on April 28th, has now delayed their hearing until May 12th.

□ 1800

Mr. HOLT. Mr. Speaker, I thank the gentlewoman and since she speaks about appropriations, it is worth pointing out that the Help America Vote Act, which was passed to bring voting up-to-date and to remove uncertainties, dimpled chads, pregnant chads, hanging chads, butterfly ballots and all that and to provide greater access for people with physical disabilities, to provide greater voting rights for minorities, that bill is a very important step, but it is terribly underfunded. The appropriations have not come close to matching what the authors of that bill said was necessary.

But to the other point that my friend from Ohio raised where in Ohio if an election is very close there must be a recount, let me speak from personal experience.

A few years ago, I was involved in a close election. My opponent asked for a recount. In one of the five counties in my District, there were then in use electronic voting machines. No surprise, several weeks after the election, when the judge asked for a recount, those machines gave exactly the same numbers that they gave 5 minutes after the polls closed. They call that a recount but it is meaningless. If there was an error, if the voter's intention was not properly recorded, no one will ever know. Each time you interrogate the computer, it will give you the same answer. I do not call that a recount because you are not testing against the voters' intentions.

Let me quickly just read a few comments from the press around the country. The New York Times: "Even a cursory look at the behavior of the major voting machine companies reveals systematic flouting of the rules. Software was modified without government oversight; machine components were replaced without being rechecked. And here's the crucial point: even if there are strong reasons to suspect that electronic machines miscounted votes, nothing can be done about it. There is no paper trail; there is nothing to recount."

Anchorage, Alaska: "Alaska law," and by extension the Federal law, "should require electronic voting machines to produce a paper record of each vote."

Bangor, Maine: "Paperless voting machines and those that transmit results over the Internet are vulnerable to glitches and manipulation by hackers. Yet election officials in many

States are tempted by a slick technology."

Asbury Park Press: "There's no good reason for Congress to delay mandating that electronic machines produce paper records."

Los Angeles Times: They say, "Machines, too, can lie."

Boston Globe: "It's the computers' turn to mess up elections."

Newsday says, "Elections flawed."

Palm Beach Post, Orlando Sentinel: "The electronic voting machines are better than dimpled chads but need back-up."

Eugene, Oregon, The Register-Guard: "Voters need a record."

Sarasota Herald Tribune: "A paper trail would increase faith in elections."

I could go on. In newspaper after newspaper, in town meeting after town meeting, in letter after letter sent to probably every Member of this House of Representatives, the public is calling for a voter verified paper trail because, I am pleased to say, the American public cares about their votes. They believe their votes are sacred and we should preserve that sanctity.

Someone who can speak with authority about this, about the importance of the franchise, how important it is that we extend the vote to all eligible voters and we make it as easy as possible for them to vote thoughtfully and that we ensure the integrity of those votes is the gentlewoman from the great State of Florida (Ms. CORRINE BROWN), which, I am sorry to say, the State has become the poster child of voting irregularities, but that is just because the vote was close in Florida. If it had been close in other States, we would have found voting irregularities in other States, too.

We have to do everything we can in every State to restore the sanctity of the vote, the integrity of the vote, the reliability of the vote, and with that, I would be pleased to yield to my friend, the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, first of all, I want to thank the gentleman for holding this meeting today to discuss the elections and how we are going to ensure that we have a fair election in 2004 and how we are going to make sure that people in America get a chance to vote but also that their votes will count, but I do have to correct my colleague on just one thing because Florida is not just known in the country, it is known throughout the world, because of this last election.

I just returned from Eastern Europe and I tell you, anytime I mentioned that I am from Florida, there is a sympathy in the look that I receive because they wonder how in the world that South Africa could get it right and we could not get it right in the great State of Florida.

The correction I want to make is that the election in Florida was not close. It was not close at all. State-wide, over 150,000 votes were thrown

out, but I want to talk to you about what was very up close and personal for me in that in my District, in the 3rd Congressional District of Florida, in Duval County alone, in precinct 7, 8, 9 and 10, over 27,000 votes were thrown out, 27,000.

I have here on my right the gentleman from North Carolina (Mr. PRICE) who came to Duval County at a hearing where all the problems that Florida experienced was discussed and the depth of the seriousness of throwing out 27,000 votes. Why were they thrown out? Because they had old machines, and the machines, when you vote, they just spit the ballot out, and we never counted them. To this day, 27,000 ballots were not counted.

The sad part about it is that the supervisor of elections did not inform us. By law, you can ask for a recount in 48 hours. They did not even tell us until at least four days after the election that they had thrown them out. By the way, I was watching television. The supervisor of elections came on television, and the reporters were asking him how many votes were thrown out in Duval County. He said, oh, 27,000. I mean, 27,000. So we have to make sure that that never happens again nowhere in the United States.

When I travel around the world and I go to places like Haiti, they did not have 27,000 votes thrown out. When I go to Africa and monitor their elections, I mean if we are going to be the voice of freedom, it starts with the election.

Let me just say that I supported the initiative on the Help America Vote Act that was passed back in 2002, and I thought it was particularly important that the law provides money to help States replace and update their old and outdated voting machines. Now we can see why this is so important because of what happened in Florida, just during the last primary.

During the primary even though voter turnout was light, serious problems occurred. For example, voters were incorrectly given computer cards that let them vote only on local issues and not on the issue that they came to vote for, the presidential primary. So the fact is that in many counties, the machines did not work, and even the experts, the computer scientists, warned that votes and entire elections, in fact, could be stolen by rigging the codes that run the machines, and the only defense against this is a paper trail, in every vote count, so that a paper ballot could be counted if the machines tallies are brought into question.

To me, after what happened in 2000, I think of all places, Florida definitely needs a paper trail. We need a paper trail. Nothing has changed in Florida. We still have the same governor. Jeb Bush is the governor of Florida, and we still have a system in place where the governor paid a firm out of Texas \$4 million to verify felons. Well, it did not matter whether you were a felon or not. If your name was James Brown or

CORRINE BROWN, we just took all of the similar names out of the system, and you were not even notified so that you could correct it before the election.

So when you went to the supervisor of elections office, where you have been going for the past 30 years, you were told that you could not vote because you were a felon and you had no recourse. We had nothing in place that you could cast your ballot and later we could rectify it, and so all of those people, thousands, was turned away on election day.

About three weeks later, they got a letter from the supervisor of their elections saying, whoops, we made a mistake, and we in this Congress and we in this country are still suffering from that mistake, and we have to be committed that what happened in the 2000 election will never happen again in this country. We have to make sure that we put the credibility back for the American people and for the world because the world looks at us as a beacon of light, of hope, and yet they wonder why we cannot get it right in the United States. Maybe the reason why we cannot get it right is because we do not want to get it right.

I enjoy a good campaign, but the end result is we have got to make sure that when the American people go to the polls in November that they can vote, that their vote will count and there is verification of the vote.

I thank the gentleman very much for having this opportunity to talk to the American people about a system that is still broke, and if we do not put the money, the oversight and the security into the system, then shame on us.

Mr. HOLT. Mr. Speaker, I thank the gentlewoman for those remarks.

Let me again quote from Anthony Stevens, the Assistant Secretary of State of New Hampshire: The cost of restoring legitimacy is far greater than the cost of maintaining it. When there is an error in the election or when there is uncertainty that there might be an error in the election, it hurts democracy. The winner is compromised; the loser is compromised. Democracy is compromised.

So the fact that there is so much uncertainty about what happened in Florida three-and-a-half years ago is certainly no cause for celebration by the Republicans that they won because there is a cloud hanging over our democracy, and it cannot be resolved.

The HAVA Act, the Help America Vote Act, does take care of some of the problems that my colleague from Florida raised. A voter now can demand a provisional ballot. If when you show up at the polls you are told, well, we cannot find your name on the registration list, you can vote provisionally. You must be allowed to vote provisionally under the Help America Vote Act.

□ 1815

And then later they will determine whether that ballot is good. They will not turn you away.

It also increases accessibility, it increases compliance with the Americans With Disabilities Act, it strengthens the Voting Rights Act of 1965, it provides for a centralized database in each State of registered voters, and it helps replace the old machines.

Ms. CORRINE BROWN of Florida. Mr. Speaker, if the gentleman will yield for just one second, he is absolutely right, the provisional ballot is in place. But to this point you have no assurance that they are going to count it.

Mr. HOLT. That is right.

Ms. CORRINE BROWN of Florida. So that is a major problem.

Mr. HOLT. Mr. Speaker, there is one more point I want to make quickly before I yield to the gentleman from North Carolina.

Ms. CORRINE BROWN of Florida. If the gentleman will allow me one other quick comment.

Mr. HOLT. Certainly I will continue to yield to the gentlewoman.

Ms. CORRINE BROWN of Florida. The other thing is that the handicapped citizens sued Duvall County pertaining to access to the election, making sure that they have an opportunity to vote in private, and they won. So I want to submit this for the RECORD for the membership to review.

[From the New York Times, Mar. 14, 2004]

#### FLORIDA AS THE NEXT FLORIDA

As Floridians went to the polls last Tuesday, Glenda Hood, Katherine Harris's successor as secretary of state, assured the nation that Florida's voting system would not break down this year the way it did in 2000. Florida now has "the very best" technology available, she declared on CNN. "And I do feel that it's a great disservice to create the feeling that there's a problem when there is not." Hours later, results in Bay County showed that with more than 60 percent of precincts reporting, Richard Gephardt, who long before had pulled out of the presidential race, was beating John Kerry by two to one. "I'm devastated," the county's top election official said, promising a recount of his county's 19,000 votes.

Four years after Florida made a mockery of American elections, there is every reason to believe it could happen again. This time, the problems will most likely be with the electronic voting that has replaced chad-producing punch cards. Some counties, including Bay County, use paper ballots that are fed into an optical scanner, so a recount is possible if there are questions. But 15 Florida counties, including Palm Beach, home of the infamous "butterfly ballot," have adopted touch-screen machines that do not produce a paper record. If anything goes wrong in these counties in November, we will be in bad shape.

Florida's official line is that its machines are so carefully tested, nothing can go wrong. But things already have gone wrong. In a January election in Palm Beach and Broward Counties, the victory margin was 12 votes, but the machines recorded more than 130 blank ballots. It is simply not believable that 130 people showed up to cast a nonvote, in an election with only one race on the ballot. The runner-up wanted a recount, but since the machines do not produce a paper record, there was nothing to recount.

In 2002, in the primary race for governor between Janet Reno and Bill McBride, electronic voting problems were so widespread they cast doubt on the outcome. Many

Miami-Dade County votes were not counted on election night because machines were shut down improperly. One precinct with over 1,000 eligible voters recorded no votes, despite a 33 percent turnout statewide. Election workers spent days hunting for lost votes, while Floridians waited, in an uncomfortable replay of 2000, to see whether Mr. McBride's victory margin, which had dwindled to less than 10,000, would hold up.

This past Tuesday, even though turnout was minimal, there were problems. Voters were wrongly given computer cards that let them vote only on local issues, not in the presidential primary. Machines did not work. And there were, no doubt, other mishaps that did not come to light because of the stunning lack of transparency around voting in the state. When a Times editorial writer dropped in on one Palm Beach precinct where there were reports of malfunctioning machines, county officials called the police to remove him.

The biggest danger of electronic voting, however, cannot be seen from the outside. Computer scientists warn that votes, and whole elections, can be stolen by rigging the code that runs the machines. The only defense is a paper record of every vote cast, a "voter-verified paper trail," which can be counted if the machines' tallies are suspect. Given its history, Florida should be a leader in requiring paper trails. But election officials, including Theresa LePore, the Palm Beach County elections supervisor who was responsible for the butterfly ballot, have refused to put them in place.

Last week, Representative Robert Wexler, a Florida Democrat, filed a federal lawsuit to require paper trails. He relies on the Supreme Court's holding in *Bush v. Gore* that equal protection requires states to use comparable recount methods from county to county. Florida law currently requires a hand recount in close races. That is possible in most counties, but the 15 that use electronic voting machines do not produce paper records that can be recounted. Under the logic of *Bush v. Gore*, Representative Wexler is right.

After the 2000 mess, Americans were assured they would not have to live through such a flawed election again. But Florida has put in place a system, electronic voting without a paper trail, that threatens once more to produce an outcome that cannot be trusted. There is still time before the November vote to put printers in place in the 15 Florida counties that use touch screens. As we learned four years ago, once the election has been held on bad equipment, it is too late to make it right.

[From the Florida Times-Union, Apr. 20, 2004]

#### JUDGE STAYS OWN ORDER ON VOTING MACHINES

(By Paul Pinkham)

Duval County may not have to buy handicap-accessible voting machines for the August primaries after a Federal judge's "Reluctant" stay of his own order so the county can appeal.

Lawyers for blind and manually disabled voters said they will ask the 11th U.S. Circuit Court of Appeals in Atlanta this week to expedite the appeal. But even if they are successful, City Hall attorneys said, little time will be left to implement Senior U.S. District Judge Wayne Alley's order that optical scan voting machines with audio ballots be placed in 57 of the county's 285 precincts for the Aug. 31 primary elections.

"It'd be virtually impossible," Assistant General Counsel Scott Makar said, "Right now, we have four months to implement the judge's order. What could we do in two months?"

Last month, Alley found Duval County Supervisor of Elections John Stafford in violation of the Americans With Disabilities Act because visually and manually disabled people are unable to vote without assistance on the county's optical scan voting machines. But late Friday, he granted Stafford's request for a stay pending appeal, an unusual step for a trial judge.

The judge said he was doing so reluctantly because he doubts the county will prevail on appeal. But he said if the county did happen to win on appeal, without a stay money already would have been spent on new voting equipment. Estimates range from \$275,000 into the millions.

"Clearly the citizens of Duval County would be greatly impacted to the potential expenditure of monies to purchase voting machines that might be rendered useless in the event . . . Stafford prevails on appeal," Alley wrote. "Although the court feels there is a public interest in preserving the rights of all citizens, including plaintiffs, the more pointed public interest in this case is fiscal, blue-lighted bridges notwithstanding."

The bridges comment referred to evidence presented at trial about money Jacksonville spent putting decorative blue lighting on the Acosta bridge.

Despite the stay, Alley said he was "puzzled" at the city's aggressive defense of the case.

"Plaintiffs are citizens whose rights are entitled to protection," he said. But he noted that, though the voting "method in place is not the preferred one . . . their substantive right to vote will not be abrogated."

Douglas Baldrige, attorney for the American Association of People with Disabilities in Washington, said he has asked city attorneys to join him in asking the 11th Circuit for an expedited appeal to resolve the case.

"My hope is that they just don't have a desire to run out the clock on disabled citizens," Baldrige said.

Makar said city attorneys are considering Baldrige's request but are looking more toward 2006, when the federal Help America Vote Act takes effect, requiring all U.S. counties to have the necessary equipment to allow disabled people to vote independently.

[From the Florida Times-Union, Mar. 30, 2004]

JUDGE SMUDGES DUVAL VOTING  
(By Paul Pinkham)

Duval County election officials are violating the Americans With Disabilities Act and must buy 60 new voting machines accessible to blind voters in time for the August primaries, a federal judge has ordered.

The machines also must be usable by manually disabled voters and placed in 20 percent of the county's 295 voting precincts under a court-approved plan according to population density and the availability of transportation. Senior U.S. District Judge Wayne Alley wrote.

While Alley's ruling isn't binding on other jurisdictions, the case was the first of its kind in the nation to go to trial and will have far-reaching implications for the rights of disabled voters to cast their ballots independently.

"It is truly a landmark decision," said Doug Baldrige, attorney for the American Association of People With Disabilities in Washington. "There is now a well-respected judge making a well-reasoned decision. . . . That's powerful."

City Hall attorneys were caught off guard by the order, which they received Monday morning. Though they anticipated an adverse decision based on Alley's previous comments, they expected the judge to wait until the May 14 deadline he set for the state to

certify handicap-accessible touchscreen machines made by the vendor the city does business with, Assistant General Counsel Scott Makar said.

"They haven't decided whether to appeal. "We really want to get a fuller reading of the judge's order and its impact," Makar said. "The remedy is not going to be known until after May 14th."

If the state certifies Diebold Election Systems' touchscreen machines with audio balloting, cost of installing them according to Alley's order would be about \$180,000, not including training and software considerations, Makar said. Diebold and the Secretary of State's Office are working toward certifying the machines for use in Florida elections.

But if the state doesn't certify Diebold's machines, or if those machines don't allow a manually impaired voter to vote independently with a mouth stick, Alley said he will require the city to buy similar units elsewhere. The cost of integrating a new system could run in the millions, Makar said. Alley ordered Supervisor of Elections John Stafford to keep the court apprised of the status of Diebold's certification efforts.

The judge also gave Stafford until April 12 to submit a plan for distributing the machines in precincts around Duval County. The plaintiffs will have an opportunity to comment on the plan, Alley ordered.

Visually and manually disabled voters sued Stafford in 2001 after he bought optical scan balloting equipment from Diebold instead of touch screens with audio balloting. Alley, a visiting judge from Oklahoma, heard two weeks of testimony in September and indicated in January he planned to rule in favor of the plaintiffs.

"At the time the city purchased the optical scan system, it was technologically and financially feasible to employ a voting system readily accessible to visually impaired voters," he said in his order.

Makar said Stafford "has taken painstaking efforts" to meet the rights of disabled voters and has been working toward mandatory compliance with the federal Help America Vote Act. That law requires all U.S. counties to have voting systems in place by 2006 that allow disabled people to vote without assistance.

"Buying the equipment now is basically like buying an 8-track when the DVDs are coming off the presses any time now," Makar said.

But Baldrige said Alley's decision is legally sound, and disabled voters shouldn't have to wait two more years.

"Obviously it'd be great to have [audio balloting in] every precinct, but we were there to make sure that the violation was proven and to get some relief for these disabled citizens," Baldrige said. "It's an absolute victory."

Mr. PRICE of North Carolina. Mr. Speaker, if the gentleman will yield, before our colleague from Florida leaves, I do want to make one note.

Mr. HOLT. Mr. Speaker, I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. What the gentlewoman from Florida said about this purging of supposed felons, these purges were exempted from protection under the National Voter Registration Act. So many districts purged, as I understand, their voting roll before the election without notifying the people who were purged.

Ms. CORRINE BROWN of Florida. That is right.

Mr. PRICE of North Carolina. So the problem is that thousands of Floridians

were purged who had no felony convictions. They were unjustly denied their right to vote. Just think about how frustrating and disillusioning it would be to show up at the polling station and be told you could not vote when you have nothing to compromise your eligibility.

So I want to inform my colleagues that I will be introducing a bill next week that will deal specifically with this problem. And I appreciate my colleague underscoring this unsolved problem from the Florida debacle.

My bill would ensure that no American is ever denied the right to vote in a future election because he or she is mistakenly labeled as having committed a felony. It would require States to send that notification that our colleague says was never sent, send that notification no later than 30 days prior to an election, informing people convicted of a felony that they have been removed from the voter list and explaining the reasons why. And then the person who is notified can respond. This would let them know about their rights to appeal the decision. It would require the State rule on the appeal. And if the appeal is still pending at the time of election, my bill would say they can cast a provisional ballot.

That is legislation that I believe would fill a remaining problem from the Florida experience.

Ms. CORRINE BROWN of Florida. And, Mr. Speaker, if the gentleman from New Jersey will continue to yield for just 30 seconds.

Mr. HOLT. I yield to the gentlewoman from Florida, Mr. Speaker.

Ms. CORRINE BROWN of Florida. Let me just mention that there are only five States now that will not allow ex-felons to vote. And that is a bigger issue. Because once someone pays their dues and serves their time, you want them to be productive citizens. And part of being a productive citizen is participating in the voting process. So that is something that we need to take a look at.

This is something that has been held over from the old Jim Crow days.

Mr. PRICE of North Carolina. That is a larger issue. My bill would simply deal with these purges and the fact that there often have been mistaken purges. It would give people who were purged the chance to respond.

I again want to commend the gentleman from New Jersey (Mr. HOLT) and all the others today for being part of this. We need to take these next steps in election reform. We have gotten rid of the unregulated soft money, and we have made certain that candidates are going to have to stand up and take responsibility for the content of their ads. We have made some headway. But this legislation that the gentleman from New Jersey (Mr. HOLT) has introduced in addition to the bill I have just described I believe would take us several steps further to restoring faith in our democracy, and I look forward to working with my colleagues on this.

Mr. HOLT. Mr. Speaker, I look forward to working with the gentleman from North Carolina also.

Each of these pieces of legislation deals with one aspect of the problem. One of the lessons of the election of 2000 was that many millions of Americans learned how complicated the voting question is. But we certainly can take care of these two matters in a straightforward way.

Again, my legislation would require that all voting systems produce a voter-verified paper record for use in manual audits. It would ban the use of undisclosed software. It would require that all voting systems meet these requirements, a voter verification, in time for their November 2004 election, this year. It requires that electronic voting systems be provided for persons with disabilities earlier than under the Help America Vote Act, and it would require mandatory surprise recounts in one-half of 1 percent of all jurisdictions.

I think that would go a long way. Now, some of my colleagues here on the floor say, oh, that is not necessary, let us let HAVA work. I tell you one way we can let HAVA work. Each State has submitted to the Election Assistance Commission a plan of how it will comply with HAVA. That has been published in the Federal Register. Public comments on those State plans are due by May 8, and members of the public are invited to comment to the Election Assistance Commission.

That is one way that the process will work. Because ultimately it is the public, not the 435 of us here, who own this democracy and who ultimately must ensure that it works as it should.

RECESS

The SPEAKER pro tempore (Mr. BURNS). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1903

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 7 o'clock and 3 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2844, CONTINUITY IN REPRESENTATION ACT OF 2004

Mr. MARIO DIAZ-BALART of Florida from the Committee on Rules, submitted a privileged report (Rept. No. 108-466) on the resolution (H. Res. 602) providing for consideration of the bill (H.R. 2844) to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is an-

nounced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KINGSTON (at the request of Mr. DELAY) for today on account of attending the funeral of a dear friend.

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 Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

- Mr. DEFazio, for 5 minutes, today.
- Mr. EMANUEL, for 5 minutes, today.
- Ms. SCHAKOWSKY, for 5 minutes, today.
- Mr. BROWN of Ohio, for 5 minutes, today.
- Mr. PALLONE, for 5 minutes, today.
- Mr. HINCHEY, for 5 minutes, today.
- Ms. WOOLSEY, for 5 minutes, today.
- Mr. WYNN, for 5 minutes, today.
- Mrs. MALONEY, for 5 minutes, today.
- Mr. CONYERS, for 5 minutes, today.
- Mr. CARDOZA, for 5 minutes, today.
- Mr. GREEN of Texas, for 5 minutes, today.
- Mr. MCDERMOTT, for 5 minutes, today.
- Mr. RYAN of Ohio, for 5 minutes, today.
- Mr. SCHIFF, for 5 minutes, today.
- Ms. KAPTUR, for 5 minutes, today.
- Ms. NORTON, for 5 minutes, today.
- Ms. MILLENDER-MCDONALD, for 5 minutes, today.
- Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today.

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

- Mr. SHIMKUS, for 5 minutes, today.
- Mr. OWENS, 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. 1814. An act to transfer Federal lands between the Secretary of Agriculture and the Secretary of the Interior; to the Committee on Resources; in addition to the Committee on Agriculture and 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.

ENROLLED BILLS SIGNED

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

H.R. 1274. An act to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county.

H.R. 2489. An act to provide for the distribution of judgment funds to the Cowlitz Indian Tribe.

H.R. 3118. An act to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

ADJOURNMENT

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 22, 2004, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

7623. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Support the Tribal Pesticide Program Council (TPPC); Notice of Funds Availability [OPP-2003-0399; FRL-7349-1] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7624. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Boscalid; Pesticide Tolerance [OPP-2004-0075; FRL-7353-1] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7625. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 02-15, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

7626. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 03-08, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

7627. A letter from the Assistant Secretary, Department of Defense, transmitting the National Guard Challenge Program Annual Report for Fiscal Year 2004, required under section 509(k) of title 32, United States Code; to the Committee on Armed Services.

7628. A letter from the Acting Under Secretary, Department of Defense, transmitting a report required by section 335 of the National Defense Authorization Act for Fiscal Year 2004 (Pub. L. 108-136) regarding the implementation of the revised Office of Management and Budget (OMB) Circular A-76, Performance of Commercial Activities; jointly to the Committees on Armed Services and Government Reform.

7629. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting the Department's report that covers two areas involving the Armed Services' aviation programs for FY 2003, pursuant to 37 U.S.C. 301a(f) and (b); to the Committee on Armed Services.

7630. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting Approval of Colonel David M. Snyder, United States Air Force, to wear the insignia of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

7631. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report for purchases from foreign entities for Fiscal Year 2003, pursuant to Public Law 104-201, section 827 Public Law 105-261, section 812; to the Committee on Armed Services.

7632. A letter from the Chairman, Appraisal Subcommittee of the Federal Financial Institutions Examination Council, transmitting the 2003 Annual Report, pursuant to 12 U.S.C. 3332; to the Committee on Financial Services.

7633. A letter from the Chairman, National Endowment for the Arts, National Foundation on the Arts & the Humanities, transmitting the Federal Council on the Arts and the Humanities' twenty-eighth annual report on the Arts and Artifacts Indemnity Program for Fiscal Year 2003, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

7634. A letter from the Acting Assistant Secretary for Communications and Information, Department of Commerce, transmitting the National Telecommunications and Information Administration's (NTIA) assessment of the major actions that must be completed in the allocation of the spectrum to the civilian sector for the effective deployment of third generation (3G) wireless devices in the United States, pursuant to Public Law 108-119 (118 Stat. 3); to the Committee on Energy and Commerce.

7635. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's vehicle fleet report on alternative fueled vehicles for FY 2003, submitted in accordance with the Energy Conservation and Reauthorization Act (ECRA), and Executive Order 13149, Greening the Government through Federal Fleet and Transportation Efficiency; to the Committee on Energy and Commerce.

7636. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pollution Prevention Grants and Announcement of Financial Assistance Programs Eligible for Review; Notice of Availability [OPPT-2003-0072; FRL-7342-6] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7637. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL-7645-6] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7638. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters [OAR-2002-0058; FRL-7633-9] (RIN: 2060-AG69) received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7639. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(l) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of North Carolina [NC-112L-2004-1-FRL-7646-2] re-

ceived April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7640. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, Virginia; Post 1996 Rate-of-Progress Plans and One-Hour Ozone Attainment Demonstrations [DC052-7007, MD143-3102, VA129-5065; FRL-7645-1] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7641. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on International Relations.

7642. A communication from the President of the United States, transmitting a report including matters relating to post-liberation Iraq as consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243); (H. Doc. No. 108-180); to the Committee on International Relations and ordered to be printed.

7643. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report describing, to the extent practicable, any involvement of a foreign military or defense ministry civilian that have participated in the International Military Education and Training (IMET) program, and have been identified in the Country Reports on Human Rights Practices for 2003 as violating internationally recognized human rights subsequent to such training; to the Committee on International Relations.

7644. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report required by Section 301 of the United States Macau Policy Act, covering the period from April 1, 2003, to March 31, 2004, pursuant to Public Law 106-570, section 204; to the Committee on International Relations.

7645. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's quarterly financial statement, prepared by the U.S. General Services Administration; to the Committee on Government Reform.

7646. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7647. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7648. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7649. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7650. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7651. A letter from the Assistant Director, Executive and Political Personnel, Depart-

ment of Defense, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7652. A letter from the Acting Secretary, Department of Housing and Urban Development, transmitting a copy of the Government National Mortgage Association (Ginnie Mae) management report for the fiscal year ended September 30, 2003, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

7653. A letter from the General Counsel, Department of Housing and Urban Development, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7654. A letter from the General Counsel, Department of Housing and Urban Development, transmitting report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7655. A letter from the Associate Attorney General, Department of Justice, transmitting the annual report of activities under the Freedom of Information Act for 2003, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

7656. A letter from the Chairman, Federal Housing Finance Board, transmitting the Board's annual report that fulfills the reporting requirements set forth in the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Government Reform.

7657. A letter from the Chairman, Federal Maritime Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act for calendar year 2003, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

7658. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Performance Program Report for Fiscal Year 2003, in accordance with the requirements of the Government Performance and Results Act (GPRA); to the Committee on Government Reform.

7659. A letter from the Associate Special Counsel for Investigation and Prosecution, Office of Special Counsel, transmitting the Office's FY 2003 Annual Report Pursuant to the No Fear Act, pursuant to 5 U.S.C. 1211; to the Committee on Government Reform.

7660. A letter from the Executive Director, United States Access Board, transmitting a report, pursuant to the requirements of section 203(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Government Reform.

7661. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries [Docket No. 031104274-4011-02; I.D. 101603A] (RIN: 0648-AQ83) received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7662. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Emergency Rule to Maintain an Area Access Program for the Atlantic Sea Scallop Fishery in Hudson Canyon [Docket No. 040130031-4070-02; I.D. 021704D] (RIN: 0648-AR92) received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7663. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2004 Specifications [Docket No. 031119283-4001-02; I.D. 110703A] (RIN: 0648-AQ80) received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7664. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No. 001005281-0369-02; I.D. 022604B] received April 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7665. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Gulf of Mexico; Coastal Migratory Pelagic Resources; Stock Status Determination Criteria [Docket No. 030917233-3304-02; I.D. 082703A] (RIN: 0648-AP50) received April 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7666. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Vessels Catching Pacific cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No. 031125292-4061-02; I.D. 030504A] received April 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7667. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 of the Gulf of Alaska [Docket No. 031125292-4061-02; I.D. 031904A] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7668. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processor Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 031124287-4060-02; I.D. 032404E] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7669. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District [Docket No. 031124287-4060-02; I.D. 032404F] received April 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7670. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 031124287-4060-02; I.D. 032504A] received April 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7671. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of the Cook Inlet, Alaska, Stock of Beluga Whales by Alaska Natives [Docket No. 000922272-4087-02; I.D. 061600A] (RIN: 0648-AO16) received April 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7672. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Pelagic Longline Fishing Restrictions; Seasonal Area Closure, Limit on Swordfish Fishing Effort, Gear Restrictions, and Other Sea Turtle Take Mitigation Measures [Docket No. 0401130013-4098-02; I.D. 122403A] (RIN: 0648-AR84) received April 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7673. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Herring Fishery [Docket No. 031126296-4100-02; I.D. 111903B] (RIN: 0648-AQ84) received April 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7674. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Threatened or Endangered Species Incidental to Commercial Fishing Operations [Docket No. 031202301-4067-02; I.D. 111403C] (RIN: 0648-AR53) received April 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7675. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Monkfish Fishery [Docket No. 040212056-4101-02; I.D. 020604B] (RIN: 0648-AR89) received April 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7676. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole in the Bering Sea and Aleutian Islands [Docket No. 031124287-4060-02; I.D. 032904B] received April 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7677. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-00369-02; I.D. 040704B] received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7678. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 031124287-4060-02; I.D. 033104A] received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7679. A letter from the Assistant Attorney General, Department of Justice, transmitting the report on the administration of the

Foreign Agents Registration Act covering the six months ended June 30, 2003, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

7680. A letter from the Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the Society for calendar year 2003, pursuant to 36 U.S.C. 1101(19) and 1103; to the Committee on the Judiciary.

7681. A letter from the Chairman, United States Commission on Civil Rights, transmitting the Commission's report entitled, "A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country," pursuant to 42 U.S.C. 1975a(c); to the Committee on the Judiciary.

7682. A letter from the Deputy Clerk, United States Court of Appeals for the Tenth Circuit, transmitting an opinion of the United States Court of Appeals for the Tenth Circuit (Nos. 03-8037, 03-8042, and 03-8043—United States v. Blanchard Buck Cannon (April 5, 2004)); to the Committee on the Judiciary.

7683. A letter from the Administration, FAA, Department of Transportation, transmitting the Capital Investment Plan (CIP) for fiscal years 2005-2009, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

7684. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Outer Continental Shelf Facility in the Gulf of Mexico for Mississippi Canyon 474 [CGD08-03-039] (RIN: 1625-AA79) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7685. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Outer Continental Shelf Facility in the Gulf of Mexico for Garden Banks 783 [CGD08-03-040] (RIN: 1625-AA79) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7686. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Belle River, Belle River, LA [CGD08-03-049] (RIN: 1625-AA09) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7687. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Mantua Creek, NJ [CGD05-03-121] (RIN: 1625-AA09) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7688. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Royal Park (SR 704) Bridge, Atlantic Intracoastal Waterway mile 1022.6, Palm Beach, FL [CGD07-04-039] received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7689. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Manasquan River, NJ [CGD05-04-071] (RIN: 1625-AA09) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7690. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Newtown Creek, Dutch Kills, English Kills, and their tributaries, NY. [CGD01-04-023] received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7691. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Kent Island Narrows, MD [CGD05-04-070] (RIN: 1625-AA09) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7692. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Area; Savannah River, Savannah GA [CGD07-03-147] (RIN: 1625-AA11) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7693. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Atlantic Ocean, Chesapeake & Delaware Canal, Delaware Bay, Delaware River and its tributaries [CGD05-04-066] (RIN: 1625-AA00) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7694. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Electrical Equipment and Installations, Storage Battery Installation; Electronic Equipment; and Fire Protection of Electrical System Components on Transport Category Airplanes [Docket No. FAA-2001-9634, FAA-2001-9633, FAA-2001-9638, FAA-2001-9637; Amendment No. 25-113] (RIN: 2120-AI21) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7695. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revisions to Passenger Facility Charge Rule for Compensation to Air Carriers [Docket No.: FAA-2002-13918; Amendment No. 158-2] (RIN: 2120-AH43) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7696. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Security Control of Air Traffic (RIN: 2120-AI11) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7697. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Emergency Medical Equipment [Docket No. FAA-2000-7119; Amdt. Nos. 121-280 and 135-78] (RIN: 2120-AG89) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7698. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Procedures for Transportation workplace Drug and Alcohol Testing Programs: Drug and Alcohol Management Information System Reporting; Correction [Docket No. OST-2002-13435] (RIN: 2105-AD35) received April 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7699. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—

Modification of Class E Airspace; Marysville, KS. [Docket No. FAA-2003-16762; Airspace Docket No. 03-ACE-99] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7700. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Independence, IA. [Docket No. FAA-2003-16746; Airspace Docket No. 03-ACE-90] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7701. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Colby, KS. [Docket No. FAA-2003-16760; Airspace Docket No. 03-ACE-97] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7702. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Hamilton, MT. [Docket No. FAA 2003-16070; Airspace Docket No. 03-ANM-05] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7703. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class D Airspace; Altus AFB, OK [Docket No. FAA-2003-15248; Airspace Docket No. 2003-ASW-3] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7704. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Anthony, KS. [Docket No. FAA-2003-16748; Airspace Docket No. 03-ACE-92] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7705. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Plattsmouth, NE. [Docket No. FAA-2003-16408; Airspace Docket No. 03-ACE-76] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7706. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Beloit, KS. [Docket No. FAA-2003-16749; Airspace Docket No. 03-ACE-93] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7707. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Hays, KS. [Docket No. FAA-2004-16989; Airspace Docket No. 04-ACE-7] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7708. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Chanute, KS. [Docket No. FAA-2003-16757; Airspace Docket No. 03-ACE-95] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7709. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Excelsior

Springs, MO. [Docket No. FAA-2004-17147; Airspace Docket No. 04-ACE-13] received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7710. A letter from the Administrator, FAA, Department of Transportation, transmitting the Administration's report as required by Section 404(e) of the FAA Reauthorization Act of 1996 (HR 3539); to the Committee on Transportation and Infrastructure.

7711. A letter from the Secretary, Judicial Conference of the United States, transmitting a report on the judiciary's courthouse construction requirements for FY 2005 along with the out-year requirements for FY 2006-2009, pursuant to 28 U.S.C. 604(a)(12) and 462(b); to the Committee on Transportation and Infrastructure.

7712. A letter from the Secretary, Department of Veterans Affairs, transmitting a report covering those cases in which equitable relief was granted in calendar year 2003, pursuant to 38 U.S.C. 503(c); to the Committee on Veterans' Affairs.

7713. A letter from the Secretary, Department of Labor, transmitting the Department's tenth report on the impact of the Andean Trade Preference Act on U.S. trade and employment from 2001 to 2002, pursuant to 19 U.S.C. 3205; to the Committee on Ways and Means.

7714. A letter from the Chair, National Oceanographic Partnership Program, transmitting the March 2004 Annual Report, pursuant to Public Law 104-201; jointly to the Committees on Armed Services, Resources, and Science.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 602. Resolution providing for consideration of the bill (H.R. 2844) to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes (Rept. 108-466). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. JONES of North Carolina:

H.R. 4180. A bill to amend title 10, United States Code, to provide reimbursement for members of the Armed Forces retired for a combat-related disability for travel to military treatment facilities for medical care during the first two years after such retirement; to the Committee on Armed Services.

By Mr. GERLACH (for himself, Mr.

WELLER, Mr. HASTINGS of Washington, Mr. GREENWOOD, Mr. VITTEK, Mr. SIMMONS, Mr. CANTOR, Mr. HENSARLING, Mr. SHIMKUS, Mr. TOOMEY, Mrs. MILLER of Michigan, Mr. DOOLITTLE, Mr. COX, Mrs. KELLY, Mr. MURPHY, Mr. BARTLETT of Maryland, Mr. SHUSTER, Mr. CRENSHAW, Mr. ROHRBACHER, Mr. BURR, Mr. FORBES, Mr. KELLER, Mr. GILLMOR, Mr. SCHROCK, Mr. HAYWORTH, Mr. HERGER, Mr. MCINNIS, Ms. DUNN, Mr. ROGERS of Alabama, Mr. RYUN of

Kansas, Mr. BRADY of Texas, Mr. HAYES, Mr. BALLENGER, Mr. SOUDER, Mr. SMITH of Texas, Mr. GIBBONS, Mr. ISTOOK, Mr. OTTER, Mrs. JOHNSON of Connecticut, Mr. WICKER, Mr. SHAW, Mr. CRANE, Mr. GRAVES, Mr. WILSON of South Carolina, Ms. PRYCE of Ohio, Mr. TIBERI, Mrs. JO ANN DAVIS of Virginia, Mr. BARRETT of South Carolina, Mr. ENGLISH, Mr. PICKERING, Mr. CHOCOLA, Mr. PORTER, Mr. HALL, Mr. TERRY, Mr. REHBERG, and Mr. SWEENEY):

H.R. 4181. A bill to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns; to the Committee on Ways and Means.

By Ms. LEE (for herself, Mr. GREENWOOD, Ms. WOOLSEY, Mr. ABERCROMBIE, Mrs. CHRISTENSEN, Mr. DEFAZIO, Mr. McNULTY, Mr. TOWNS, Mr. OWENS, Mr. BROWN of Ohio, Ms. NORTON, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. HINCHEY, Mr. FROST, Mr. CASE, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. STARK, Ms. CARSON of Indiana, Mr. HOFFFEL, Mr. LANTOS, Mr. MORAN of Virginia, Mrs. LOWEY, Mrs. CAPPS, Ms. SLAUGHTER, Ms. BALDWIN, Mr. KUCINICH, Mr. WAXMAN, Mr. SERRANO, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Ms. CORRINE BROWN of Florida, Mr. FARR, Mr. CLYBURN, Mr. GRIJALVA, Mr. SMITH of Washington, Mr. KENNEDY of Rhode Island, Ms. WATSON, Mr. ROTHMAN, Ms. MAJETTE, Mrs. TAUSCHER, Mr. SANDERS, Ms. MCCOLLUM, Ms. HARMAN, Mr. CUMMINGS, Mr. ACKERMAN, Ms. LORETTA SANCHEZ of California, Mr. BISHOP of Georgia, Ms. MILLENDER-McDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. CROWLEY, Mr. WYNN, Mr. THOMPSON of Mississippi, Mr. HOLT, Mr. WEINER, Mr. RANGEL, Ms. LOFGREN, Ms. SOLIS, Mr. FORD, Ms. KILPATRICK, Mr. WATT, Mr. PAYNE, Mrs. NAPOLITANO, Ms. ESHOO, Mr. SCHIFF, Mr. GONZALEZ, Mr. BALLANCE, Mr. RUSH, and Mr. MEEK of Florida):

H.R. 4182. A bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COOPER:

H.R. 4183. A bill Making further emergency supplemental appropriations for fiscal year 2004 for military operations in Iraq and Afghanistan; to the Committee on Appropriations.

By Mr. CUMMINGS (for himself and Ms. CORRINE BROWN of Florida):

H.R. 4184. A bill to require United States assistance for the repair, maintenance, or construction of the transportation infrastructure of Iraq to be provided in the form of loans subject to repayment in full to the United States Government; to the Committee on International Relations.

By Mr. DREIER:

H.R. 4185. A bill to improve the coordination of the Federal Government in identifying and responding to weak or failing countries that endanger international security or stability, to improve the coordination and conduct of pre-conflict stabilization operations and post-conflict reconstruction operations, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. MATSUI, Mr. MCINNIS, Mr. HERGER, Mr. ENGLISH, Mr. BOEHNER, and Mr. CHABOT):

H.R. 4186. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds by property and casualty insurance companies for the payment of policyholders' claims arising from future catastrophic events; to the Committee on Ways and Means.

By Mr. KING of Iowa (for himself, Mr. BRADY of Texas, Mr. JONES of North Carolina, Mr. AKIN, Mr. HERGER, Mr. BURTON of Indiana, Mr. PITTS, Mr. FRANKS of Arizona, Mr. COLE, Mr. CAMP, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. NORWOOD, Mr. SHADEGG, Mr. SMITH of Texas, Mr. WELDON of Florida, Mr. LINDER, Mr. WILSON of South Carolina, Mr. UPTON, Mr. PAUL, Mr. GIBBONS, Ms. HARRIS, Mr. BASS, Mrs. MILLER of Michigan, Mr. PEARCE, Mrs. MYRICK, and Mrs. CUBIN):

H.R. 4187. A bill to amend the Help America Vote Act of 2002 to require voting systems to produce a verifiable paper record of each vote cast and to ensure the security of electronic data, and for other purposes; to the Committee on House Administration.

By Mr. LOBIONDO (for himself and Mr. MCINTYRE):

H.R. 4188. A bill to amend chapter 1606 of title 10, United States Code, to increase the amount of basic educational assistance for members of the Selected Reserve, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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 Mr. LUCAS of Oklahoma:

H.R. 4189. A bill to modify and improve the funding structure of the Environmental Quality Incentives Program; to the Committee on Agriculture.

By Mr. MARKEY:

H.R. 4190. A bill to require the Secretary of Labor to declare that operating power driven amusement park rides is a hazardous occupation for the purposes of certain child labor provisions of the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Ms. MILLENDER-McDONALD:

H.R. 4191. A bill to amend the Foreign Assistance Act of 1961 to provide for the establishment of a network of pediatric centers in certain developing countries to provide treatment and care for children with HIV/AIDS, and for other purposes; to the Committee on International Relations.

By Ms. SLAUGHTER (for herself, Ms. DEGETTE, Mr. GREENWOOD, Mrs. JOHNSON of Connecticut, Mr. ALLEN, Mr. BAIRD, Ms. BALDWIN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CARDIN, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. DOGGETT, Mr. DOOLEY of California, Mr. EMANUEL, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GONZALEZ, Mr. GRIJALVA, Ms. HARMAN, Mr. HINCHEY, Mr. HOFFFEL, Ms. NORTON, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. JACKSON of Illinois, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. LARSEN of Washington,

Ms. LEE, Ms. LOFGREN, Mrs. LOWEY, Mrs. MALONEY, Ms. MAJETTE, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. McDERMOTT, Ms. MILLENDER-McDONALD, Mr. MORAN of Virginia, Mr. NADLER, Mr. OLVER, Ms. PELOSI, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Ms. SOLIS, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 4192. A bill to expand access to preventive health care services and education programs that help reduce unintended pregnancy, reduce infection with sexually transmitted disease, and reduce the number of abortions; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, 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 Mr. AKIN (for himself, Mr. SKELTON, Mr. TANCREDO, Mr. DOOLITTLE, Mrs. MYRICK, Mr. KING of Iowa, Mr. GARRETT of New Jersey, Mr. SHAD-EGG, Mr. BARTLETT of Maryland, Mr. MILLER of Florida, Mr. SESSIONS, Mr. FROST, Mr. LIPINSKI, Mr. WILSON of South Carolina, Mr. COOPER, Mr. ADERHOLT, Mr. REYES, Mr. WOLF, Mr. PALLONE, Mr. KIRK, Mr. HOSTETTLER, Mr. HUNTER, Mr. SPRATT, Mr. FLAKE, Mr. ISAKSON, Mr. HAYWORTH, and Mr. CASE):

H. Con. Res. 407. Concurrent resolution saluting the life and courage of the late Commander Lloyd "Pete" Bucher, United States Navy (retired), who commanded the U.S.S. Pueblo (AGER-2) at the time of its capture by North Korea on January 23, 1968; to the Committee on Armed Services.

By Ms. DEGETTE (for herself, Mr. UDALL of Colorado, Mr. HEFLEY, Mrs. MUSGRAVE, Mr. BEAUPREZ, Mr. MCINNIS, and Mr. TANCREDO):

H. Con. Res. 408. Concurrent resolution congratulating the University of Denver men's hockey team for winning the 2004 NCAA men's hockey national championship, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PORTER (for himself, Mr. BOEHNER, Mr. McKEON, Mr. NORWOOD, Mr. EHLERS, Mr. DEMINT, Mrs. MUSGRAVE, Mrs. BLACKBURN, Mr. KIND, Ms. MCCOLLUM, and Mr. CASE):

H. Res. 600. A resolution congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. EMANUEL (for himself, Mr. FOLEY, Mr. DINGELL, Mr. WAMP, and Mr. HOFFFEL):

H. Res. 601. A resolution recognizing the importance of designating the Republic of Poland as a program country for purposes of the visa waiver program under section 217 of the Immigration and Nationality Act and urging the Secretary of Homeland Security and the Secretary of State to assist Poland in qualifying for such program; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

290. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 27 memorializing the United States Congress to address the gap between services offered to children in kinship care arrangements and services offered to children in foster care situations; to the Committee on Education and the Workforce.

291. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 18 memorializing the United States Congress to allocate federal funding for the creation of the National Recovery Training Institute in Louisiana; to the Committee on Energy and Commerce.

292. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Resolution No. 6029 memorializing the United States Congress to amend current law so that children of state employees are eligible for health care benefits under HealthWave; to the Committee on Energy and Commerce.

293. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4004 memorializing the United States Congress to pass the Calling for 211 Act, HR3111 and SB1630; to the Committee on Energy and Commerce.

294. Also, a memorial of the General Assembly of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 79 memorializing the United States Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123); to the Committee on Energy and Commerce.

295. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 193 memorializing the United States Congress to increase the level of federal funds available to the states for DNA testing; to the Committee on the Judiciary.

296. Also, a memorial of the Legislature of the State of West Virginia, relative to House Concurrent Resolution No. 30 memorializing the United States Congress to broaden the eligibility categories of membership in veterans' organizations; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

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

H.R. 290: Ms. VELAZQUEZ, Mr. SERRANO, Mr. BROWN of Ohio, and Mr. BURR.

H.R. 348: Mr. VITTER, Ms. BORDALLO, Ms. WATERS, and Mr. RODRIGUEZ.

H.R. 504: Mr. PAYNE.

H.R. 677: Mr. HYDE, Mr. NETHERCUTT, Mr. SHERMAN, Ms. WATERS, and Ms. WOOLSEY.

H.R. 685: Mr. ISRAEL and Mr. VAN HOLLEN.

H.R. 745: Mr. CARDOZA and Mr. DEUTSCH.

H.R. 767: Mr. MURPHY.

H.R. 792: Mrs. WILSON of New Mexico.

H.R. 814: Mr. CHANDLER.

H.R. 843: Mr. RODRIGUEZ.

H.R. 857: Mr. SHUSTER.

H.R. 879: Mr. STRICKLAND, Mr. DEFazio, and Mr. ROTHMAN.

H.R. 883: Mr. LIPINSKI.

H.R. 930: Mr. SIMMONS.

H.R. 980: Mr. MICHAUD.

H.R. 1057: Mr. KENNEDY of Minnesota.

H.R. 1084: Mrs. JO ANN DAVIS of Virginia.

H.R. 1117: Mr. HERGER.

H.R. 1160: Mr. MEEKS of New York, Mr. JOHN, and Mr. EMANUEL.

H.R. 1173: Mr. FEENEY and Mr. MILLER of Florida.

H.R. 1205: Mr. ALLEN, Mr. FILNER, Mr. BELL, and Mr. PALLONE.

H.R. 1233: Mr. BRADLEY of New Hampshire.

H.R. 1345: Mr. STARK.

H.R. 1359: Ms. WOOLSEY.

H.R. 1709: Ms. NORTON.

H.R. 1726: Mrs. MCCARTHY of New York.

H.R. 1746: Mr. TANNER.

H.R. 1749: Mr. PITTS.

H.R. 1779: Mrs. JO ANN DAVIS of Virginia,

Ms. ROS-LEHTINEN, and Mr. SHAW.

H.R. 1873: Mr. MILLER of Florida, Mr. HASTINGS of Florida, and Mr. SESSIONS.

H.R. 2176: Mr. DAVIS of Florida.

H.R. 2198: Mr. SCHIFF.

H.R. 2455: Mr. ABERCROMBIE and Mr. SHERMAN.

H.R. 2490: Mrs. DAVIS of California.

H.R. 2612: Mr. REYES.

H.R. 2700: Ms. MILLENDER-MCDONALD.

H.R. 2719: Mr. BRADLEY of New Hampshire.

H.R. 2773: Mr. OWENS.

H.R. 2823: Mrs. CAPITO and Mr. HOLT.

H.R. 2863: Mr. CLYBURN.

H.R. 2890: Mr. WAMP.

H.R. 2971: Mr. CUMMINGS.

H.R. 3092: Mr. SHERMAN.

H.R. 3171: Mr. RANGEL.

H.R. 3242: Mr. BISHOP of New York, Mr. LOBIONDO, Mr. ANDREWS, Mr. HASTINGS of Washington, Mr. STUPAK, and Mr. MORAN of Virginia.

H.R. 3308: Mrs. BIGGERT and Mr. JOHNSON of Illinois.

H.R. 3352: Mr. SCOTT of Virginia.

H.R. 3359: Mr. ROTHMAN.

H.R. 3363: Mr. JOHN.

H.R. 3378: Mr. KILDEE, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mrs. DAVIS of California, Mr. ALLEN, Mr. DEFazio, Mr. INSLEE, Mr. WELDON of Florida, Mr. SANDERS, Mr. GOSS, and Mr. GRIJALVA.

H.R. 3412: Mr. BARTLETT of Maryland.

H.R. 3441: Mr. MICHAUD, Mr. RAHALL, Mr. MARSHALL, Mr. BERRY, and Mr. WEINER.

H.R. 3444: Ms. LEE and Ms. WOOLSEY.

H.R. 3474: Mrs. DAVIS of California and Mr. ROTHMAN.

H.R. 3480: Mr. SHERMAN.

H.R. 3528: Mr. PASCRELL.

H.R. 3545: Mr. ALLEN.

H.R. 3612: Mr. FILNER.

H.R. 3619: Mr. COOPER, Mr. CHANDLER, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, and Mr. CLYBURN.

H.R. 3684: Mrs. MALONEY, Mr. BISHOP of New York, Mr. SIMMONS, Mr. SMITH of Washington, and Mr. ABERCROMBIE.

H.R. 3696: Mr. SANDLIN.

H.R. 3707: Mr. DUNCAN, Mr. BALLANCE, Mr. VISCLOSKEY, Mr. WU, Ms. ROYBAL-ALLARD, Mr. LEVIN, and Mr. RAMSTAD.

H.R. 3712: Mrs. TAUSCHER, Ms. LEE, and Mr. LARSON of Connecticut.

H.R. 3736: Mr. DEMINT and Mr. DEFazio.

H.R. 3755: Mr. JEFFERSON.

H.R. 3777: Mr. TURNER of Texas.

H.R. 3795: Mr. RUPPERSBERGER, Mr. MILLER of Florida, Mr. ANDREWS, and Mr. BURNS.

H.R. 3798: Mr. ETHERIDGE, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. INSLEE, and Ms. DELAURO.

H.R. 3800: Mr. MORAN of Kansas, Mr. ENGLISH, Mr. REHBERG, and Mr. HAYWORTH.

H.R. 3803: Mr. BERMAN and Mr. OWENS.

H.R. 3880: Mr. LYNCH, Mr. SIMMONS, and Mr. RANGEL.

H.R. 3881: Ms. SOLIS, Mr. CUMMINGS, Mr. ROSS, Mr. SANDERS, and Mr. HOLT.

H.R. 3901: Mr. GOODLATTE and Mr. SESSIONS.

H.R. 3950: Ms. GINNY BROWN-WAITE of Florida.

H.R. 3960: Mr. BELL, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, and Mr. OWENS.

H.R. 3968: Mr. SANDERS.

H.R. 3980: Mr. LAMPSON, Mr. STENHOLM, Mr. MARIO DIAZ-BALART of Florida, Mr. GORDON,

Mr. HONDA, Mr. SMITH of Texas, Mr. BOEHLERT, Mr. CASE, Mr. ACEVEDO-VILA, Mr. JOHN, Mr. MCINTYRE, Ms. JACKSON-LEE of Texas, Mr. BLUMENAUER, Mr. HILL, Mr. GOODE, Mr. COOPER, Mr. BURGESS, Ms. HART, Mr. COLE, Mr. SESSIONS, Ms. GRANGER, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, and Mr. PEARCE.

H.R. 3990: Mr. KLECZKA.

H.R. 4023: Mr. JEFFERSON, Mr. HINOJOSA, Mr. GONZALEZ, Mr. BRADLEY of New Hampshire, Mr. McNULTY, Mr. GRIJALVA, Mr. ROSS, and Mr. TURNER of Texas.

H.R. 4057: Mr. BURR.

H.R. 4061: Mr. BRADY of Pennsylvania.

H.R. 4076: Mr. DINGELL, Mrs. CAPPS, Mr. FILNER, Ms. LEE, Mr. McDERMOTT, Mr. SANDERS, and Mr. GRIJALVA.

H.R. 4082: Mr. HOLT and Mr. McDERMOTT.

H.R. 4095: Ms. LOFGREN, Mr. PAYNE, and Mr. OWENS.

H.R. 4101: Ms. ESHOO.

H.R. 4109: Mr. SIMMONS, Mr. ISSA, Mr. REYNOLDS, Mr. FOLEY, Mr. GIBBONS, Mrs. WILSON of New Mexico, and Mr. BURTON of Indiana.

H.R. 4116: Mr. WALSH, Mr. KING of New York, Mr. LATOURETTE, Mr. MCINTYRE, Mr. PORTER, Mr. BARRETT of South Carolina, Mr. PUTNAM, Mrs. JOHNSON of Connecticut, Mr. OSE, Mr. SULLIVAN, Ms. HART, Mr. CARTER,

Mr. MURPHY, Mr. BONNER, Mr. AKIN, Mr. PENCE, Mr. PEARCE, Mr. COLE, Mr. KLINE, Mr. BOEHNER, Mr. ROGERS of Michigan, Mr. SHUSTER, Mr. FORBES, Mr. FRANKS of Arizona,

Mrs. MYRICK, Mr. KNOLLENBERG, Mr. WELLER, Mr. ROHRBACHER, Mr. CALVERT, Mr. LEWIS of California, Mr. WILSON of South Carolina, Mr. MARIO DIAZ-BALART of Florida,

Mrs. WILSON of New Mexico, Mr. EHLERS, Mr. HEFLEY, Mr. DEAL of Georgia, Mrs. BIGGERT, Mr. FARR, Mr. NEY, Mr. PETRI, Mr. MORAN of Virginia, Mr. PETERSON of Minnesota, Mr. HAYWORTH, Mr. DOOLITTLE, Mr. HERGER, Mr. BARTLETT of Maryland, Mr. SMITH of Michigan, Mr. UPTON, Mr. BASS, Mr. TIBERI, Mr. BURNS, and Mr. ISSA.

H.R. 4149: Ms. HART and Mr. VAN HOLLEN.

H.J. Res. 45: Mrs. TAUSCHER.

H.J. Res. 48: Mr. CALVERT.

H.J. Res. 83: Mr. FROST.

H. Con. Res. 285: Mr. BRADLEY of New Hampshire.

H. Con. Res. 366: Mr. ETHERIDGE, Mr. RODRIGUEZ, Mr. EMANUEL, Mr. LARSEN of Washington, and Mr. BERMAN.

H. Con. Res. 378: Mr. UDALL of Colorado, Mr. HONDA, Mr. OWENS, Ms. WATSON, Mr. KUCINICH, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. GORDON, Mr. LAMPSON, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. DOGGETT, Mr. JOHNSON of Illinois, Mr. RAHALL, Mr. UDALL of New Mexico, Mr. HOEKSTRA, Mr. HINCHEY, Mr. BURNS, and Ms. MCCOLLUM.

H. Con. Res. 396: Mr. KUCINICH and Ms. NORTON.

H. Con. Res. 399: Mr. MEEHAN, Mr. GRIJALVA, Mr. PAYNE, Mr. McNULTY, Mr. EVANS, and Mr. GALLEGLY.

H. Con. Res. 403: Mr. ADERHOLT, Mr. TANCREDO, Mr. PAYNE, Mr. RANGEL, Mr. MCGOVERN, Mrs. CAPPS, Mr. SNYDER, Mr. ABERCROMBIE, Mr. FILNER, Mr. DEFazio, Mr. SMITH of New Jersey, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ALLEN, Mr. BACHUS, Mr. GREEN of Wisconsin, Mrs. TAUSCHER, Ms. ROYBAL-ALLARD, Mr. SHIMKUS, Mr. ROYCE, Mr. PITTS, Ms. SCHAKOWSKY, Mr. NEUGEBAUER, Mr. AKIN, Mr. KIRK, Ms. WOOLSEY, and Mr. ENGLISH.

H. Con. Res. 406: Ms. HARRIS.

H. Res. 307: Mr. McNULTY.

H. Res. 419: Mr. FRANK of Massachusetts.

H. Res. 466: Mr. TOWNS, Mr. BERMAN, and Mr. PASCRELL.

H. Res. 528: Mr. MANZULLO, Mr. DAVIS of Illinois, and Mr. MENENDEZ.

H. Res. 550: Mr. NEAL of Massachusetts, Mr. WAMP, Mr. SIMMONS, Mrs. TAUSCHER, and Mr. HEFLEY.

H. Res. 567: Mr. BOUCHER, Mr. STARK, Mr. BISHOP of New York, Mr. BELL, Mr. GONZALEZ, Mr. BARRETT of South Carolina, Mr. SOUDER, Mr. PETRI, Mr. BRADLEY of New Hampshire, Mr. PICKERING, Mr. BACHUS, Mr. BARTLETT of Maryland, Ms. BALDWIN, Mr. KLECZKA, Mr. DUNCAN, Mr. WALDEN of Oregon, Mr. TANNER, Mr. WOLF, Mr. TIBERI, Mr. HULSHOF, Mr. SMITH of Washington, Mr. KENNEDY of Rhode Island, Mr. TURNER of Texas, Mr. ISAKSON, Ms. MCCARTHY of Missouri, Mr. LEACH, Mr. BOYD, Mr. BASS, Mrs. MUSGRAVE, Mr. FILNER, Mr. BERRY, and Mr. CULBERSON.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 4090: Mr. ENGLISH.

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#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

77. The SPEAKER presented a petition of Amon Re, a Citizen of Albuquerque, New Mexico, relative to a letter and complaint di-

rected to the United States federal government and its Congress; to the Committee on the Judiciary.

78. Also, a petition of Gregory T. Howard, a Citizen of Toledo, Ohio, relative to a letter discussing a legal matter; to the Committee on the Judiciary.

79. Also, a petition of Deputy Secretary, Department of Natural Resources, State of Louisiana, relative to the 2003 Evaluation Report to the U.S. Congress on the Effectiveness of Coastal Wetlands Planning, Protection and Restoration Act Projects on behalf of the Louisiana Coastal Wetlands Conservation and Restoration Task Force; jointly to the Committees on Resources and Transportation and Infrastructure.