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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 28, 2001.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Ed Schreiber, Brookhaven Cumberland Presbyterian Church, Nashville, Tennessee, offered the following prayer:

Almighty God, Father of all, from the House of Representatives of the Congress of the United States of America, we offer this prayer of praise and thanks; also our intercessory prayer for our leaders in education, religion, government, and industry throughout the world.

We implore Thy blessings upon our President, a true statesman, George W. Bush, his family, and members of his administration. Likewise, Heavenly Father, bestow Thy abundant blessings on the Members of the 107th Congress.

We ask Your divine blessing on our children, our greatest treasure, and our older people. In a broken and fearful world, give us courage to pray and to act with integrity for the well-being of all Thy creation. 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 Indiana (Mr. PENCE) come forward and lead the House in the Pledge of Allegiance.

Mr. PENCE 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

REVEREND ED SCHREIBER

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

Mr. WOLF. Mr. Speaker, I am pleased to welcome Reverend Ed Schreiber and thank him for delivering our opening prayer this morning. At 96 years of age, Pastor Schreiber recently became the oldest person ever to graduate from Memphis Theological Seminary.

Although Reverend Schreiber is not from my congressional district, I read about him in the Winchester Star, a newspaper from my district, and I was extremely impressed by his courage and determination of this man to seek a seminary degree in his 90s.

Reverend Schreiber spent his childhood in Augusta, Georgia, and his adult life in Nashville where he worked as a schoolteacher and as municipal planner. After more than 20 years into his retirement and after a painful death of his wife in 1991, Reverend Schreiber felt called to pursue a seminary degree.

He began his studies at the age of 92 and did not let much of anything slow him down. The Reverend was ordained as a pastor in the Cumberland Presbyterian denomination last June. He is also the chaplain of the Prime Timers, an active senior citizen group based out of his own church, Brookhaven Cumberland Presbyterian Church.

He attributes love for living, friends, a sense of purpose, a sense of humor, faith in God for his continuing energy. He believes that now, at his age of 96, at 96, he is being called to be a more credible witness for God. His tenacity and heeding to a calling is, quite frankly, I think, an inspiration to us all.

I welcome him to the Chamber today.

TRIBUTE TO SERGEANT WILLIAM WARD

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

Mr. PENCE. Mr. Speaker, I rise today to pay tribute to a Hoosier hero who may have been overlooked in all of the media coverage about last week's capture of two fugitive teenagers suspected of murdering a family in New Hampshire.

I take this opportunity because doing excellent police work happens when no one is looking. ''Sheriff Avoids Tragedy'' is seldom a headline and ''Captured Without Incident'' does not have the same made-for-TV angle that most producers look for, but it is exactly the kind of admirable police work that characterizes Henry County Sheriff Sergeant William Ward.

Sergeant Ward was monitoring the citizens band radio and overheard a trucker on Interstate 70 trying to find a ride for two teenaged boys headed for California. Ward knew about the national search underway from two accused killers of New England.

Using judgment honed by more than 22 years of service, Sergeant Ward

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showed just how Indiana and our county are served by these tremendous work-a-day heroes.

Sergeant Ward and his wife, Candy, together have four children, Sara, Paul, Thad, and Matthew. I know that his family and all of us in East Central Indiana are proud of his excellent service record. Today, we pause to call special attention to his actions last week. This is important because it is one small part of a career of excellent service.

BUDGET PRIORITIES

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

Mr. FROST. Mr. Speaker, as President Bush said last night, ''We will be judged not by what we say or how we say it, but by what we are able to accomplish.''

But despite the President's best assumptions and intentions, here is what his tax plan would actually accomplish: raiding the Medicare Trust Fund, shortchanging education, defense and prescription drugs, and leaving America still with a trillion dollar debt. That is like squandering your kids' college savings on a personal vacation. It is not responsible, and it is just plain wrong.

The truth is, beneath President Bush's skilled sales pitch, his fuzzy math, that just does not add up. His tax plan is not fiscally responsible and shortchanges middle-class working families.

Democrats are committed to an honest, fair and fiscally responsible budget that includes all of America's priorities, from education and defense to health care and tax relief for all taxpayers.

The sooner the Republicans abandon their budgetary smoke and mirrors and join us, the sooner we can get to work on the accomplishments President Bush promised.

BUDGET SURPLUS BELONGS TO THE PEOPLE

(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, last night President Bush told the American people they deserve tax relief. And he is right. He said ''the growing surplus exists because taxes are too high and government is charging more than it needs. The American people have been overcharged and, on their behalf, I am here to ask for a refund.''

Well, I am on the President's side. We are not talking about a little surplus. We are talking about enough money to pay down the debt; enough money to bolster and save Social Security; enough money to preserve Medicare; enough money to pay off every dime of public debt that will become liquid over the next 10 years; enough money to strengthen our military; enough money to keep $1 trillion set aside for needed spending. And we still have $1.6 trillion left over.

How can anyone think we do not have enough for this tax cut? The surplus belongs to the people, not to us.

After we have done the work we are elected to do, it is our duty to refund the rest back to the taxpayers who have overpaid. It is not the government's money.

THE IRS CAN NOW RAID CHURCHES

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

Mr. TRAFICANT. Mr. Speaker, imagine a raid by 150 policemen. Was it a mob bust in Russia? No.

Was it a drug warehouse in China? No.

It was a church in Indianapolis. That is right. The Internal Revenue Service raided a Baptist Church seizing the pastor, and, in fact, removing the pastor by force. Unbelievable.

Now, everyone knows there is two sides to every story. Think about it. In America, you cannot pray in school, but now, the IRS can raid churches. Beam me up. America is going to hell in a hand basket. I yield back the Gestapo attitude that just keeps growing in our Federal Government.

PRESIDENT SETS MISSION TO RETURN POWER OF GOVERNMENT BACK TO THE PEOPLE

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, it is clear that the President of the United States has set out on a mission to return the power of government back to the people.

Mr. Bush effectively made the case that was sound fiscal discipline. The Federal surplus provides us with the opportunity to strengthen Social Security, revitalize our armed forces and continue to pay down the debt while returning some of the money back to those who earned it, the American people.

By providing tax relief for all Americans, the President's plan takes the extra money out of Washington, where it otherwise will be certainly spent on programs designed to enlarge Federal Government programs.

President Bush recognizes that after the bills are paid, the left-over funds belong to the American taxpayers. Rejecting a plan to use a portion of the surplus for tax relief is the equivalent of paying for a gallon of milk at the grocery store with a $10 bill and having the cashier refuse to give you back the change. It is wrong.

I feel that the President's plan puts America on the right track towards fiscal discipline as well as providing the American family with much-needed tax relief.

LOOKING CLOSELY AND CONSTRUCTIVELY AT THE PRESIDENT'S PROPOSALS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I applaud President Bush for setting a positive tone for the country and for trying to find areas of agreement where we can make progress. I am going to be looking closely and constructively at his proposals in education, prescription drugs and Social Security.

While I agree with many of the priorities the President outlined, I am very concerned about his overall budget. It risks the fiscal discipline that has been important to our strong economy, and it fails to make the investments that our families need.

The President's tax plan would weaken our economy, and it fails to provide fair and significant tax cuts for those who need it the most.

Instead of cutting taxes for working and for middle-class families, the President's budget gives 43 percent of the benefit of his tax cut to just the top 1 percent of wage earners. If we act responsibly, we can have a significant tax cut for all Americans and still meet the Nation's other pressing needs such as education, Social Security, a Medicare prescription drug benefit, and national defense. The President's tax cut, however, makes meeting these needs impossible.

We should be able to come together on a fiscally responsible budget that meets the needs of all Americans. While the President's plan does not meet this goal, I look forward to receiving his full budget and working together to do what is right for our country.

IT IS TIME FOR THE REST OF THE STORY FROM THE PRESIDENT

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

Mr. ALLEN. Mr. Speaker, after President Bush's speech last night, it is time, as Paul Harvey would say, for the rest of the story.

To those who have prospered the most in the last 10 years, who earn over $300,000 a year, President Bush gives almost $1 trillion of public money. But to those seniors who are desperate for a Medicare prescription drug benefit, the President says, in effect, forget it. He proposes to give subsidies to HMOs and insurance companies in the hopes that they will offer seniors private insurance.

To those parents, teachers, and educators who want full funding of special education, the President said, in effect, forget it.

To those who built Medicare and Social Security, brick by brick over 65 years, President Bush said, in effect, tear down these buildings.

He wants to turn Medicare over to insurance companies, and he wants to privatize Social Security. That is the rest of the story; and unfortunately, it is not pretty.

A BLUEPRINT FOR NEW BEGINNINGS, A RESPONSIBLE BUDGET FOR AMERICA'S PRIORITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–45)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

With a great sense of purpose, I present to the Congress my budget. It offers more than a plan for funding the Government for the next year; it offers a new vision for governing the Nation for a new generation.

For too long, politics in Washington has been divided between those who wanted big Government without regard to cost and those who wanted small Government without regard to need. Too often the result has been too few needs met at too high a cost. This budget offers a new approach—a different approach for an era that expects a Federal Government that is both active to promote opportunity and limited to preserve freedom.

Our new approach is compassionate:

It will revitalize our public schools by testing for achievement, rewarding schools that succeed, and giving more flexibility to parents of children in schools that persistently fail.

It will reinvigorate our civil society by putting Government on the side of faith-based and other local initiatives that work—that actually help Americans escape drugs, lives of crime, poverty, and despair.

It will meet our Nation's commitments to seniors. We will strengthen Social Security, modernize Medicare, and provide prescription drugs to low-income seniors.

This new approach is also responsible:

It will retire nearly $1 trillion in debt over the next four years. This will be the largest debt reduction ever achieved by any nation at any time. It achieves the maximum amount of debt reduction possible without payment of wasteful premiums. It will reduce the indebtedness of the United States, relative to our national income, to the lowest level since early in the 20th Century and to the lowest level of any of the largest industrial economies.

It will provide reasonable spending increases to meet needs while slowing the recent explosive growth that could threaten future prosperity. It moderates the growth of discretionary spending from the recent trend of more than six percent to four percent, while allowing Medicare and Social Security to grow to meet the Nation's commitments to its retirees.

It will deliver tax relief to everyone who pays income taxes, giving the most dramatic reductions to the least affluent taxpayers. It will also give our economy a timely second wind and reduce the tax burden—now at the highest level as a percentage of Gross Domestic Product since World War II.

Finally, this new approach begins to confront great challenges from which Government has too long flinched. Social Security as it now exists will provide future beneficiaries with the equivalent of a dismal two percent real rate of return on their investment, yet the system is headed for insolvency. Our new approach honors our commitment to Social Security by reserving every dollar of the Social Security payroll tax for Social Security, strengthening the system by making further necessary reform feasible.

Medicare as it exists does not adequately care for our seniors in many ways, including the lack of prescription drug coverage. Yet Medicare spending already exceeds Medicare taxes and premiums by $66 billion this year, and Medicare will spend $900 billion more than it takes in over the next 10 years. Reform is urgently needed. Our new approach will safeguard Medicare by ensuring that the resources for reform will be available.

New threats to our national security are proliferating. They demand a rethinking of our defense priorities, our force structure, and our military technology. This new approach begins the work of restoring our military, putting investments in our people first to recognize their importance to the military of the future.

It is not hard to see the difficulties that may lie ahead if we fail to act promptly. The economic outlook is uncertain. Unemployment is rising, and consumer confidence is falling. Excessive taxation is corroding our prosperity. Government spending has risen too quickly, while essential reforms, especially for our schools, have been neglected. And we have little time before the demographic challenge of Social Security and Medicare becomes a crisis.

We cannot afford to delay action to meet these challenges. And we will not. It will demand political courage to face these problems now, but I am convinced that we are prepared to work together to begin a new era of shared purposes and common principles. This budget begins the work of refining those purposes and those principles into policy—a compassionate, responsible, and courageous policy worthy of a compassionate, responsible, and courageous Nation.

GEORGE W. BUSH.
February 28, 2001.

□ 1015

PERMISSION FOR SPEAKER TO ENTERTAIN A MOTION TO SUSPEND RULES ON WEDNESDAY, FEBRUARY 28, 2001

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to entertain a motion to suspend the rules relating to House Resolution 54, today, Wednesday, February 28, 2001.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion 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 after debate has concluded on remaining motions.

FAMILY FARMER BANKRUPTCY RELIEF EXTENSION

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 256) to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Clerk read as follows:

H.R. 256

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

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105–277, as amended by Public Law 106–5 and Public Law 106–70, is amended—

(1) by striking ''July 1, 2000'' each place it appears and inserting ''June 1, 2001''; and

(2) in subsection (a)—

(A) by striking ''September 30, 1999'' and inserting ''June 30, 2000''; and

(B) by striking ''October 1, 1999'' and inserting ''July 1, 2000''.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on July 1, 2000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Wisconsin (Ms. Baldwin) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. SENSENBRENNER. Mr. Speaker, I will include in the RECORD the Congressional Budget Office's cost estimate of H.R. 256.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks on H.R. 256.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 256. Chapter 12 is a form of bankruptcy relief only available to family farmers enacted on a temporary basis to respond to the particularized needs of farmers in financial distress. As a part of the Bankruptcy Judges, United States Trustees and Family Farmer Bankruptcy Act of 1986, chapter 12 has been extended several times since 1986 until it lapsed on July 1 of last year.

Absent chapter 12, farmers are forced to file for bankruptcy relief under the Bankruptcy Code's other alternatives. None of these forms of bankruptcy relief, however, work quite as well for farmers as chapter 12. Chapter 11, for example, will require a farmer to sell the family farm to pay the claims of creditors. With respect to chapter 13, many farmers would simply be ineligible to file under that form of bankruptcy relief because of its debt limits. Chapter 11 is an expensive process that does not accommodate the special needs of farmers.

In the last Congress, the House on two occasions passed legislation that would have extended chapter 12. Unfortunately, the other body did not act on these bills and chapter 12 expired on July 1, 2000 as a result. By virtue of H.R. 256, chapter 12 will be reenacted retroactive to July 1, 2000 and extended for 11 months to June 1 of this year. I must note, however, that H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001, a bill that will be considered on the floor tomorrow, will make chapter 12 a permanent fixture of the Bankruptcy Code for family farmers. I urge my colleagues to vote for H.R. 256.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 26, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 256, a bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lanette J. Walker, who can be reached at 226–2860.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 256—A bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted

H.R. 256 would extend chapter 12 of title 11 of the U.S. Code until June 1, 2001. Chapter 12, which was created by the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99–554), specifies bankruptcy procedures available only to family farmers with regular annual income and is intended to facilitate an efficient and expeditious bankruptcy process. The authorization for such bankruptcy proceedings expired July 1, 2000.

CBO estimates that enacting H.R. 256 would have no significant budgetary impact. It would result in a small loss of offsetting collections to the U.S. Trustee System Fund, thus causing an insignificant increase in net outlays from this fund in 2001. In addition, CBO estimates that enacting H.R. 256 would result in a negligible loss of offsetting receipts and revenues in 2001. Because H.R. 256 would affect direct spending and governmental receipts pay-as-you-go procedures would apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Based on information from the Executive Office of the United States Trustees, CBO expects that, without the temporary extension of chapter 12, family farmers filing for bankruptcy would split their filings about evenly between chapter 11 and chapter 13. Chapter 12 has a $200 filing fee and does not require the bankrupt party to pay quarterly fees to the government. Chapter 11, in contrast, requires an $800 filing fee as well as quarterly filing fees. (On average, $1,000 is collected per case.) Chapter 13 requires only a $130 filing fee.

Bankruptcy fees are recorded in three different places in the budget. Portions of the fees are recorded as governmental receipts (revenues), as offsetting collections to the appropriation for the U.S. Trustee System Fund, and as offsettting receipts to the Administrative Office of the United States Courts (AOUSC). The percentage of the fees allocated among these accounts varies by chapter. Because only 300 to 400 bankruptcy cases are likely to be affected by the bill, it would have only a small effect on the amount of fees collected in 2001.

The CBO staff contact for this estimate is Lanette J. Walker, who can be reached at 226–2860. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

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

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

Mr. Speaker, the bipartisan legislation before us, H.R. 256, which I am sponsoring with the gentleman from Michigan (Mr. SMITH) would restore needed bankruptcy protection for family farmers.

Last June the authorization for chapter 12 of the Bankruptcy Code expired. Since that time, family farmers who must turn to the Bankruptcy Code have faced almost certain liquidation of their assets and an end to their family farms and their way of life.

Our legislation, H.R. 256, would restore chapter 12 to the Bankruptcy Code through May 31, 2001. The bankruptcy reform bill which is scheduled for floor action tomorrow, that is H.R. 333, includes a permanent reauthorization of chapter 12.

But since the current authorization has expired, farmers need immediate relief. With planting season just about to begin, farmers need to know that they can reorganize and keep their farms. With milk at lowest prices in decades, far below the break-even point, dairy farmers need to know that they have this option, too.

Our bill would provide security for family farmers in crisis; the security that they need to decide whether they can stay in business during these incredibly difficult times.

I urge my colleagues to support this bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. SMITH), the author of the bill.

Mr. SMITH of Michigan. Mr. Speaker, I thank the chairman for yielding me this time. I thank the gentlewoman from Wisconsin (Ms. BALDWIN) for joining with me in introducing this bill. I thank the chairman especially for expediting the bill, bringing it to the floor, along with the full bankruptcy bill tomorrow.

This is so very important. The first thing I would urge is for the United States Senate to try to immediately move this bill into effect.

Let me tell my colleagues the predicament. Since last July, farmers have not had the availability of chapter 12 which was originally designed and specifically written to accommodate their needs in a bankruptcy situation. We are now facing an environment in United States agriculture where commodity prices are at record lows. Many farmers that had become highly leveraged are now facing bankruptcy or the potential for bankruptcy.

Chapter 11 and chapter 13 do not accommodate the needs of a family farmer. In too many cases they simply have to sell out their equipment or other property. To tell a farmer to reorganize, but at the same time urging, insisting that that farmer sell their means of production, their livelihood, the way they can work themselves out of debt means often that those farmers are put out of business.

Congress I think has long recognized, Mr. Speaker, that farmers face special circumstances in bankruptcy not faced by other debtors. Congress provided special provisions for farmers in section 75 of the Bankruptcy Act in 1933. And certainly when Congress held hearings to determine whether the Bankruptcy Code adequately provided for family farmers, Congress concluded that it did not.

The enactment of chapter 12 removed many barriers that family farmers face when filing for a bankruptcy. For example, it is more streamlined and less complex and expensive than chapter 11 which is more suitable for large corporations.

A farmer, a dairy farmer, in fact, in Wisconsin has a herd of 65 cows and 60 heifers and is facing low commodity prices, depressed milk prices. He has part of his operation in a corporation designed to pass the farm on to his

kids, and; therefore, he cannot even use chapter 13. Being forced to use chapter 11 may very well put that farmer out of business because chapter 12 is not available.

Another dairy farmer that I am aware of struggles to make a go of it with a 100 head herd which, Mr. Speaker, was about the size of my own herd right before I decided to get out of the dairy business and come into Congress. Because this particular farmer has more debt relative to assets than a lender will tolerate, he needs to restructure. Under chapter 12, he could rewrite his notes. If chapter 12 is not there, again, this farmer may very well be forced to sell his property and go out of business.

The enactment of chapter 12 has, according to testimony cited by the commission, reduced family farm failures. The commission concluded, and I would quote here, ''The test of time has revealed that chapter 12 generally provides financially distressed family farmers with an effective framework within which to reorganize their operations and restructure their debts.''

Now, although this provision was originally created as a temporary one, the commission recommended the Congress made it permanent. That is what our Committee on the Judiciary did in the full bankruptcy bill.

I urge my colleagues to move this forward, to move it to the Senate. I would urge that the Senate immediately consider the importance of this. Farmers have been without this provision since last July. This legislation simply extends it 3 months until June, a temporary extension which is so important.

Bankruptcy courts and bankruptcy judges are trying to hold in abeyance some of those farmers cases that need chapter 12 to survive. I hope we can move ahead quickly. I thank, again, the Committee on the Judiciary for moving this bill so quickly.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 256, which extends chapter 12 bankruptcy for family farms and ranches until June 1, 2001. In fact, this legislation makes chapter 12 retroactively effective as of July 1, 2000, which is the previous expiration date. This legislation is very important to the nation's agriculture sector. It should have been enacted last year.

First, this Member would thank the distinguished gentleman from Michigan (Mr. SMITH) for introducing this legislation (H.R. 256). This Member would also like to express his appreciation to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Judiciary Committee, for his efforts in getting this measure to the House floor for consideration.

This Member supports this extension of chapter 12 bankruptcy since it allows family farmers to reorganize their debts as compared to liquidating their assets. Using the chapter 12 bankruptcy provision has been an important and necessary option for family farmers throughout the Nation. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer.

If chapter 12 bankruptcy provisions are not extended for family farmers, it will be another very painful blow to an agricultural sector already reeling from low-commodity prices. Not only will many family farmers have no viable option but to end their operations, it will also cause land values to likely plunge. Such a decrease in value of farmland will affect the ability of family farmers to earn a living. In addition, it will impact the manner in which banks conduct their agricultural lending activities. Furthermore, this Member has received many contacts from his constituents supporting the extension of chapter 12 bankruptcy because of the situation now being faced by our Nation's farm families—it is clear that the agricultural sector is hurting.

In closing, for these aforementioned reasons and many others, this Member urges his colleagues to support H.R. 256.

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of this bill to extend for 11 months chapter 12 bankruptcy for America's small farmers. I also want to thank the Chairman, Mr. SENSENBRENNER, and the ranking member, Mr. CONYERS, of the House Judiciary Committee for moving so expeditiously in passing H.R. 256 out of committee and bringing it here to the floor today.

Chapter 12 of the bankruptcy code allows farmers the option to reorganize debt over 3 to 5 years rather than having to liquidate their assets when they declare bankruptcy. It also encourages responsible efforts by farmers facing bankruptcy by requiring them to designate income not needed for farm operations or family costs to pay off their debt. As these payments are made, chapter 12 prevents foreclosure on the family farm.

And we are talking about family farms here. To qualify for bankruptcy protection, these farmers will have to have at least 50 percent of their gross annual income coming from farming, no less than 80 percent of debts resulting in farm operations, and total debts not more than $1.5 million.

It saddens me that this legislation is necessary in order to save family farms around the nation. But while most Americans have been enjoying the benefits of an unprecedented prosperous economy, family farmers have suffered from prolonged, depressed commodity prices. And most recently, farmers are confronting rising input costs for energy and fertilizer.

We are taking action today to make sure that small farmers can stay on their land and work through these hard times. With signs pointing to a possible slowdown in the American economy as a whole, I believe we should permanently extend the chapter 12 farmer bankruptcy provision. Small farmers should have one less worry every morning when they get up to harvest America's bounty that each of us enjoys every day.

I am pleased to cosponsor this legislation that we will be passing today and thank the bill's managers for their efforts to see it enacted into law. I strongly support this legislation on behalf of the hardworking, God-fearing farmers of North Carolina's Second District and across America.

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

Mr. SENSENBRENNER. 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 Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 256.

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. SENSENBRENNER. 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.

□ 1030

EDWARD N. CAHN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 558) to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse.''

The Clerk read as follows:

H.R. 558

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 and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, shall be known and designated as the ''Edward N. Cahn Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Edward N. Cahn Federal Building and United States Courthouse''.

The SPEAKER pro tempore (Mr. MILLER of Florida). 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, this is an exciting day for this subcommittee and the full committee. I think this Congress already has passed 10 pieces of legislation and this will be the second and third piece of legislation that has come out of this hard-working subcommittee and the full Committee on Transportation and Infrastructure, headed by the gentleman from Alaska (Mr. YOUNG) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR).

I also, on a personal note, am excited about the opportunity that presents itself in this Congress to work with the gentleman from Illinois (Mr.

COSTELLO). Unlike some matters we may take up in the 107th Congress, the work of this subcommittee will be bipartisan, nonpartisan, and will help with the business of building America.

Mr. Speaker, H.R. 558 designates the Federal building and United States courthouse in Allentown, Pennsylvania, as the Edward N. Cahn Federal building and United States courthouse. Judge Cahn was born and raised in Allentown, Pennsylvania, and graduated from Allentown, High School. He went on to attend Lehigh University, graduating magna cum laude in 1955. In addition to winning a high school basketball championship with Allentown High, Judge Cahn was the first Lehigh University basketball player to score 1,000 points during his collegiate career.

After graduating from Yale Law School, Judge Cahn returned to the Lehigh Valley. He served in the United States Marine Corps Reserves until 1964 and in the private practice of law until 1974. In 1975, President Ford appointed Edward Cahn to Pennsylvania's Eastern District Federal Court; and for 23 years Judge Cahn fairly and expeditiously administered the law from the Federal bench in Allentown, Pennsylvania. He is the only judge in the third circuit to work out of the Allentown courthouse. In 1993, Judge Cahn was appointed the court's chief judge until his retirement in December of 1998.

This is a fitting honor to an exceptional jurist and a local Lehigh Valley hero. I support this bill and encourage my colleagues to do so as well.

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

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

First, let me thank the chairman of the subcommittee. I look forward to working with him in this session of Congress, not only on these bills but on economic development efforts that the subcommittee will undertake in this session.

Mr. Speaker, H.R. 558 is a bill to designate the Federal building and United States courthouse in Allentown, Pennsylvania, as the Edward N. Cahn Federal building and United States courthouse.

Judge Cahn has served the citizens of Allentown, Pennsylvania, and Lehigh County for 4 decades. He is a native of Allentown and attended Lehigh University graduating magna cum laude in 1955.

After graduating from Yale in 1958, Judge Cahn was admitted to the Lehigh County court in 1959. In 1975, President Ford nominated him for the Federal bench in Pennsylvania's Eastern District Court. Judge Cahn worked from the bench for the next 24 years in Allentown.

Throughout his long distinguished legal career, Judge Cahn was known for his attention to detail and his fairness. He has been a mentor to others, impressing on other lawyers that all cases are important and deserving of attention.

It is very fitting that we acknowledge the outstanding contributions of Judge Cahn by designating the courthouse in Allentown, Pennsylvania, in his honor.

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

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Allentown, Pennsylvania (Mr. TOOMEY).

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

Mr. TOOMEY. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

I rise today, Mr. Speaker, to urge my colleagues to pass H.R. 558, a bill that I introduced to name Allentown's Federal courthouse for retired judge Edward M. Cahn.

As we have heard, Judge Cahn is a native of Pennsylvania's Lehigh Valley, and he has really honored our community over many years with his distinguished service as a judge in the district court of eastern Pennsylvania. In fact, if it were not for Judge Cahn's substantial efforts and commitment, Allentown might not even have this courthouse, which we badly needed and which now serves a very important purpose. It is only fitting this courthouse would bear his name.

The outpouring of community support to name Allentown's courthouse after Judge Cahn has been overwhelming and bipartisan. I have been approached by judges, prosecutors, public defenders, private attorneys, and many others asking that Judge Cahn be honored in this way. His childhood friend and former colleague, Judge Arnold Rappoport, once said, ''Whether it is being captain of the basketball team in Lehigh University or being in the Marines, he has a pioneering will to achieve. The energy and drive never changed for Judge Cahn.''

As we have heard, he is a graduate of Lehigh University in the Lehigh Valley, a graduate of Yale Law School, and Judge Cahn practiced law in Allentown for 16 years before President Ford appointed him to the District Court. Judge Cahn then served on the Federal bench for 23 years, including 5 years as chief judge. As a jurist and public servant, he practiced fairness and equality under the law.

Judge Cahn is widely credited with helping the Lehigh Valley of Pennsylvania garner the respect and recognition it deserves within the Federal legal community. One of Judge Cahn's former law partners, John Roberts, said of Judge Cahn's retirement that ''the Federal bench has lost a star.'' And although he is recently retired, Judge Cahn is already missed on the Federal bench. Perhaps naming the courthouse after him will serve as an enduring reminder of the contribution he has made to the administration of justice in Pennsylvania.

I would like to take a moment to extend some special thanks to some people who have helped: my colleague, the gentleman from Pennsylvania (Mr. HOLDEN) for his efforts in helping to pass this bill. I would also like to thank the members of the Pennsylvania delegation who agreed to cosponsor this legislation and honor someone who has done so much for Pennsylvania.

I would like to thank my colleagues, the gentleman from Ohio (Mr. LATOURETTE), chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management; the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure, as well as the ranking members, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Minnesota (Mr. OBERSTAR).

I would also like to thank briefly the gentleman from Texas, the majority leader, for helping to bring this legislation to the floor so expeditiously; and I want to urge my colleagues to pass H.R. 558 and bestow this well-deserved honor on Allentown's courthouse and the man who made it possible.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. HOLDEN), a member of the full Committee on Transportation and Infrastructure.

Mr. HOLDEN. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong support of this legislation.

The gentlemen from Ohio and Illinois and my neighbor from Pennsylvania have already elaborated in great detail about the distinguished career that lasted 23 years for Judge Cahn on the Federal bench. He certainly did serve with distinction not only the Lehigh Valley but all of the Eastern District of Pennsylvania and, really, the Commonwealth of Pennsylvania during that tenure.

I would just like to add for the record that during part of Judge Cahn's tenure on the bench, I served as sheriff of Schuylkill County for 7 years, and I had the great pleasure of being in his courtroom on several different occasions and had my deputies in his courtroom on many, many more occasions. I would just like to say that he was well respected. His reputation for being honest and sincere and hard working was beyond question.

I think it is all together fitting and proper we name this beautiful courthouse in Allentown after Judge Cahn for his outstanding service of 23 years. And maybe after that, I say to my friend from Lehigh Valley, we can get a judge in the Lehigh Valley and we can get one to the vacant courthouse in the city of Reading, as we fill these vacancies that are so desperately needed in the Eastern District of Pennsylvania.

But I think this is good legislation. Judge Cahn is certainly deserving of it. I urge all my colleagues to support it.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

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. 558.

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. LATOURETTE. 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.

JAMES C. CORMAN FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 621) to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the ''James C. Corman Federal Building.''

The Clerk read as follows:

H.R. 621

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 6230 Van Nuys Boulevard in Van Nuys, California, shall be known and designated as the ''James C. Corman 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 C. Corman 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, H.R. 621 designates the Federal building in Van Nuys, California, as the James C. Corman Federal building. Congressman Corman was born in Galena, Kansas, and was a graduate of Belmont High School. He earned his undergraduate degree from UCLA, his juris doctor from USC, and his LLD from the University of San Fernando Valley School of Law. He was appointed to the California bar in 1949.

Congressman Corman first served his country in the United States Marine Corps during the Second World War and later as a colonel in the Marine Corps Reserves. In 1957, Congressman Corman was elected to the Los Angeles City Council. He served on the council until being elected to the 87th Congress in 1960 and was reelected to the House of Representatives for 10 succeeding terms.

He served on the Committee on the Judiciary, where he was instrumental in fighting for the passage of the 1964 Civil Rights Act, and on the Committee on Ways and Means, where he was a leading advocate for the poor and the disadvantaged working on tax and welfare reform.

Congressman Corman was also proud to serve on President Johnson's National Advisory Commission on Civil Disorders to investigate the causes of multi-city rioting in 1967. As many of us are aware, former Congressman Corman passed away at the age of 80 last January.

I support this bill, and I encourage my colleagues to support it as well.

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

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

Mr. Speaker, I rise in strong support of H.R. 621, a bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the James C. Corman Federal building.

Congressman Jim Corman represented the 21st Congressional District in California for 20 years, from 1961 until 1981, the years which saw the Vietnam War, urban riots, Watergate, and the first manned flight to the Moon.

Jim Corman was born on October 20, 1920, in Galena, Kansas. In 1933, after his father died, he and his mother moved to the Los Angeles area.

During World War II, Congressman Corman served in the Marines. After the war, he worked his way through UCLA and USC Law School. He began his public career in 1957 when he was elected to serve on the Los Angeles City Council.

In 1961, he was elected to Congress and was named to the Committee on the Judiciary. In addition, he served on the House Committee on Ways and Means.

Congressman Corman was named by President Johnson as one of the 10 people named to the National Advisory Commission on Civil Disorders, formerly known as the Kerner Commission. During his tenure on the commission, he was optimistic about finding the causes and developing solutions for racism in America.

In 1968, he became President Johnson's point man on welfare reform. Having been close to poverty as he was growing up, Corman displayed a particular energy and devotion to solving welfare problems.

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During his 20 years of service, his concern for senior citizens and the poorest members of our society became his trademark and part of his legacy. Jim Corman saw the fruition of his efforts in the enactment of the Civil Rights Act of 1964, which he considered the greatest accomplishment of his political career. Jim was well liked, a hard worker, a first-rate legislator. It is fitting and proper to honor Congressman James Corman with this designation.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full committee.

Mr. OBERSTAR. Mr. Speaker, I thank our ranking member for yielding me this time and compliment the gentleman from Illinois on managing his first two bills as our new ranking member of the Subcommittee on Economic Development, Public Buildings and Emergency Management and our new chairman, the gentleman from Ohio, on his new and fitting chairmanship which I know he will discharge with great distinction as he has always done in all of his service in the Congress.

It is really with a full heart that I come to the floor with this legislation to name the Federal building for Jim Corman.

Congressman Corman was my friend and in a way a mentor on decency and civility and dignity from the time I began my service in the House as a member of the staff of my predecessor, John Blatnik, with whom Jim Corman was very close. And through work on the Democratic Study Group, through work on civil rights, especially the Civil Rights Act of 1964, which largely was shaped in the office of John Blatnik, who with the then Kennedy administration staffers and Justice Department, Jim Corman was a solid, unyielding, unbending voice for the strongest possible language and the most comprehensive framing of that legislation to address the wrongs of our society.

Jim Corman was born in poverty, raised without a father, whom he lost while Jim was still very young, his father also young, and resolved to overcome poverty and distress. He like so many of his generation served voluntarily in World War II as a member of the United States Marine Corps. He came out battle hardened, tough, but still filled with compassion for the greatest needs in society. He constantly referred to those memories while speaking on legislation considered in this Chamber known as the Great Society programs for which he was a passionate advocate. His service on what was popularly known as the Kerner Commission, the National Advisory Commission on Civil Disorders, was along with his advocacy of the Civil Rights Act of 1964 surely one of the highlights of his career. He embodied civility, decency, dignity of bearing, respect for the institution, appreciation for the traditions of the House and for the civility that is necessary in floor debate. He was the very model of decorum.

But it is also fitting that at this time we take up the naming of a public building and Federal building in his

memory that we do so at a time when election reform is at the forefront of everyone's agenda. Jim Corman, I think, had only one regret about public service, and that was that the election was called too early. Television reports from exit polls on the East Coast were flashed across the country to California. President Carter's own early concession caused people standing in line, waiting to vote, to turn around and leave. And Jim Corman always felt and I think studies later confirmed that those were largely votes that would have returned him to office.

As we designate this Federal building, let us also redouble our efforts at election reform to cure the ills of the past as Jim Corman worked so hard to cure the ills of racial divide and divisiveness in America, to restore dignity to the election process as he worked so hard to restore dignity to African Americans and to others who were neglected and left aside in the prosperity of our great country. I urge the adoption of this legislation.

To his devoted wife, Nancy, their two sons, Adam and Brian, I offer my profound sympathy as well as my congratulations on the designation of the James C. Corman Federal Building.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BERMAN), the sponsor of this legislation.

Mr. BERMAN. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the committee for so quickly allowing this legislation to be discharged and brought to the floor. I introduced this legislation to honor the memory of James C. Corman, our former colleague, who passed away last January. Jim dedicated a quarter of his life to this institution and he made his mark here in many ways, on issues great and small.

He was first elected to Congress in 1960, where he served on the committee on which I now serve, the Committee on the Judiciary, through 1968. I think for any young person just getting interested in government, public affairs and politics at that time, probably the hallmark piece of legislation that passed in those early 1960s was the famous Civil Rights Act of 1964. Jim as a second-term Member of this body by virtue of his deep and abiding commitment to equal justice and to civil rights and by virtue of his skill and talent as a legislator became one of the chief architects and the floor manager for title VII of that act, that portion of the Civil Rights Act of 1964 which prohibited discrimination based on race, creed, religion or gender in the employment practices of this country, private sector as well as public.

In fact, Jim's commitment to the work of the Committee on the Judiciary caused him to call me soon after I won election to a district which by virtue of the vagaries of reapportionment now has my district representing essentially every part of what Jim represented during those 20 years. He called me and urged me to seek membership on that committee because of the great constitutional and civil rights issues that were before the Committee on the Judiciary.

From 1968 to 1980, Jim moved from the Committee on the Judiciary to the Committee on Ways and Means, where he worked diligently on many important issues, taxes, trade, Social Security and welfare reform. It was particularly in the hard, nitty-gritty work, work with very little reward, in the area of welfare law and Social Security law that Jim developed a new second reputation for expertise and skill. Jim's abiding interest was to secure justice and a better life for the less fortunate in our society. He was certainly one of the most effective advocates this body has ever had for senior citizens and the poor.

He was always a courtly man, kind and considerate, and he left a legacy of integrity and honor and service to others rarely matched in public life today, or then. Politics was different in those days. Now you have the slick TV commercials and the specialized direct mail and so much of it is a tactician's and strategist's effort. Jim's politics was a very personal politics. He was not interested in the latest and fanciest political techniques. Perhaps that helped to create the conditions by which he finally lost that bitter election of 1980. But everywhere I have gone, and this is now 20 years since his service to the San Fernando Valley ended in this Congress, people always ask me, ''How is Jim doing?'' ''Boy, I loved Jim Corman.'' ''Jim Corman's office did this for me.'' ''Jim Corman was always there when we needed him.'' ''I remember Jim Corman cleaning, washing, hosing off the street in front of his district office every weekend.''

Jim had a special commitment on a human level and on a person-to-person level to the constituents that he represented. One of the very valuable things for the San Fernando Valley area of Los Angeles that Jim did was to get the funds to build the Federal building, the first Federal building in the San Fernando Valley, and it is only fitting that this building be named after him. I have been blessed to have the opportunity to know and to learn from and to be inspired by Jim Corman. My memories of him will always be a great joy to me. I thank this body for bringing so quickly at the early part of this session this legislation to honor him to the floor.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MATSUI), who is a cosponsor of the legislation.

Mr. MATSUI. I thank the gentleman from Illinois (Mr. COSTELLO) for yielding me this time.

Mr. Speaker, as my colleagues before me, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from California (Mr. BERMAN), have said, we have all been inspired by Jim Corman. I was a freshman Member in 1979, when Jim actually was serving his last term in office and he and his wife Nancy opened their hearts up to the freshman Members and hosted us at their home and made sure that we were comfortable and really understood this town. I have to say that my relationship with him, my wife Doris' relationship with Nancy, was one of the finest that we have had in our years in Washington, D.C. Jim had two children from his first marriage, Mary Anne and Chuck Corman, had two sons with his wife Nancy, Adam and Brian, who are now, one is in college and the other one is, I believe, in high school.

From a professional level, I just want to tell one anecdote about Jim Corman, and I guess it says a lot about him as a person and as a human being. In 1980, when he was up for reelection, he knew he was going to have a very, very difficult race because the anti-busing leader in the San Fernando Valley which he represented decided to run against him for Congress in the Republican Party. Jim had always been an advocate of allowing busing to occur. There was a constitutional amendment on the floor of the House, I believe it was in the spring of 1980, some months before the general election. Many of us new Members, who perhaps were a little more attuned to our congressional districts, went to Jim and said, ''Jim, vote in favor of this constitutional amendment. You can take this. This is not a big deal. Why should you stick your neck out?''

Jim thought about it for a minute while he was looking at the three or four of us that were talking to him on the floor of the House, and he said, ''I feel very strongly that everyone should have equal opportunities in school.'' You may agree or disagree with the concept of busing that was going on in the sixties, seventies and eighties. Jim Corman happened to believe that busing was a tool to use in order to make sure that we had diversity obviously in our communities and in our Nation.

He said that he could not work against his beliefs for political purposes, and he took that hard vote and a press conference was held against him. He went out later and talked to the press and defended his position in a way that was very, very strong, very, very sensitive. I would say that many Members at that time perhaps would have capitulated and basically have said, yeah, why not just take a pass on this one here.

Jim Corman lost that election, partly because President Carter had announced the election was over and conceded defeat very early, it was 5 o'clock in California, but also because he was a principled individual. Many of us over the years, the next 20 years of his life, talked to him about that vote and his legacy. He said, ''You know, that was the hardest vote but it was the finest vote I ever had in this institution.'' I have to say that if all of us would act as Jim Corman acts, this

country and this institution would be a better place.

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Let me just conclude by making one other observation, Mr. Speaker. From a personal level, Corman was really one of the finest gentlemen that I have ever had the opportunity to meet. When he passed away and his obituary appeared in the Los Angeles Times, before I had a chance to call my son Brian, my son called me when he saw the obituary and he said, I saw that Mr. Corman passed away. Brian was 6 or 7 years old when Jim was still a Member of the House. And he said, Dad, I cannot tell you how much Mr. Corman means to me or meant to me.

Jim loved children. Jim would spend hours and hours with children of the Members of Congress, and I have to say that Jim Corman's legacy will be this post office but his legacy also will be the many, many Americans who will be thinking about him as long as they live.

I cannot think of a greater tribute than to name a post office after Jim Corman and to pay tribute to him on the floor of this institution.

Mr. STARK. Mr. Speaker, I wish today to support H.R. 621, designating the James C. Corman Federal Building.

Jim Corman was a true statesman who served his constituents in California, and indeed, the people of the United States, with great distinction. Jim cared passionately for the poor and worked to see that their interests were heard in Washington. He was one of the great leaders in the Congress seeking health insurance for all and he worked hard to enact a decent, humane social policy for the disadvantaged.

Jim rejected the voices in Congress who seek to help those already blessed with wealth while neglecting those who cannot put food on their tables. "I don't think there is anything uplifting about hunger," he once said. Jim was a tireless advocate for the uninsured and he passed on his sense of passion to his colleagues, including me. When I was first assigned to the House Ways and Means Committee, Jim taught me "how things were done." I am grateful to have served with Jim Corman and I know his constituents were grateful for his service.

Naming this Federal building after Jim Corman is a proper tribute to a man who dedicated his life to public service. Jim will be best remembered, however, for his tireless work on behalf of those who are less fortunate.

Mr. COSTELLO. Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). 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. 621.

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. LATOURETTE. 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.

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 material on H.R. 558 and H.R. 621.

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

There was no objection.

HONORING NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY AND ITS EMPLOYEES FOR 100 YEARS OF SERVICE TO NATION

Mrs. MORELLA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 27) honoring the National Institute of Standards and Technology and its employees for 100 years of service to the Nation.

The Clerk read as follows:

H. CON. RES. 27

Whereas the National Institute of Standards and Technology was founded on March 3, 1901, originally as the National Bureau of Standards, and is our Nation's oldest Federal laboratory;

Whereas, prior to formal establishment in 1901, the National Institute of Standards and Technology's mission was first stated in the Articles of Confederation and the Constitution of these United States, and is as old as the Republic itself;

Whereas the National Institute of Standards and Technology strengthens the United States economy and improves the quality of life by working with industry to develop and apply technology, measurements, and standards;

Whereas in the past 100 years, the National Institute of Standards and Technology has helped to maintain United States technology at the leading edge, while also making solid contributions to our economy and international competitiveness;

Whereas the National Institute of Standards and Technology has served as a behind-the-scenes specialist, with its research, measurement tools, and technical services integrated deeply into many of the systems and operations that, collectively, drive the economy, including manufacturing cells, satellite systems, communication and transportation networks, laboratories, factories, hospitals, businesses, and the extended enterprises of the new economy;

Whereas the National Institute of Standards and Technology has also made solid contributions to improving our lives by helping develop image processing, DNA diagnostic "chips", smoke detectors, automated error correcting software for machine tools, atomic clocks, X-ray standards for mammography, scanning tunneling microscopy, pollution control technology, and high-speed dental drills;

Whereas the National Institute of Standards and Technology plays a major role in the National Conference on Weights and Measures, the organization of State and local officials who ensure fairness in sales of more than $4,000,000,000,000 worth of goods and services—from deli meats to gasoline to railroad freight;

Whereas National Institute of Standards and Technology research has additionally provided a broad and varied stream of benefits, such as decreases in train derailments as a result of standards ensuring the quality of steel, smoother riding, lower maintenance automobiles as a result of technology that improves the fit of assembled parts, and reductions in sulfur dioxide emissions as a result of improved measurements in the oil industry;

Whereas the National Institute of Standards and Technology has been a leader in helping small manufacturing companies in all 50 States to modernize and prepare for the 21st Century;

Whereas the National Institute of Standards and Technology, through its Malcolm Baldrige National Quality Program, has helped define best practices in business, in education, and in health care, and has helped leading companies become even more competitive;

Whereas the National Institute of Standards and Technology employs about 3,300 people, and operates primarily in 2 locations, Gaithersburg, Maryland, and Boulder, Colorado, with some of our Nation's finest and most dedicated Federal scientists, including Nobel Prize winners;

Whereas the lack of laboratory space led to the establishment of a cryogenic engineering laboratory and radio facilities on land donated by citizens of Boulder, Colorado, in 1950, and the eventual partnership with the University of Colorado of the Joint Institute for Laboratory Astrophysics;

Whereas the National Institute of Standards and Technology is poised to embark on its second century with 2 new state-of-the-art laboratories, the Advanced Chemical Sciences Laboratory and the Advanced Measurement Laboratory at its Gaithersburg, Maryland, headquarters, to fulfill its mission; and

Whereas the National Institute of Standards and Technology is committed to building the advanced science and technology infrastructure needed to ensure future prosperity and the global competitiveness of United States industry in the 21st century and beyond: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the historical significance of the centennial of the founding of the National Institute of Standards and Technology;

(2) acknowledges 100 years of achievement and service by the National Bureau of Standards and the National Institute of Standards and Technology to the United States; and

(3) reaffirms its commitment to support during the next 100 years the research, technological advancements, and discoveries made at the National Institute of Standards and Technology, a crown jewel in the Federal Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

GENERAL LEAVE

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on H. Con. Res. 27.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

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

Mr. Speaker, I am pleased to have introduced, along with my colleague, the gentleman from Colorado (Mr. UDALL), H. Con. Res. 27, the resolution that honors the National Institute of Standards and Technology and its employees for 100 years of service to our Nation.

A century ago on March 3, 1901, the 56th Congress established the National Bureau of Standards, the predecessor to NIST, and created the Nation's first Federal laboratory.

When NBS was originally founded, its mission was to support industry, commerce and scientific institutions, as well as all branches of government. Prior to this formal establishment, however, the core mandate of NBS was first laid out in the Articles of Confederation and the Constitution of these United States, thereby making NIST's mission as old as the Republic itself.

NBS was created at a time of enormous industrial development in the United States to help support interstate commerce in industries such as steel manufacturing, railroads, telephone and electrical power, that were technically very sophisticated for their time but lacked adequate standards.

In the first 2 decades of the 20th century, the Federal laboratory won international recognition for its outstanding achievements in physical measurements, development of standards, and test measures, and this tradition continues today.

In these early years, the research conducted by NIST scientists laid the foundation for a number of advances in many scientific and technical fields, such as standards for x-ray dosage, fire hose couplings, lighting and electrical power usage, temporary measurement of molten metals, materials corrosion studies and testing, and metallurgy, among others.

Both World Wars found NIST deeply involved in mobilizing science to solve pressing weapons and war material problems, including research on, one, the determination of the properties and purities of uranium and other critical materials used in nuclear reactors and atomic bombs; two, testing and development of standards for material used by industry in the production of synthetic rubber; three, the design of two early smart weapons, the radio proximity fuse and the Bat, the first fully automated guided missile ever used successfully in combat; and, four, quartz crystals used in radio equipment, new metal alloys, new plastics, and specialized paper for war maps.

In 1949, the atomic age of time-keeping began at NIST; and ever since, the advances in the performance of atomic clocks have supported the development of new technologies such as high data rate, telecommunications and the global positioning system. During the 1950s and 1960s, NIST research helped usher in the computer age and was employed in the space race.

NIST's Standards Eastern Automatic Computer, the first operational, internally programmed digital computer in the United States, was a marvel at the dawn of the computer era, introducing many firsts and early applications of the technology that helped shape the information technology boom of the late 20th century.

In 1966, the need for expanded facilities led NIST to move from its aging facilities in the District of Columbia to farmland in what was then considered the rural community of Gaithersburg, Maryland, although the site is now considered prime real estate in an ever expanding Washington suburb.

In 1988, the National Bureau of Standards was renamed the National Institute of Standards and Technology, in recognition of its expanded mission to strengthen the United States economy and improve the quality of life by working with industry to develop and apply technology, measurements and standards.

NIST scientists continue to make solid contributions to our economy and international competitiveness, while serving as a behind-the-scenes specialist with its research, measurement tools, and technical services integrated deeply into many of the systems and operations that collectively drive the economy, including manufacturing cells, satellite systems, communication and transportation networks, laboratories, factories, hospitals, businesses, and the extended enterprises of the new economy.

NIST has been a leader in helping small manufacturing companies in all 50 States to modernize and prepare for the 21st century, as well as helping lead companies to become even more competitive by defining best practices in business, in education, and in health care through its Malcolm Baldridge National Quality Program.

Mr. Speaker, I am extremely proud to represent NIST's Gaithersburg, Maryland, headquarters and some of our Nation's finest and most dedicated Federal scientists, including Nobel Prize winners that work there. I am also very pleased to note that to better fulfill its mission, NIST is embarking on its second century with two new state-of-the-art laboratories, the Advanced Chemical Sciences Laboratory and the Advanced Measurement Laboratory, at its Gaithersburg, Maryland, headquarters.

NIST will now possess the equipment to perform its vital job of tackling the awesome technological challenges that face our Nation as we begin this new millennium.

As the former chairman of the Subcommittee on Technology with budget authority and legislative oversight over NIST, I have long been concerned that NIST laboratory infrastructure had been obsolete and required repair. It was clear to me and to others that without state-of-the-art measurement and calibration equipment, NIST simply could not fulfill its mission. NIST laboratories needed to upgrade the facilities to meet the increased precision required by an increasingly complex technological world, and these two new laboratories further bolster NIST's efforts and reputation as the crown jewel of the Federal science and technology efforts.

Of course, we all know that world-class facilities are useless without world-class employees, and luckily NIST already has the latter. After all, state-of-the-art laboratories are merely enabling tools. NIST and our Nation, for that matter, are fortunate to have one of the world's finest assemblages of scientific and engineering expertise. It is a dedicated workforce that is committed to building the advanced science and technology infrastructure needed to ensure future prosperity and the global competitiveness of the United States industry in the 21st century and beyond.

Mr. Speaker, I urge my colleagues to recognize the historical significance of the centennial of NIST's founding and acknowledge its 100 years of achievement and service. So I urge passage of this very significant resolution.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution and to join my colleague, the gentlewoman from Maryland (Mrs. MORELLA) in honoring the National Institute of Standards and Technology and its employees on the occasion of its centennial.

The National Institute of Standards and Technology was chartered by Congress on March 3, 1901, as the Federal Government's first physical science research laboratory. Scientists, engineers and industrialists first advocated the establishment of a standards laboratory, pointing to the new challenges facing the U.S. as a rapidly industrializing world power.

Beginning with just a staff of 12, NIST has grown to become a vital arm of the Department of Commerce's technology administration. In its first 100 years, NIST has partnered successfully with industry, science and government to establish the foundations for this country's technological advances. The resolution we are considering today appropriately calls NIST a crown jewel in the Federal Government, emphasizing its contributions to the Nation.

In particular, I would like to draw attention to the work of NIST's laboratories in Boulder, Colorado, in my district. In 1950, to address the lack of laboratory space, NIST established a cryogenic engineering laboratory and radio facilities on land donated by the citizens of Boulder, Colorado. NIST facilities were expanded in the mid-1960s

when NIST and the University of Colorado joined forces to create the Joint Institute for Laboratory Astrophysics, known as JILA, a cooperative effort that has gained widespread recognition in atomic physics and other fields.

This partnership between NIST and the University of Colorado has led to some amazing discoveries. Beginning in the 1970s, the discipline of cooling and trapping atoms was established in part by experiments with electrically charged atoms by researchers at the NIST Boulder campus. This work inspired Dr. William Phillips and his team to demonstrate both the trapping and the cooling of atoms well below the temperature limits generally believed possible. Dr. Phillips was awarded the Nobel Prize in Physics in 1997 for this work.

In 1995, using the same techniques of laser cooling and trapping of atoms, scientists at JILA cooled rubidium atoms to less than one-millionth of a degree above absolute zero.

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This was 300 times lower in temperature than ever achieved before, and created a new state of matter predicted decades ago by Einstein and the Indian physicist Bose. The Bose-Einstein condensate is widely hailed as one of the century's major achievements in physics. This research has enabled the design and construction of one of the world's most accurate clocks, which is used by NIST, in cooperation with the Naval Observatory, to maintain the Nation's time standard.

This clock, which is called the NIST F–1, is so accurate that it will neither gain nor lose a second in 20 million years, something that is almost incomprehensible.

If we think about this precise time information, it is needed by electric power companies, radio and television stations, telephone companies, air traffic control systems, the Global Positioning System, participants in space exploration, the Internet, and navigators of ships and planes. All need to compare their own timing equipment to a reliable, internationally-recognized standard, which NIST provides.

Mr. Speaker, these are just some of the contributions NIST has provided to the Nation in the half century of their existence. As we approach the 50th anniversary of these labs in Boulder, I would like to raise my remarks on another issue in regard to the current state of the labs.

Some know, and the gentlewoman from Maryland (Mrs. MORELLA) just mentioned it, NIST celebrated the completion of the NIST Advanced Chemistry Science Laboratory in Gaithersburg. After an $80 million investment, NIST can now boast another world-class facility in which to conduct more world-class research.

Also at Gaithersburg just last year, ground was broken for the Advanced Measurement Laboratory, which has projected costs of over $200 million.

Now that Gaithersburg's needs have been addressed, Boulder is next in line to receive critical funding for construction and maintenance projects. This, according to NIST's published plans, lists construction and maintenance project priorities for the labs.

I am very hopeful that the new administration will recognize the value of the Boulder lab's contributions, and the necessity of upgrading these facilities so the scientists in Boulder can continue to contribute top-flight research. NIST's Boulder campus, as has the campus in Gaithersburg, has done much for the Nation and for Colorado, and it will continue to do so in the future. But in order to get the full value from the asset, we must invest in its upkeep.

Mr. Speaker, I am glad that Congress is acknowledging today the critical role NIST has played in helping build this country's science and technology infrastructure in the 20th century. This resolution also recognizes that NIST is poised to make significant contributions to even greater advances in the 21st century. I will continue to support NIST's work, and call attention to NIST's important contributions to ensure our ''crown jewel'' gets the credit it deserves.

As always, I am grateful to my colleague, the gentlewoman from Maryland (Mrs. MORELLA), for working with me on this important resolution. Again, I salute NIST on the occasion of its 100th birthday, and urge the adoption of this important resolution.

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

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

Mr. Speaker, the Committee on Science is meeting on an energy topic. Otherwise, there would be many others who have joined in support of this resolution who would be here speaking of it. But I think the 100 years of achievement, looking on into the future, perhaps mentions it well.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just wanted to add a note to what the gentlewoman from Maryland (Mrs. MORELLA) just said, that when we look at our colleagues on the Committee on Science, particularly the gentleman from Michigan (Mr. EHLERS), he served at the JILA Laboratory in Boulder a number of years ago, and has the direct experience himself with the great contributions that these labs have provided. I know he would be here today with us if his schedule permitted.

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

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

Mr. Speaker, it is a pleasure to join with the gentleman, who represents NIST in Boulder, Colorado, as I represent Gaithersburg, Maryland's NIST facilities, in this resolution, which is so important.

I urge all of our colleagues to support it.

Mr. BOEHLERT. Mr. Speaker, I wish today to support H. Con. Res. 27, a resolution honoring the National Institute of Standards and Technology and its valuable employees for 100 years of service to our country.

A century ago, our predecessors here in Congress recognized the importance of creating an institution with a mission to work closely with private industry to help further our nation's technological progress and strengthen its economic performance.

So strongly did our colleagues feel about the important role in our economy that this new entity could play, the Committee on Coinage, Weights and Measures that recommended its creation at that time wrote:

> No more essential aid could be given to manufacturing, commerce, the makers of scientific apparatus, the scientific work of the government, of schools, colleges, and universities than by the establishment of the institution proposed in this bill.

And thus the National Bureau of Standards, which we now know as the National Institute for Standards and Technology, was created.

And over the past 100 years, Mr. Speaker, NIST and its employees have not let us down. Literally, it is all but impossible to name a major innovation that has improved our quality of life with which NIST has not had some involvement.

NIST's federal laboratories have partnered with industry to initiate innovations for safer and more fuel efficient automobiles, biomedical breakthroughs like breast cancer diagnostics, refrigerant and air conditioning standards, analysis of DNA, and calibrations for wireless telecommunications systems, among numerous others.

Activities as far reaching as trading on the New York Stock Exchange and space navigation rely on NIST for their work in the area of high-accuracy timekeeping. In fact, with the newly enhanced NIST-built atomic clock that will neither gain nor lose a second in 20 million years, the Institute receives millions of requests for accurate time via the Internet each and every day.

NIST has also proven to be a valuable resource to our nation's small businesses—the backbone of our economy. NIST's Manufacturing Extension Partnership Program, or MEP, provides small manufacturers with a network of over 400 centers nationwide that they can rely on for the advice and expertise they need to succeed in the ever-changing business world.

NIST is a well-run agency that has supported our nation's economic growth by working to develop and apply technology, measurements, and standards integral to our ability to compete in today's global marketplace.

As the Chairman of the House Science Committee, I want to acknowledge the efforts of my colleagues, Mrs. MORELLA and Mr. BARCIA, the Chairwoman and Ranking Member of the Technology Subcommittee last Congress. I appreciate their commitment over the past few years to ensuring that NIST's laboratory functions have received the budget prioritization they deserve. NIST labs continue to be the cornerstone of our federal science and technology efforts.

With construction underway on NIST's much needed Advanced Measurement Laboratory located at its Gaithersburg campus, we can also be assured that the Institute's lab system will continue to shine well into the next century. This new state-of-the-art laboratory will allow NIST's world class scientists to make precision measurements under stable conditions with tight control of vibration, temperature, humidity, air cleanliness, and electrical power.

I want to thank Congresswoman MORELLA and Congressman UDALL for introducing this resolution today. But most of all I want to thank NIST and its employees for their 100 years of service to our nation.

I urge my colleagues to support H. Con. Res. 27.

Mr. BACA. Mr. Speaker, I support H. Con. Res. 27, Honoring the National Institute of Standards and Technology (NIST) and Its Employees for 100 Years of Service.

The National Institute of Standards and Technology is our Nation's oldest Federal laboratory, with a mission that dates back to the founding of our Republic. NIST employs about 3,300 people, with some of our Nation's finest and most dedicated Federal scientists, including Nobel Prize winners.

In the past 100 years, NIST has helped to maintain United States technology at the cutting edge, while also making contributions to our economy and international competitiveness. Many advances can be traced to the assistance of the National Institute of Standards and Technology, including satellite systems, communication and transportation networks, image processing, DNA diagnostic ''chips'', smoke detectors, automated error correcting software for machine tools, atomic clocks, X-ray standards for mammography, scanning tunneling miscroscopy, pollution control technology, high-speed dental drills, laboratories, factories, hospitals, businesses, and the extended enterprises of the new economy.

I am concerned, however, that the President's proposed budget may cut funding for some NIST programs, including the Advanced Technology Program and the Manufacturing Extension Partnership.

I am also troubled by potential proposed cuts in other science programs, such as an apparent decision to cut the Energy Department's budget to $19 billion, roughly $700 million below current levels. At a time when our states, including California, are facing great challenges in providing sufficient energy, and at reasonable prices, we should not be cutting funding for programs, such as those which explore renewable energy sources.

America has been on a course of jobs and prosperity, developed by the hard work of the American people over the last eight years. We should not change course. We still have much work to do in our communities, to encourage research and development, foster small business development, launch new high-tech revolutions. We must create new jobs, provide educational opportunities, ensure that all who are willing to work can advance.

Therefore, as the Congress today celebrates the work of NIST and its proud traditions, let us resolve not unilaterally to disarm our nation of the finest minds and resources, which have led to an economic and technological renaissance. Our nation is the admiration of the modern world. People come here to learn in our universities, work in our corporations, and find a better life. Let us resolve to continue our fight to keep America number-one in scientific innovation and job creation.

Mr. BARCIA. Mr. Speaker, I rise in support of H. Con. Res. 27 honoring the National Institute of Standards and Technology on its centennial.

Chairwoman MORELLA has already described many of the important activities that NIST performs. I just want to add that though NIST is often un-noticed inside the beltway, its work is widely recognized and utilized in industry and homes across America.

For example, in my home state of Michigan, with its strong manufacturing base, NIST measurement standards and reference materials are widely used in our automotive and chemical industries. However, NIST's products go well beyond our industrial base.

Basic research by NIST scientists have resulted in a Nobel Prize and the synthesis of the Bose-Einstein Condensate—dubbed the molecule of the century. In addition, NIST is probably the only Federal research laboratory to receive an Emmy—for its pioneering work to develop closed captioning technology used in television.

I want to take this time to thank NIST employees for their hard work and dedication, often with much less recognition than their counterparts at other federal laboratories. On a personal note, I would like to also express my thanks to all NIST employees for talking to me about their work and improving my understanding of the important work performed at the Boulder and Gaithersburg facilities.

On behalf of the Science Committee, I want to commend you for the outstanding work done in the last one hundred years. You've set high standards for future NIST employees to match in the next one hundred.

Mr. HALL of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 27, which honors the National Institute of Standards and Technology and its employees for 100 years of service. Chairwoman MORELLA has already highlighted many of NIST's achievements. I want to speak about the philosophy and hard work of NIST's employees.

The Constitution gives the Federal government the responsibility to ''fix the standard of weights and measures.'' In 1901, the National Bureau of Standards (NSB) was formally established. Little could the Founding Fathers, or President McKinley who signed the original legislation, have guessed at the scope of activities that agency would have to undertake.

Initially NBS set simple standards such as the length of a foot, the weight of a pound, and the volume of a gallon. Today, NIST, the successor agency to the NBS, is involved in measurement activities including time measurement accurate to a loss of a second every 20 million years which is important to the global positioning system, setting the length of nanometer essential to the semiconductor industry, and accurate measures of X-ray emissions used to calibrate hospital equipment. These are just a few examples of NIST measurement and standards activities that support many of the daily services we rely upon.

NIST has been successful because it is responsive to the needs of industry. NIST is one of the few federal agencies that work in partnership with industry to develop the measurement tools that are the basis for the development of new technologies. NIST constantly reinvents its research mission to meet industry's evolving needs. Many in Congress complain that Federal agencies are unresponsive to their customer's needs—and this complaint is true some of the time. But NIST's record proves that an agency can serve its customers and further the public's interests in reliable standards for products.

I urge my colleagues in joining with me supporting this resolution honoring NIST employees.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 27.

The question was taken.

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

Mrs. MORELLA. 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.

COMMEMORATING AFRICAN AMERICAN PIONEERS IN COLORADO

Mr. SCHAFFER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 54) commemorating African American pioneers in Colorado.

The Clerk read as follows:

H. RES. 54

Whereas February is Black History Month, a month-long celebration for Americans to reflect on both the history and teachings of African Americans whose contributions are still too little known;

Whereas Black History Month was started in 1976 and February was chosen because the birthdays of both Frederick Douglass and Abraham Lincoln fall in that month;

Whereas African Americans were an integral part of settling the West, arriving in covered wagons, establishing self-sufficient settlements, and filling numerous jobs from barber to teacher, doctor to State legislator;

Whereas nearly one-third of the cowboys who helped build the American West were of African American descent;

Whereas one of the best examples of an African American prairie settlement is Dearfield, Colorado, an African American agriculture community;

Whereas Oliver T. Jackson, an African American, inspired by Booker T. Washington's book Up From Slavery that urged African Americans to return to the land and earn their own way with their own hands, took these ideas to heart and established Dearfield, Colorado, in 1910;

Whereas Oliver T. Jackson inspired 60 African American settlers to join in his agriculture colony, live off the land, and become self-sufficient;

Whereas within 5 years, Dearfield, Colorado, had 44 wooden cabins, over 600 farm acres, 2 churches, a school, a boarding house, a blacksmith shop, a doctor's office, a cement factory, and a filling station;

Whereas Oliver T. Jackson and those at Dearfield, Colorado, reached their goal of becoming a prosperous, self-sufficient community, with a peak population of 700;

Whereas by the mid-1930's, plagued by drought and the Great Depression, the community dwindled down to 12, including Oliver T. Jackson and his wife; and

Whereas Dearfield, Colorado, was subsequently abandoned and is now in need of restoration in order to help fulfill the goal of Black History Month and educate Americans about the role of African Americans in the settling of the American West: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages all Americans to learn about the history of African Americans whose contributions are still too little known;

(2) recognizes the role that African Americans, like those at Dearfield, Colorado, greatly contributed to settling and shaping the American West; and

(3) supports the restoration of the site at Dearfield, Colorado, in order to educate the American public about the history and contributions of African Americans to the West and the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. SCHAFFER) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SCHAFFER).

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

Mr. Speaker, today draws a close to February, which is Black History Month. Officially implemented in 1976, this month-long celebration is a time for Americans to reflect on the historical contributions of African Americans and the teachings of African Americans whose contributions remain little-known. February was chosen as Black History Month because Frederick Douglass and Abraham Lincoln have birthdays during this month.

Mr. Speaker, in order to help fulfill the two important goals of Black History Month, it is appropriate to direct Congress and the attention of the American people to the history and contributions of African Americans in the West.

In my district, Colorado, there was once a unique African American prairie settlement called Dearfield. It was located about 25 miles Southwest of Greeley, Colorado. Dearfield is one of the best examples of an African American agricultural colony in the Nation. Today, all that remains of Dearfield are a few old outbuildings, some old foundations, and a few fence rows.

Not only is Dearfield a unique and fine example of an all African-American settlement, but Dearfield blends insight into the history of African Americans. Following the Civil War, many African Americans from the South headed West to escape oppression and racism.

These pioneering individuals held a wide variety of occupations. For example, many were trappers, miners, cattlemen, laborers, doctors, barbers, and even a State legislator named Joseph H. Stewart, who served in the Colorado House of Representatives around the turn of the century.

There are many little-known facts about African Americans and their settlement of the West. Many of those facts are those of which Americans are still unaware. Nearly one-third, for example, of the cowboys who helped build the American West were of African American descent. African Americans were some of the West's earliest millionaires, owning much of the West's most valuable real estate, and many of its prominent businesses. In fact, one of the first gold discoveries in Idaho Springs, Colorado, was made by Henry Parker, an African American miner.

African Americans were also military heroes in one of the greatest wars in the West, the taking of San Juan Hill with Teddy Roosevelt in the Spanish American War. In fact, the African-American 10th Cavalry was a major factor in that victory.

By 1890, African Americans had a significant presence in the West. About 6,000 African Americans lived in Colorado, including 5,000 who owned property. Dearfield for many reasons was a shining example of African-American history and contributions to the American West.

In 1910, African-American Oliver T. Jackson established Dearfield as an agricultural colony. He was inspired by Booker T. Washington's book, Up From Slavery, that urged African Americans to return to the land and earn their own way with their own hands.

Joseph Westbrook was responsible for naming Dearfield. He said African Americans must hold it dear to them. It may be interesting to note that Westbrook, a physician, was a member of the Denver General Hospital for 17 years, and served with the Interracial Commission and the Denver Chamber of Commerce.

Oliver T. Jackson convinced 60 African-American settlers to join him in Dearfield. Within 5 years, Dearfield was a prosperous, self-sufficient community with a population of 700. Dearfield had 44 wooden cabins, over 600 farm acres, two churches, a school, a boarding house, a blacksmith shop, a doctor's office, a cement factory, and a filling station.

The demise of Dearfield was much like many other pioneering communities on the high Plains. Dearfield was plagued by the drought and the Great Depression, and the population dwindled from 700 to just 12. Oliver T. Jackson and his wife were among those remaining.

Mr. Speaker, today Dearfield is a collection of ruins. Two organizations in Colorado, Colorado Preservation, Incorporated, and the Black American West Museum and Heritage Center, are working hard to restore the town in order to teach Americans the history and contributions of African Americans in the West.

Dearfield accomplishes the goal of Black History Month in 3 ways.

One, Dearfield helps educate Americans about the contributions of African Americans in settling the West.

Two, Dearfield helps educate Americans about the unique African American agricultural establishment that thrived and is still influential today.

Three, Dearfield helps educate Americans about African-Americans' lives and histories following the Civil War.

Mr. Speaker, I ask the House to favorably consider the resolution and adopt it today.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution. I want to commend my colleagues, the gentleman from Colorado (Mr. SCHAFFER) for his leadership in bringing it forward today. I am proud to join him, as always, as a cosponsor.

People of African-American descent have been involved in the history of the West for centuries, at least since the time of Coronado. As the resolution before us notes, they were an integral part of the expansion into and settlement of Colorado and other western States by people from other parts of the United States.

Notable among them were African Americans who served in the U.S. Army, often referred to as Buffalo Soldiers, especially by Native Americans, for whom the term was one of respect.

In Colorado and elsewhere, African Americans were involved in ranching. By some estimates, fully one-third of the cowboys who have so greatly shaped our image of the West have been African Americans. In Colorado, they worked in the mines, labored in industrial towns like Pueblo, helped shape Denver and other communities, and were farmers as well.

Today African Americans continue to make important contributions in Colorado to our economy, to our culture, and at the highest levels of our municipal and State governments. Together with fellow Coloradans, they look forward to this new century with hope and determination to make our State's future one of opportunity and achievement.

But as we look forward, it is important that we not lose sight of the past and the distance that we in Colorado and in the Nation have come. For as we all know, we must remember the past if we are to understand the present and to build for the future. So the resolution before us is most appropriate, both as it pertains to a specific example of African-American pioneers, and as it calls for us to remember the larger story of which they were a part.

As noted in the resolution before us, as my colleague, the gentleman from Colorado (Mr. SCHAFFER) pointed out, Oliver Jackson and other African Americans joined to form an agricultural colony in northeastern Colorado early in the last century. The result was the founding of Dearfield, which reached a peak population of 700 before it, like so many other agricultural communities on the Plains, began to fade away.

Today, the resolution notes, Dearfield is no longer an active community. Drought, the Great Depression, and other economic and social changes have left it abandoned, but Dearfield has not been forgotten. On the contrary, by passing this resolution, the House today will be saying that it is important for all of us in Colorado and in the rest of this country to remember the contributions of Oliver Jackson and the other settlers of Dearfield, and all of the other African-American pioneers in Colorado and the West.

So again, I thank my colleague for bringing forward this resolution, and look forward to working with him to help increase public recognition and understanding of the importance of the Dearfield settlers and of other African Americans, the history of our State, and the West.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, in honor of African American History Month this February, I would like to join my colleagues in recognizing the outstanding contributions of African Americans in history like those of Dearfield, Colorado. These remarkable pioneers greatly contributed to the settling and shaping of the American West.

For example, in California, we have a remarkable African-American pioneer, Alvin Coffey, who braved the journey across country not once but twice while enslaved.

After his final voyage, he was able to save money to buy his freedom and settle in California. He became very successful. In the final years of his life, he gave his entire income to charity.

In honor of this month-long celebration of achievement and history of African Americans, we must remember the continuing struggle that many people in this country face in the search for freedom, equality and full representation as guaranteed by our Constitution.

On February 17, Black History Month was celebrated in my district. African-American communities came together.

Specifically, I would like to commend the following newspapers in my district who contribute to inspire and shape the political landscape for our areas of African-American communities: The Precinct Reporter, Brian Townsend, editor and owner and brother to my Chief of Staff, Michael Townsend; The Black Voice, Cheryl Brown, editor, whose daughter Paulette Brown-Hinds is my congressional representative and press secretary, and whose father, Hardy Brown, is an extremely hard-working community activist in the Inland Empire.

African Americans contributed greatly to the remarkable history of our Nation. We must recognize their sacrifice and struggles. However, most importantly, we must continue to follow the footsteps of those heroes and fight on for freedom. We must fight on for justice. Only when everyone's voice is heard can we continue our long march towards equal opportunity for all.

Let our dreams keep alive. Let hope keep alive. Let us remember the struggle that Martin Luther King has done for our country and for our Nation, and never forget we must continue to fight for justice and equality.

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

Mr. Speaker, I would say this is a great resolution, and I am honored to be able to introduce it in the House. I want to just mention all of the people back home in Colorado who have worked hard to elevate the prominence of Dearfield, and also to my colleague, the gentleman from Colorado (Mr. UDALL), a cosponsor of the resolution, this is a great Colorado effort and a great western statement, and particularly fitting on this closing day of Black History Month.

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

Mr. UDALL of Colorado. Mr. Speaker, I would just echo the statements of my friend and colleague, the gentleman from the great State of Colorado.

Ms. DEGETTE. Mr. Speaker, I rise in support of H. Res. 54, to commemorate African American pioneers in Colorado and I thank my colleague for introducing this important legislation. I believe it is appropriate for Americans to more fully understand the contributions made by African Americans to the history of our country, especially their roles in shaping the culture of the West. Specifically, this resolution highlights the founding of a town called Dearfield, Colorado by Oliver T. Jackson in 1910. It is appropriate this February, during Black History Month, to honor the founding of Dearfield as well as other contributions African Americans made to the development of the West.

The Black American West Museum and Heritage Center is located in my district in Denver. Paul Stewart founded this museum to educate people about the role of African Americans in the settling of the West. When Mr. Stewart played "Cowboys and Indians" as a child, he never played a cowboy because, as he was told, there were no black cowboys. Through the work of the Black History Museum and Heritage Center, Mr. Stewart has since proven his childhood friends wrong. Nearly one-third of the cowboys who helped build the West were African American. In fact, African Americans in the West worked in various positions including doctors, riders on the Pony Express, stage coach drivers, teachers, and soldiers.

In Colorado, Dearfield was established by an African American and grew to include a school, churches, a blacksmith shop, a doctor's office, and other community markers. Dearfield succumbed to a drought and the Great Depression in the mid-1930's, yet it remains a prized piece of African American history in the Western United States.

The African American pioneers of the early West achieved much during their lives, including helping to pave the way for modern-day African American pioneers. From civil rights activists to teachers and business leaders, African Americans continue to shape and influence Colorado and the American West. While we pause to remember those African Americans who helped settle Colorado, let us also recognize those who continue to shape our state and nation.

I thank Congressman SCHAFFER for introducing this legislation and reminding us all of the important contributions to Colorado and the West made by African Americans.

Mr. RODRIGUEZ. Mr. Speaker, today I am honored to join in support of the resolution by the gentleman from Colorado (BOB SCHAFFER) to honor the outstanding contributions of African American Pioneers of the West. As we reflect upon the development of the American West, the vital role of African Americans is shamefully overlooked.

In the American West, African Americans were settlers, explorers, cowboys, ranchers, soldiers, peace officers, miners, blacksmiths, lawyers and legislators. But because our historical literature fails to appropriately acknowledge their many achievements, African Americans are largely omitted from the stories of Western American settlement. The fact is, Mr. Speaker, African Americans made a vitally significant contribution to the success of our early nation.

As much as one-third of all cowboys were African American. The cowboy, or vaquero, as their Hispanic counterparts were called, was one of the most dangerous and hardest jobs in the West, vital to developing an economic base. African Americans, some of the first Western American millionaires, purchased land and worked to develop agriculture into the national economic asset it is today.

African Americans traveled west in covered wagons across the country to form all-Black, self-sufficient towns. African American residents held every position and job necessary to ensure the town's survival. As blacksmiths or State legislators, African Americans made the West a part of our Nation.

African Americans also introduced law and order to the West. As peace officers and as soldiers in the United States Army, African Americans made the frontier safer for settlers. In Texas' early years, about half of the lawmen who rode with the State Police were African Americans. Many African Americans also rode with Theodore Roosevelt's famous Rough Riders and these Buffalo soldiers were famous for their uncommon valor.

It is appropriate, especially during Black History Month, to celebrate the many positive efforts of African Americans in forging the American West. We celebrate this history by acknowledging the heritage and significant contributions of our African American brothers and sisters.

I applaud Congressman SCHAFFER and the members of the Congressional Black Caucus for bringing long-overdue attention to these little known historical facts. I call on schools across the Nation to incorporate this important history into our student's education.

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

□ 1130

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Colorado (Mr. SCHAFFER) that the House suspend the rules and agree to the resolution, H. Res. 54.

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. SCHAFFER. 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.

GENERAL LEAVE

Mr. SCHAFFER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 54.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess for approximately 5 minutes.

Accordingly (at 11 o'clock and 39 minutes a.m.), the House stood in recess for approximately 5 minutes.

□ 1145

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 11 o'clock and 45 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 256, by the yeas and nays,

H.R. 558, by the yeas and nays,

H.R. 621, by the yeas and nays,

H. Con. Res. 27, by yeas and nays, and

H. Res. 54, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

FAMILY FARMER BANKRUPTCY RELIEF EXTENSION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 256.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 256, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 408, nays 2, not voting 22, as follows:

[Roll No. 17]

YEAS—408

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—2

Paul
Rohrabacher

NOT VOTING—22

Ackerman
Becerra
Conyers
Cramer
Doolittle
Fossella
Ganske
Gibbons
Hansen
Hart
Latham
Leach
Moore
Ney
Otter
Rahall
Ros-Lehtinen
Rothman
Smith (WA)
Snyder
Terry
Wynn

□ 1210

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, on rollcall No. 17, due to a broken foot, I was too slow. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

EDWARD N. CAHN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 558.

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. 558, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 20, as follows:

[Roll No. 18]

YEAS—412

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—20

Ackerman
Becerra
Conyers
Cramer
Ganske
Gibbons
Gutknecht
Hansen
Hart
Latham
Leach
Moore
Ney
Rahall
Ros-Lehtinen
Rothman
Smith (WA)
Snyder
Terry
Wynn

□ 1220

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.

JAMES C. CORMAN FEDERAL BUILDING

The SPEAKER pro tempore (Mr. LINDER). The pending business is the question of suspending the rules and passing the bill, H.R. 621.

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. 621, 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 413, nays 0, not voting 19, as follows:

[Roll No. 19]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary

Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—19

Ackerman
Becerra
Conyers
Cramer
Ganske
Gibbons
Hart
Latham
LaTourette
Leach
Markey
Ney
Rahall
Ros-Lehtinen
Rothman
Snyder
Terry
Udall (CO)
Wynn

□ 1231

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.

HONORING NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY AND ITS EMPLOYEES FOR 100 YEARS OF SERVICE TO NATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 27.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 27, 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 413, nays 1, not voting 18, as follows:

[Roll No. 20]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—18

Ackerman
Becerra
Conyers
Cramer
Dingell
Ganske
Gibbons
Hart
Latham
LaTourette
Leach
Ney
Rahall
Ros-Lehtinen
Rothman
Snyder
Terry
Wynn

□ 1238

So (two-thirds having voted in favor thereof), the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMEMORATING AFRICAN-AMERICAN PIONEERS IN COLORADO

The SPEAKER pro tempore (Mr. LINDER). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 54.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. SCHAFFER) that the House suspend the rules and agree to the resolution, H. Res. 54, 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 0, not voting 21, as follows:

[Roll No. 21]

YEAS—411

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—21

Ackerman
Becerra
Cramer
Dingell
Ganske
Gibbons
Hart
Latham
LaTourette
Leach
McIntyre
Ney
Rahall
Ros-Lehtinen
Rothman
Ryun (KS)
Snyder
Stearns
Taylor (NC)
Terry
Wynn

□ 1245

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF WALTER E. MASSEY AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MICA. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (H.J. Res. 19) providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. FATTAH. Mr. Speaker, reserving the right to object, and I shall not object, I yield to the gentleman from Florida (Mr. MICA) for purposes of explaining the joint resolution.

Mr. MICA. I thank the gentleman from Pennsylvania for yielding to me, Mr. Speaker.

Mr. Speaker, this request today in consideration of House Joint Resolution 19 provides for the appointment of Dr. Walter Massey to serve on the Board of Regents of the Smithsonian Institution.

This governing board of the Smithsonian is composed of 17 members, which includes the Chief Justice of the Supreme Court and the Vice President of the United States, three members of each of the U.S. House of Representatives and the other body, the Senate, and nine citizens who are nominated by the board and approved jointly in a resolution of Congress.

The nine citizen members serve for a term of 6 years each, and are eligible for reappointment to one additional term.

Currently, Dr. Walter Massey is the President of Morehouse College, which is the Nation's only historically black all-male 4-year liberal arts institution. I am pleased also to report to the House that Dr. Massey has broad academic and administrative experience, serving as a provost and senior vice president for academic affairs at the University of California.

His career encompasses service as a former director of the National Science Foundation, to which he was appointed by former President George Bush.

The Foundation is the government's lead agency for support of research and education in mathematics, science, and engineering, and furthermore, Dr. Massey's teaching experience includes work as the dean of the college, and also a professor of physics at Brown University, and as assistant professor at the University of Illinois. He has an extensive science background, and is involved in numerous research studies.

Dr. Walter Massey's qualification as an educator, coupled with his extensive science background, makes him a very strong candidate for serving on this the Smithsonian Board of Regents for that Institution.

So I rise in support of House Joint Resolution 19 and urge its adoption.

Mr. FATTAH. Mr. Speaker, continuing to reserve the right to object, I yield to the gentleman from the great State of Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I thank my friend and colleague for yielding to me.

Mr. Speaker, I rise in support of House Joint Resolution 19, which will provide for the appointment of Dr. Walter Massey as a member of the Board of Regents for the Smithsonian Institution.

Dr. Massey is the ninth president of Morehouse College, which is located in Atlanta, Georgia, my congressional district. Through his work, innovative thinking, and firm leadership, Dr. Massey has made a remarkable contribution, not just to Morehouse College, but to other colleges and universities, and to our Nation.

I have no doubt that Dr. Massey will have an unwavering commitment to the Smithsonian Institution, with his deep understanding and appreciation of American history, art, and our diverse culture.

I urge all of my colleagues to support this resolution.

Mr. FATTAH. Mr. Speaker, continuing to reserve the right to object, I would like to say that Dr. Massey is a fine appointment to the Board of Regents. He holds a Ph.D. in physics. He has been the President of Morehouse College. He has served as the head of a national laboratory in Chicago. He has provided a tremendous amount of service, and is a great educator.

Mr. Speaker, I thank the gentleman from Florida and the gentleman from Georgia.

Mr. SPEAKER, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H. J. RES. 19

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Frank A. Shrontz of Washington on May 4, 2000, is filled by the appointment of Walter E. Massey of Georgia. The appointment is for a term of 6 years and shall take effect on the date of the enactment of this joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore (Mr. LINDER) laid before the House the following resignation as a member of the Committee on the Budget:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 12, 2001.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to my appointment to the House Budget Committee, I hereby take leave of my assignment to the Committee on Small Business. Thank you.

Sincerely,

CAROLYN MCCARTHY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
February 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, Pursuant to the rules of the House of Representatives and of the House Democratic Caucus, with this letter I am tendering my resignation from the House Committee on Small Business, for the 107th Congress, so that I may accept an appointment to the House Committee on the Budget.

Please feel free to let me know whenever I may be of assistance.

Very truly yours,

DENNIS MOORE,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 2001.

Hon. DENNIS HASTERT,
Speaker of the House,
Washington, DC.

DEAR HONORABLE HASTERT: I hereby resign my position on the House Small Business Committee.

Sincerely,

RUBÉN HINOJOSA,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. MENENDEZ. Mr. Speaker, by direction of the Democratic Caucus, I offer a resolution (H. Res. 69) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 69

Resolved, That the following Members be, and are hereby, elected to the following named standing committee of the House of Representatives:

Committee on Small Business: to rank in the following order after Mr. Langevin of Rhode Island: Mr. Baird of Washington, Mrs. Napolitano of California, and Mr. Udall of Colorado.

SEC. 2. Committee on Small Business: to rank in the following order after Mr. Udall of Colorado: Mr. Acevedo-Vilá of Puerto Rico, Mr. Carson of Oklahoma, and Mr. Ross of Arkansas.

Mr. MENENDEZ (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

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

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

(Mr. PAUL 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 Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PUBLICATION OF THE RULES OF THE COMMITTEE ON APPROPRIATIONS 107TH CONGRESS

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

Mr. YOUNG of Florida. Mr. Speaker, I am submitting herewith in accordance with clause 2(a)(1) of rule XI the rules of the Committee on Appropriations adopted by the Committee on Appropriations today, February 28, 2001.

U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS—COMMITTEE RULES

(Approved February 28, 2001)

Resolved, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Sixth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Seventh Congress.

The foregoing resolution adopts the following rules:

SECTION 1: POWER TO SIT AND ACT

For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House of Representatives, the Committee or any of its subcommittees is authorized:

(a) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(b) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary.

The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection 1(b) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection 1(b) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

SECTION 2: SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; *Provided, however,* That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are authorized to sit as a member of all subcommittees and to participate, including voting, in all its work.

SECTION 3: STAFFING

(a) Committee Staff—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 9(c) of Rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) Assistants to Members—Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of that Member. Such staff members shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in Clause 9(c) of Rule X of the Rules of the House of Representatives: *Provided,* That Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

SECTION 4: COMMITTEE MEETINGS

(a) Regular Meeting Day—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

(b) Additional and Special Meetings:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special meeting.

(c) Vice Chairman To Preside in Absence of Chairman—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) Business Meetings:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or its subcommittees, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed.

(e) Committee Records:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is demanded. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspections shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congressional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House, except that the Committee authorizes use of any record to which Clause 3(b)(4) of Rule VII of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to Clause 3(b)(3) or Clause 4(b) of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

SECTION 5: COMMITTEE AND SUBCOMMITTEE HEARINGS.

(a) Overall Budget Hearings—Overall budget hearings by the Committee, including the hearing required by Section 242(c) of the Legislative Reorganization Act of 1970 and Clause 4(a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(b) Other Hearings:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under Section 5(c) of these Rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Clause 2(k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in Clause 2(k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; *Provided, however,* That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony

and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) Quorum for Taking Testimony—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) Calling and Interrogation of Witnesses:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) Broadcasting and Photographing of Committee Meetings and Hearings—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause (4)(f) of Rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or Subcommittee Chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) Subcommittee Meetings—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) Public Notice of Committee Hearings—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information Systems.

SECTION 6: PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) Prompt Reporting Requirement:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) Presence of Committee Majority—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) Roll Call Votes—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure of the matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) Compliance With Congressional Budget Act—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) Constitutional Authority Statement—Each report of the Committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) Changes in Existing Law—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(g) Rescissions and Transfers—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) Listing of Unauthorized Appropriations—Each Committee report on a general appropriations bill shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(i) Supplemental or Minority Views:

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital any such supplemental, minority, or additional views are included as part of the report.

(3) Subsection (i)(1) of this section, above, does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) Availability of Reports.—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; *Provided*, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

(k) Performance Goals and Objectives—Each Committee report shall contain a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

SECTION 7: VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

SECTION 8: STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in Section 202 (b) of the Legislative Reorganization Act of 1946 and in Clause 3(a) of Rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

SECTION 9: OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, except upon request from the Chairman.

(d) In accordance with Clause 8 of Rule X of the Rules of the House of Representatives and Section 502 (b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) Travel Reports.

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and of the Committee on House Oversight pertaining to such travel, and as promulgated from time to time by the Chairman.

FISCAL ISSUES RAISED BY PRESIDENT BUSH IN HIS ADDRESS TO CONGRESS

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

Mr. SHERMAN. Mr. Speaker, I would like to address some of the fiscal issues raised by the President when he spoke in this Hall scarcely 12 or 13 hours ago.

First, we are told that a 4 percent increase in the budget for domestic programs is sufficient and represents a genuine increase in those programs. Keep in mind, Mr. Speaker, our population is growing faster than 1 percent a year. Inflation is greater than 3 percent. Accordingly, a 4 percent nominal increase in expenditure is actually a real cut in the benefits that can be provided by a government program.

For example, Mr. Speaker, if our goal was to provide one pencil for every schoolchild in America, we would need to provide more than a 4 percent increase in that budget, because the price of pencils is likely to go up over 3 percent, and the number of students is likely to increase by more than 1 percent.

Mr. Speaker, we were told, I think correctly, that we cannot continue year after year to increase expenditure by 8 percent, even nominally by 8 percent, but a 4 percent increase when not adjusted for population or inflation represents an actual cut.

Mr. Speaker, we were given a tax cut proposal in which almost half of the benefits go to the richest 1 percent of Americans, those with the highest income, a group of individuals who have, on average, $900,000 of income every year. Certainly we can do better in targeting the tax cut.

We have been told that repealing the estate tax will not have an adverse impact on charity because, when people make charitable contributions, they are not influenced by the tax law but instead are influenced only by their desire to help the charity.

Our President yesterday exploded that argument that has been made on this floor by many Republican Members when he stated that ''By allowing an income tax deduction for those who do not itemize, we will encourage as much as $14 billion of charitable giving.''

So our President asks us to imagine a person of modest means putting $5 in the collection plate; that a person who does not even itemize their deductions somehow will be motivated to put more money in the collection plate if we change our tax law, but that an individual leaving $5 million to a university to have a building named after them will not be influenced by the repeal of the estate tax.

Nothing could be further from the truth. Trust me, I was a tax professional for nearly 15 years. I never got asked, ''Should I put $5 in the collection plate or $6? But I venture to say there are very few $5 million gifts that are not influenced by the estate and income tax law.

Then we were asked by the President to imagine a waitress with two kids earning just $25,000, and we were told this was the reason we should adopt the President's tax cut. Keep in mind, his tax cut would increase her income by only 2 percent. That is as stingy as a 25-cent tip.

But just to the point, that $25,000 waitress example was a carefully selected anomaly designed to disguise what the Bush tax proposal really does. Keep in mind, there are many waitresses who make only $20,000 a year, and under the President's proposal they get nothing, not even a 1 cent insult tip left on the table.

If we want to design a tax cut to benefit that image that was painted for us so cleverly yesterday of someone who is busing tables or waiting on tables making $25 $20,000, $25,000 and trying to support a couple of kids, we need to adopt a completely different approach to the tax cut.

Mr. Speaker, we need estate tax relief, but we need estate tax relief that is designed not to gut the estate tax as a source of revenue, but rather, something that will make sure that the estate tax falls only on 1 percent of the estates, meaning 99 percent of Americans would not have to worry about that tax.

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That would still allow us to generate the vast majority of revenue that is generated by that tax, and then we could afford to provide real tax relief to waitresses making $25,000 or even $20,000.

THE 2000 CENSUS

The SPEAKER pro tempore (Mr. LINDER). Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, I want to first commend the President for proposing his tax relief package for permanent relief for the American people. Everybody who pays taxes gets tax relief. They have lowered the lowest rate, from 15 percent to 10 percent. That is going to help real working people in America.

But, Mr. Speaker, I am here to talk about the Census, because I feel it is important to place in the record some facts regarding the 2000 Census that some of us may have forgotten over the last several days as my colleagues on

the other side try to tear down the Census head count in order to build it up with a statistical adjustment.

What seems to be forgotten is how good the 2000 Census really was. The Census Bureau announced that compared to the last Census, the undercount of African Americans may have been cut in half. The undercount of Hispanics also was cut by more than half. The undercount of American Indians was reduced by more than two-thirds, and the elderly and children have never been counted so well.

The preceding Congress appropriated an unprecedented $6.5 billion for the Census effort. Let us take a moment to see what the American people received for their tax dollars.

This 2000 Census reversed a three-decade drop in the questionnaire mail back response rate.

The 2000 Census reached more Americans, including those living in the hardest to count communities, than ever before.

The 2000 Census established a first-time-ever paid advertising campaign that focused on educating the American people on the importance of the Census participation.

The 2000 Census included more than 140,000 local, State and national partnerships to promote Census awareness and participation. The 2000 Census included a Census in the Schools program, that reached out to millions of students and parents nationwide to promote Census awareness and participation.

And for the first time, with the 2000 Census, Americans were able to file their Census forms electronically using the Internet.

There are Members of this body who are quick to focus on the limited number of people that chose not to participate in this Census. But I will point out for the record that Census 2000 found and counted nearly 99 percent of the population, more than any other Census.

This Census dramatically reduced the traditional undercount of children, the poor, and members of minority communities.

Regardless of what side of the adjustment debate a person falls, this Census was one of the best in our Nation's history. Opponents of a real head count said it could not be done. They said we could not improve upon past Censuses. They said that the undercount would most certainly grow larger. They said we must sample and adjust people because they will not answer the call.

But we said no. We must do everything we can to get an actual head count. Get out there and advertise, educate, involve local officials, spread the word, make it easier for people to be counted. An actual enumeration is what the Constitution calls for. It is what the Supreme Court called for, and it is what public law calls for.

And now we can and should stand proud and say, it worked. An unprecedented 99 percent of our population was counted. All the efforts to get an accurate head count paid off.

Mr. Speaker, I call on my colleagues to congratulate the hard efforts of those career civil servants in the Bureau who worked long and difficult hours.

I call upon my colleagues to remember and congratulate the thousands of State and local volunteers and countless others in each and every one of our districts who partnered with the Bureau to make the head count such a success.

While the news regarding the Census has been good, the political rhetoric surrounding the Census threatens to taint the entire effort.

For months now, relentless pressure has been placed on President Bush and Secretary Evans to use the controversial adjustment plan known as sampling to recreate people that may not have been counted.

My position on adjustment has not changed. Adjustment is a Pandora's box, filled with unintended consequences, legal uncertainty and inaccuracy. Some would have us to believe that this decision is simply about statistics. Load the numbers into the computer, hit enter, and that is your answer. Adjust or do not adjust.

These people could not be further from the truth. The adjustment decision has far-reaching legal, political and social consequences. Adjustment simply has too many risks and unintended consequences to be justified for any Census, and particularly because we have such a great Census taking these risks even seems more unjustified. Instead, we should all be thrilled with the incredible inroads made with the differential undercount. Significant reductions occurred in the undercount rates for African Americans, Hispanics and American Indians.

The 2000 Census head count is one we all can and should be proud of.

MANAGED CARE REFORM

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

Mr. GREEN of Texas. Mr. Speaker, last night, we heard our President talk all about accountability. He wants our schools and our teachers to be more accountable to their students and the parents. This literally patterns after what is in a lot of our State laws and in the State of Texas.

He wants government to be more accountable to its citizens, and I think we all agree with both of those premises.

Mr. Speaker, I also appreciate the President's support for HMO reform, and hopefully similar to what the law is in the State of Texas. HMOs should be accountable to their patients, just like schools should be accountable to their students and parents, and government should be accountable to the taxpayers and citizens.

President Bush told us last night that he wants to promote quality health care through a strong, independent review organization, and I agree. The independent review organizations had been instrumental in the success of the Patients' Bill of Rights in the State of Texas.

But the independent review organizations, the IROs, are powerless if health plans can ignore their recommendations without consequences. By providing legal remedies in State courts, patients have a layer of protection that ensures health plans will do the right thing.

As much as the President talks about frivolous lawsuits, we have not seen that thing in Texas called a frivolous lawsuit. In fact, after 3 years on the books, our patient protections there have been less than five lawsuits filed in 3 years, less than five. That is hardly the glut of lawsuits that opponents of patient protection seem to fear.

The Texas plan for HMO reform has worked because the binding independent review protects health care plans from being held liable for punitive damages. You can provide that protection in there. But on the flip side, the HMO plans, the health plans know that if they ignore those independent review organization recommendations, they will have to answer in State court.

That is a powerful incentive to do the right thing.

The Bipartisan Patient Protection Act includes these important accountability provisions, while still protecting employers and health care plans from frivolous lawsuits.

The Bipartisan Patient Protection Act ensures that HMO plans who follow the recommendations of that external review board cannot be held liable for punitive damages. It also limits the amount of damages that can be awarded so that the plans are not forced to pay arbitrary sums.

Without accountability provisions, though, patients are defenseless against their HMO plans. They have no remedy if an HMO ignores the recommendation of the review board or acts in bad faith. Without accountability, a Patients' Bill of Rights provides no protections at all.

We have to have accountability, just like we do from the government to our taxpayer. Mr. Speaker, managed care plans seem content to write the rules, but they cry foul when we want them to play by those same rules. It is time we level the playing field on the Federal level, just like a lot of our States have done, and ensure that HMOs provide the medical care that they agreed to do.

That is why we should pass the Bipartisan Patient Protection Act.

LET US SUPPORT THE PRESIDENT'S INITIATIVE

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

Mr. FOLEY. Mr. Speaker, I am delighted to be here today following the address of President Bush to our colleagues and to the Nation regarding his priorities and where he hopes to take our Nation in the next 4 years during his administration.

Let me first commend him for identifying and discussing a number of issues that I would expect Democrats and Republicans to agree on wholeheartedly.

He mentioned Head Start specifically. He talked about the environment. He talked about a military pay increase for the personnel first before we buy new equipment.

He talked about our continuing efforts to increase the budget at the National Institutes of Health. He pledged to restore integrity to the Social Security system. He offered what is a blueprint for Medicare reform, and specifically one piece that was music to my ears, an effort to pay down the national debt.

Now, if we listened to the other side of the aisle this morning, those baying at the moon, suggesting somehow that this is an irresponsible blueprint of fiscal remedy, who have argued against tax cuts, argued for more spending and consistently raised rhetoric that somehow this whole process is irresponsible from the start, it begs the question. Whose money is it really? If you stay around Washington or any of our capital cities around the country and you remain in the room with politicians for very long, they will convince you it is government's money.

That theme plays out today on national talk radio as they launch an aggressive attack to demean the President's proposal, again suggesting it is irresponsible and telling us that they have a better plan.

Having come to Congress in 1994, I remember the legacy left us by the majority party, at that time the Democratic Party, which was a ballooning deficit, out-of-control debt, increasing allocations annually for interest to pay on the debt, no ability to reign in spending, and when they really ran into rough sledding in the high degree of deficits, they blamed Ronald Reagan.

As a member of the Committee on Ways and Means and a Member of Congress, I can assure the American public listening to me that the only persons who can effectuate tax cuts, spending proposals are the Members of Congress, the House and the Senate, as prescribed by the Constitution.

Yes, President Reagan recommended tax cuts, and he was successful in convincing Congress to pass them, but along the way they were careless in not reducing spending to offset that reduced amount income. So we borrowed against the legacy of future generations to fund the programs that were near and dear to the hearts of Members of this body. We have a chance to do something different now. When we proposed paying down the debt and balancing the budget, we were told by then-President Clinton we could not do it in 13 years, maybe 11 if we tried hard. Lo and behold, we suggested 7, we did it in 4, and now we have what is surplus dollars in the Treasury.

The call from the other side is to spend, spend, spend more money on priorities. I think if you listened to the President clearly last night, he outlined priorities that meet the test of time, are designed to help society's most vulnerable, are prepared to protect our domestic tranquility and our national security and really go about changing the fundamental way we conduct our mathematical equation here in this body.

Now, my colleagues can complain and can obfuscate and can deride his proposals, but I believe in my heart that at the end of the day they will come around to suggest and recommend that these are not irresponsible cuts.

Mr. Speaker, I remember last year when we proposed, I believe, some $600 billion, potentially $700 billion tax relief to the constituents, we call it tax relief, but it is really refunding of overpayment, we were told that number was exorbitant. It was out of sight, it was out of mind. It would explode the deficit.

Yet, I hear the number bandied about by the other side of the aisle that they may accept $900 billion. What a difference a year makes. What a difference a year makes.

Let us focus on trying to resolve first and foremost our disagreements on key policy issues, but let us also take a moment to recognize the hard work of every American who sends their money to Washington and hope they can do some good with it, hope we can improve the infrastructure of our Nation's highways, strengthen Social Security, provide for the military pay increase as necessary and do the kind of things that society should do for its constituents.

As the President suggested last night, charities are no replacement for government, and I am a supporter of some of the involvement government has in our daily lives. But if we keep the money here, if we keep it on the table, and we suggest somehow we will pay down the debt, folks, get with it and get real, it will not happen.

Once there is an excess of money left on the table, there is a program in every Member's district that deserves that surplus, and we will argue and we will debate and we will spend.

Let us join together, support the President's initiative, give the taxpayers some real relief, give them some of their overpayment of surplus revenues back to them so they can spend it in their communities, on their children, figuring out their future and letting the government take less of their take-home pay on a weekly basis.

ELECTION OF MEMBER TO COMMITTEE ON SMALL BUSINESS

Mr. FOLEY. Mr. Speaker, I offer a resolution (H. Res. 70), and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 70

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Small Business: Ms. CAPITO of West Virginia.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider is laid on the table.

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

(Mr. WU addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUBLICATION OF THE RULES OF THE COMMITTEE ON AGRICULTURE 107TH CONGRESS

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

Mr. COMBEST. Mr. Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to Rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Agriculture, which were adopted at the organizational meeting of the Committee on February 14, 2001.

Appendix A of the Committee Rules will include excerpts from the Rules of the House relevant to the operation of the Committee. Appendix B will include relevant excerpts from the Congressional Budget Act of 1974. In the interests of minimizing printing costs, Appendices A and B are omitted from this submission.

RULES OF THE COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES

I. GENERAL PROVISIONS

(a) Applicability of House Rules.—(1) The Rules of the House of Representatives shall govern the procedure of the committee and its subcommittees, and the Rules of the Committee on Agriculture so far as applicable shall be interpreted in accordance with the Rules of the House of Representatives, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the committee and its subcommittees. (See appendix A for the applicable Rules of the House of Representatives.)

(2) As provided in clause 1(a)(2) of House rule XI, each subcommittee is part of the committee and is subject to the authority and direction of the committee and its rules so far as applicable. (See also committee rules III, IV, V, VI, VII and X, infra.)

(b) Authority to Conduct Investigations.—The committee and its subcommittees, after consultation with the chairman of the committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under rule X of the Rules of the House of Representatives and in accordance with clause 2(m) of House rule XI.

(c) Authority to Print.—The committee is authorized by the Rules of the House of Representatives to have printed and bound testimony and other data presented at hearings held by the committee and its subcommittees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the committee and its subcommittees shall be paid from applicable accounts of the House described in clause (i)(1) of House rule X in accordance with clause 1(c) of House rule XI. (See also paragraphs (d), (e) and (f) of committee rule VIII.)

(d) Vice Chairman.—The Member of the majority party on the committee or subcommittee designated by the chairman of the full committee shall be the vice chairman of the committee or subcommittee in accordance with clause 2(d) of House rule XI.

(e) Presiding Member.—If the chairman of the committee or subcommittee is not present at any committee or subcommittee meeting or hearing, the vice chairman shall preside. If the chairman and vice chairman of the committee or subcommittee are not present at a committee or subcommittee meeting or hearing the ranking member of the majority party who is present shall preside in accordance with clause 2(d), House rule XI.

(f) Activities Report.—(1) The committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under rules X and XI of the Rules of the House of Representatives during the Congress ending on January 3 of such year. (See also committee rule VIII(h)(2).)

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the committee pursuant to clause 2(d) of House rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the committee, and any recommendations made or actions taken with respect thereto.

(g) Publication of Rules.—The committee's rules shall be published in the Congressional Record not later than 30 days after the committee is elected in each odd-numbered year as provided in clause 2(a) of House rule XI.

(h) Joint Committee Reports of Investigation or Study.—A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

II. COMMITTEE BUSINESS MEETINGS—REGULAR, ADDITIONAL AND SPECIAL

(a) Regular Meetings.—(1) Regular meetings of the committee, in accordance with clause 2(b) of House rule XI, shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or Congress is in recess or is adjourned, in which case the chairman shall determine the regular meeting day of the committee, if any, for that month. The chairman shall provide each member of the committee, as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the chairman or a majority of the committee. If the chairman believes that there will not be any bill, resolution or other matter considered before the full committee and there is no other business to be transacted at a regular meeting, the meeting may be canceled or it may be deferred until such time as, in the judgment of the chairman, there may be matters which require the committee's consideration. This paragraph shall not apply to meetings of any subcommittee. (See paragraph (f) of committee rule X for provisions that apply to meetings of subcommittees.)

(b) Additional Meetings.—The chairman may call and convene, as he or she considers necessary, after consultation with the ranking minority member of the committee, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such additional meetings pursuant to a notice from the chairman.

(c) Special Meetings.—If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for such special meeting. Such request shall specify the measure or matters to be considered. Immediately upon the filing of the request, the majority staff director (serving as the clerk of the committee for such purpose) shall notify the chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour thereof, and the measures or matter to be considered at that special meeting in accordance with clause 2(c)(2) of House rule XI. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the majority staff director (serving as the clerk) of the committee shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered, and only the measure or matter specified in that notice may be considered at that special meeting.

III. OPEN MEETINGS AND HEARINGS; BROADCASTING

(a) Open Meetings and Hearings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing by the committee or a subcommittee shall be open to the public unless closed in accordance with clause 2(g) of House rule XI. (See appendix A.)

(b) Broadcasting and Photography.—Whenever a committee or subcommittee meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House rule XI. (See appendix A.) When such radio coverage is conducted in the committee or subcommittee, written notice to that effect shall be placed on the desk of each Member. The chairman of the committee or subcommittee, shall not limit the number of television or still cameras permitted in a hearing or meeting room to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(c) Closed Meetings—Attendees.—No person other than members of the committee or subcommittee and such congressional staff and departmental representatives as the committee or subcommittee may authorize shall be present at any business or markup session that has been closed to the public as provided in clause 2(g)(1) of House rule XI.

(d) Addressing the Committee.—A committee member may address the committee or a subcommittee on any bill, motion, or other matter under consideration. (See committee rule VII (e) relating to questioning a witness at a hearing.) The time a Member may address the committee or subcommittee for any such purpose shall be limited to 5 minutes, except that this time limit may be waived by unanimous consent. A Member shall also be limited in his or her remarks to the subject matter under consideration, unless the Member receives unanimous consent to extend his or her remarks beyond such subject.

(e) Meetings to Begin Promptly.—Subject to the presence of a quorum, each meeting or hearing of the committee and its subcommittees shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(f) Prohibition on Proxy Voting.—No vote by any Member of the committee or subcommittee with respect to any measure or matter may be cast by proxy.

(g) Location of Persons at Meetings.—No person other than the committee or subcommittee members and committee or subcommittee staff may be seated in the rostrum area during a meeting of the committee or subcommittee unless by unanimous consent of committee or subcommittee.

(h) Consideration of Amendments and Motions.—A Member, upon request, shall be recognized by the chairman to address the committee or subcommittee at a meeting for a period limited to 5 minutes on behalf of an amendment or motion offered by the Member or another Member, or upon any other matter under consideration, unless the Member receives unanimous consent to extend the time limit. Every amendment or motion made in committee or subcommittee shall, upon the demand of any Member present, be reduced to writing, and a copy thereof shall be made available to all Members present. Such amendment or motion shall not be pending before the committee or subcommittee or voted on until the requirements of this paragraph have been met.

(i) Demanding Record Vote.—A record vote of the committee or subcommittee on a question or action shall be ordered on a demand by one-fifth of the Members present.

(j) Submission of Motions or Amendments In Advance of Business Meetings.—The committee and subcommittee chairman may request and committee and subcommittee members should, insofar as practicable, cooperate in providing copies of proposed amendments or motions to the chairman and the ranking minority member of the committee or the subcommittee 24 hours before a committee or subcommittee business meeting.

(k) Points of Order.—No point of order against the hearing or meeting procedures of the committee or subcommittee shall be entertained unless it is made in a timely fashion.

(l) Limitation on Committee Sittings.—The committee or subcommittees may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

IV. QUORUMS

(a) Working Quorum.—One-third of the members of the committee or a subcommittee shall constitute a quorum for taking any action, other than as noted in paragraphs (b) and (c).

(b) Majority Quorum.—A majority of the members of the committee or subcommittee shall constitute a quorum for:

(1) the reporting of a bill, resolution or other measure. (See clause 2(h)(1) of House rule XI, and committee rule VIII);

(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g) and 2(k)(5) of rule XI of the Rules of the House of Representatives; and

(3) the authorizing of a subpoena as provided in clause 2(m)(3), of House rule XI. (See also committee rule VI.)

(c) Quorum for Taking Testimony.—Two members of the committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(d) Unanimous Consent Agreement on Voting.—Whenever a record vote is ordered on a question other than a motion to recess or adjourn and debate has concluded thereon, the committee or subcommittee by unanimous consent may postpone further proceedings on such question to a designated time.

V. RECORDS

(a) Maintenance of Records.—The committee shall keep a complete record of all committee and subcommittee action which shall include:

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical and typographical corrections authorized by the person making the remarks involved, and

(2) written minutes shall include a record of all committee and subcommittee action and a record of all votes on any question and a tally on all record votes. The result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee and by telephone request. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(b) Access to and Correction of Records.—Any public witness, or person authorized by such witness, during committee office hours in the committee offices and within 2 weeks of the close of hearings, may obtain a transcript copy of that public witness's testimony and make such technical, grammatical and typographical corrections as authorized by the person making the remarks involved as will not alter the nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the committee. Members of the committee or subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the committee. The committee or subcommittee may order the printing of a hearing record without the corrections of any Member or witness if it determines that such Member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is subject of the hearing. The record of a hearing shall be closed 10 calendar days after the last oral testimony, unless the committee or subcommittee determines otherwise. Any person requesting to file a statement for the record of a hearing must so request before the hearing concludes and must file the statement before the record is closed unless the committee or subcommittee determines otherwise. The committee or subcommittee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

(c) Property of the House.—All committee and subcommittee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Members serving as chairman and such records shall be the property of the House and all Members of the House shall have access thereto. The majority staff director shall promptly notify the chairman and the ranking minority member of any request for access to such records.

(d) Availability of Archived Records.—The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with House rule VII. The chairman shall notify the ranking minority member of the committee of the need for a committee order pursuant to clause 3(b)(3) or clause 4(b) of such House rule, to withhold a record otherwise available.

(e) Special Rules for Certain Records and Proceedings.—A stenographic record of a business meeting of the committee or subcommittee shall be kept and thereafter may be published if the chairman of the committee, after consultation with the ranking minority member, determines there is need for such a record. The proceedings of the committee or subcommittee in a closed meeting, evidence or testimony in such meeting, shall not be divulged unless otherwise determined by a majority of the committee or subcommittee.

(f) Electronic Availability of Committee Publications.—To the maximum extent feasible, the committee shall make its publications available in electronic form.

VI. POWER TO SIT AND ACT; SUBPOENA POWER

(a) Authority to Sit and Act.—For the purpose of carrying out any of its function and duties under House rules X and XI, the committee and each of its subcommittees is authorized (subject to paragraph (b)(1) of this rule)—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings, and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents, as it deems necessary. The chairman of the committee or subcommittee, or any Member designated by the chairman, may administer oaths to any witness.

(b) Issuance of Subpoenas.—(1) A subpoena may be authorized and issued by the committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, as provided in clause 2(m)(3)(A) of House rule XI. Such authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee. As soon as practicable after a subpoena is issued under this rule, the chairman shall notify all members of the committee of such action.

(2) Notice of a meeting to consider a motion to authorize and issue a subpoena should be given to all members of the committee by 5 p.m. of the day preceding such meeting.

(3) Compliance with any subpoena issued by the committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(4) A subpoena *duces tecum* may specify terms of return other than at meeting or hearing of the committee or subcommittee authorizing the subpoena.

(c) Expenses of Subpoenaed Witnesses.—Each witness who has been subpoenaed, upon the completion of his or her testimony before the committee or any subcommittee, may report to the offices of the committee, and there sign appropriate vouchers for travel allowances and attendance fees to which he or she is entitled. If hearings are held in cities other than Washington DC, the subpoenaed witness may contact the majority staff director of the committee, or his or her representative, before leaving the hearing room.

VII. HEARING PROCEDURES

(a) Power to Hear.—For the purpose of carrying out any of its functions and duties under House rule X and XI, the committee and its subcommittees are authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See paragraph (a) of committee rule VI and paragraph (f) of committee rule X for provisions relating to subcommittee hearings and meetings.)

(b) Announcement.—The chairman of the committee shall after consultation with the ranking minority member of the committee, make a public announcement of the date, place and subject matter of any committee hearing at least 1 week before the commencement of the hearing. The chairman of a subcommittee shall schedule a hearing only after consultation with the chairman of the committee and after consultation with the ranking minority member of the subcommittee, and the chairmen of the other subcommittees after such consultation with the committee chairman, and shall request the majority staff director to make a public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the chairman of the committee or the subcommittee, with concurrence of the ranking minority member of the committee or subcommittee, determines there is good cause to begin the hearing sooner, or if the committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the chairman of the committee or subcommittee, as appropriate, shall request the majority staff director to make such public announcement at the earliest possible date. The clerk of the committee shall promptly notify the Daily Digest Clerk of the Congressional Record, and shall promptly enter the appropriate information into the committee scheduling service of the House Information Systems as soon as possible after such public announcement is made.

(c) Scheduling of Witnesses.—Except as otherwise provided in this rule, the scheduling of witnesses and determination of the time allowed for the presentation of testimony at hearings shall be at the discretion of the chairman of the committee or subcommittee, unless a majority of the committee or subcommittee determines otherwise.

(d) Written Statement; Oral Testimony.—(1) Each witness who is to appear before the committee or a subcommittee, shall insofar as practicable file with the majority staff director of the committee, at least 2 working days before day of his or her appearance, a written statement of proposed testimony. Witnesses shall provide sufficient copies of their statement for distribution to committee or subcommittee members, staff, and the news media. Insofar as practicable, the committee or subcommittee staff shall distribute such written statements to all members of the committee or subcommittee as soon as they are received as well as any official reports from departments and agencies on such subject matter. All witnesses may be limited in their oral presentations to brief summaries of their statements within the

time allotted to them, at the discretion of the chairman of the committee or subcommittee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (a) of committee rule VI, the chairman of the committee or one of its subcommittees, or any Member designated by the chairman, may administer an oath to any witness.

(3) To the greatest extent practicable, each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(e) Questioning of Witnesses.—Committee or subcommittee members may question witnesses only when they have been recognized by the chairman of the committee or subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for 5 minutes until such time as each Member of the committee or subcommittee who so desires has had an opportunity to question the witness for 5 minutes; and thereafter the chairman of the committee or subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless a majority of the committee or subcommittee determines otherwise, no person shall interrogate witnesses other than committee and subcommittee members.

(f) Extended Questioning for Designated Members.—Notwithstanding paragraph (e), the chairman and ranking minority member may designate an equal number of members from each party to question a witness for a period not longer than 60 minutes.

(g) Witnesses for the Minority.—When any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee or subcommittee shall be entitled, upon request to the chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least 1 day of hearing thereon as provided in clause 2(j)(1) of House rule XI.

(h) Summary of Subject Matter.—Upon announcement of a hearing, to the extent practicable, the committee shall make available immediately to all members of the committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the chairman of the committee or subcommittee shall, to the extent practicable, make available to the members of the committee any official reports from departments and agencies on such matter. (See committee rule X(f).)

(i) Participation of Committee Members in Subcommittees.—All members of the committee may attend any subcommittee hearing in accordance with clause 2(g)(2) of House rule XI, but a Member who is not a member of the subcommittee may not vote on any matter before the subcommittee nor offer any amendments or motions and shall not be counted for purposes of establishing a quorum for the subcommittee and may not question witnesses without the unanimous consent of the subcommittee.

(j) Open Hearings.—Each hearing conducted by the committee or subcommittee shall be open to the public, including radio, television and still photography coverage, except as provided in clause 4 of House rule XI (see also committee rule III (b).). In any event, no Member of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the committee or subcommittee, for purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

(k) Hearings and Reports.—(1)(i) The chairman of the committee or subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the committee rules (and the applicable provisions of clause 2 of House rule XI, regarding hearing procedures, an excerpt of which appears in appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The chairman of the committee or subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full committee may cite the offender to the House for contempt.

(ii) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (j) of this rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person. The committee or subcommittee shall afford a person an opportunity voluntarily to appear as a witness; and the committee or subcommittee shall receive and shall dispose of requests from such person to subpoena additional witnesses.

(iii) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee or subcommittee. In the discretion of the committee or subcommittee, witnesses may submit brief and pertinent statements in writing for inclusion in the record. The committee or subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearings. A witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by the committee or subcommittee. (See paragraph (c) of committee rule V.)

(2) A proposed investigative or oversight report shall be considered as read if it has been available to the members of the committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day) in advance of their consideration.

VIII. THE REPORTING OF BILLS AND RESOLUTIONS

(a) Filing of Reports.—The chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure approved by the committee and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or measure shall be reported from the committee unless a majority of the committee is actually present. A committee report on any bill, resolution, or other measure approved by the committee shall be filed within 7 calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the majority staff director of the committee a written request, signed by a majority of the committee, for the reporting of that bill or resolution. The majority staff director of the committee shall notify the chairman immediately when such a request is filed.

(b) Content of Reports.—Each committee report on any bill or resolution approved by the committee shall include as separately identified sections:

(1) a statement of the intent or purpose of the bill or resolution;

(2) a statement describing the need for such bill or resolution;

(3) a statement of committee and subcommittee consideration of the measure including a summary of amendments and motions offered and the actions taken thereon;

(4) the results of the each record vote on any amendment in the committee and subcommittee and on the motion to report the measure or matter, including the names of those Members and the total voting for and the names of those Members and the total voting against such amendment or motion (See clause 3(b) of House rule XIII);

(5) the oversight findings and recommendations of the committee with respect to the subject matter of the bill or resolution as required pursuant to clause 3(c)(1) of House rule XIII and clause 2(b)(1) of House rule X;

(6) the detailed statement described in section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law;

(7) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the committee;

(8) a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding;

(9) a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution;

(10) an estimate by the committee of the costs that would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and for its authorized duration or for each of the 5 fiscal years following the fiscal year of reporting, whichever period is less (see Rule XIII, clause 3(d)(2), (3) and (h)(2), (3)), together with——

(i) a comparison of these estimates with those made and submitted to the committee by any Government agency when practicable, and

(ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(11) the changes in existing law (if any) shown in accordance with clause 3 of House rule XIII;

(12) the determination required pursuant to section 5(b) of Public Law 92–463, if the legislation reported establishes or authorizes the establishment of an advisory committee; and

(13) the information on Federal and intergovernmental mandates required by section 423(c) and (d) of the Congressional Budget Act of 1974, as added by the Unfunded Mandates Reform Act of 1995 (P.L. 104–4).

(14) a statement regarding the applicability of section 102(b)(3) of the Congressional Accountability Act, Public Law 104–1.

(c) Supplemental, Minority, or Additional Views.—If, at the time of approval of any measure or matter by the committee, any Member of the committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than 2 subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file such views, in writing and signed by that Member, with the majority staff director of the committee. When time guaranteed by this paragraph has expired (or if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk of the House not later than 1 hour after the expiration of such time. All such views (in accordance with House rule XI, clause 2(1) and House rule XIII, clause 3(a)(1)), as filed by one or more members of the committee, shall be included within and made a part of the report filed by the committee with respect to that bill or resolution.

(d) Printing of Reports.—The report of the committee on the measure or matter noted in paragraph (a) above shall be printed in a single volume, which shall:

(1) include all supplemental, minority or additional views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under House rule XII, clause 3(a)(1)) are included as part of the report.

(e) Immediate Printing; Supplemental Reports.—Nothing in this rule shall preclude——

(1) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by paragraph (c), or

(2) the filing by the committee of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the committee on that bill or resolution.

(f) Availability of Printed Hearing Records.—If hearings have been held on any reported bill or resolution, the committee shall make every reasonable effort to have the record of such hearings printed and available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) Committee Prints.—All committee or subcommittee prints or other committee or subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the chairman of the committee or the committee prior to public distribution.

(h) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the committee may be filed with the Clerk at any time, provided that if a member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 7 calendar days in which to submit such views for inclusion with the report.

(2) After an adjournment of the last regular session of a Congress sine die, the chairman of the committee may file at any time with the Clerk the committee's activity report for that Congress pursuant to clause 1(d)(1) of rule XI of the Rules of the House of Representatives without the approval of the committee, provided that a copy of the report has been available to each member of the committee for at least 7 calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the committee.

IX. OTHER COMMITTEE ACTIVITIES

(a) Oversight Plan.—Not later than February 15 of the first session of a Congress, the chairman shall convene the committee in a meeting that is open to the public and with a quorum present to adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing such plans the committee shall, to the maximum extent feasible——

(1) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

(2) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals; and

(3) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(4) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review at least once every 10 years.

The committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as provided in clause 2(d) of House rule X. The committee shall include in the report filed pursuant to clause 1(d) of House rule XI a summary of the oversight plans submitted by the committee under clause 2(d) of House rule X, a summary of actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the committee and any recommendations made or actions taken thereon.

(b) Annual Appropriations.—The committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) Budget Act Compliance: Views and Estimates (See appendix B).—By February 25 each year and after the President submits a budget under section 1105(a) of title 31, United State Code, the committee shall, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974—see appendix B) that are within its jurisdiction or functions; and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(d) Budget Act Compliance: Recommended Changes.—Whenever the committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974 (See appendix B).

(e) Conference Committees.—Whenever in the legislative process it becomes necessary to appoint conferees, the chairman shall, after consultation with the ranking minority member, determine the number of conferees the chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in House rule I, clause 11, the names of those members of the committee of not less than a majority who generally supported the House position and who were primarily responsible for the legislation. The chairman shall, to the fullest extent feasible, include those members of the committee who were the principal proponents of the major provisions of the bill as it passed the House and such other committee members of the majority party as the chairman may designate in consultation with the members of the majority party. Such recommendations shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority party members to minority party members on the committee. In making recommendations of minority party members as conferees, the chairman shall consult with the ranking minority member of the committee.

X. SUBCOMMITTEES

(a) Number and Composition.—There shall be such subcommittees as specified in paragraph (c) of this rule. Each of such subcommittees shall be composed of the number of members set forth in paragraph (c) of this rule, including ex officio members.

The chairman may create additional subcommittees of an ad hoc nature as the chairman determines to be appropriate subject to any limitations provided for in the House rules. The chairman and ranking minority member of the committee serve as ex officio members of the subcommittees. (See paragraph (e) of this rule).

(b) Ratios.—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees and ratios below reflect that fact.

(c) Jurisdiction.—Each subcommittee shall have the following general jurisdiction and number of members:

Department Operations, Oversight, Nutrition, and Forestry (15 members, 8 majority, 7 minority).—Agency oversight, review and analysis, special investigations, food stamps, nutrition and consumer programs, forestry in general, forest reserves other than those created from the public domain, plant pesticides, quarantine, adulteration of seeds, and insect pests.

Conservation, Credit, Rural Development, and Research (17 members, 9 majority, 8 minority).—Soil, water, and resource conservation, small watershed program, agricultural credit, rural development, rural electrification, energy and biobased energy production, farm security and family farming matters, agricultural research, education, and extension services.

General Farm Commodities and Risk Management (37 members, 19 majority, 18 minority).—Program and markets related to cotton, cotton seed, wheat, feed grains, soybeans, oilseeds, rice, dry beans, peas, lentils, the Commodity Credit Corporation, crop insurance, commodity exchanges, and biotechnology.

Livestock and Horticulture (19 members, 10 majority, 9 minority).—Livestock, dairy, poultry, meat, seafood and seafood products, inspection, marketing and promotion of such commodities, aquaculture, animal welfare, grazing, fruits and vegetables, and marketing orders.

Specialty Crops and Foreign Agriculture Programs (19 members, 10 majority, 9 minority).—Peanuts, sugar, tobacco, honey and bees, marketing orders related to such commodities, foreign agricultural assistance, and trade promotion programs, generally.

(d) Referral of Legislation.—

(1)(a) In general.—All bills, resolutions, and other matters referred to the committee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks after being referred to the committee. After consultation with the ranking minority member, the chairman may determine that the committee will consider certain bills, resolutions, or other matters.

(b) Trade Matters.—Unless action is otherwise taken under subparagraph (3), bills, resolutions, and other matters referred to the committee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the committee.

(2) The chairman, by a majority vote of the committee, may discharge a subcommittee from further consideration of any bill, resolution, or other matter referred to the subcommittee and have such bill, resolution or other matter considered by the committee. The committee having referred a bill, resolution, or other matter to a subcommittee in accordance with this rule may discharge such subcommittee from further consideration thereof at any time by a vote of the majority members of the committee for the committee's direct consideration or for reference to another subcommittee.

(3) Unless the committee, a quorum being present, decides otherwise by a majority vote, the chairman may refer bills, resolutions, legislation or other matters not specifically within the jurisdiction of a subcommittee, or that is within the jurisdiction of more than one subcommittee, jointly or exclusively as the chairman deems appropriate, including concurrently to the subcommittees with jurisdiction, sequentially to the subcommittees with jurisdiction (subject to any time limits deemed appropriate), divided by subject matter among the subcommittees with jurisdiction, or to an ad hoc subcommittee appointed by the chairman for the purpose of considering the matter and reporting to the committee thereon, or make such other provisions deemed appropriate.

(e) Service on subcommittees.—(1) The chairman and the ranking minority member shall serve as ex officio members of all subcommittees and shall have the right to vote on all matters before the subcommittees. The chairman and the ranking minority member may not be counted for the purpose of establishing a quorum.

(2) Any member of the committee who is not a member of the subcommittee may have the privilege of sitting and nonparticipatory attendance at subcommittee hearings in accordance with clause 2(g)(2) of House rule XI. Such member may not:

(i) vote on any matter;

(ii) be counted for the purpose of establishing a quorum for any motion, vote, or other subcommittee action;

(iii) participate in questioning a witness under the 5–minute rule, unless permitted to do so by the subcommittee chairman or a majority of the subcommittee a quorum being present;

(iv) raise points of order; or

(v) offer amendments or motions.

(f) Subcommittee Hearings and Meetings.—(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and make recommendations to the committee on all matters referred to it or under its jurisdiction after consultation by the subcommittee chairmen with the committee chairman. (See committee rule VII.)

(2) After consultation with the committee chairman, subcommittee chairmen shall set dates for hearings and meetings of their subcommittees and shall request the majority staff director to make any announcement relating thereto. (See committee rule VII(b).) In setting the dates, the committee chairman and subcommittee chairman shall consult with other subcommittee chairmen and relevant committee and subcommittee ranking minority members in an effort to avoid simultaneously scheduling committee and subcommittee meetings or hearings to the extent practicable.

(3) Notice of all subcommittee meetings shall be provided to the chairman and the ranking minority member of the committee by the majority staff director.

(4) Subcommittees may hold meetings or hearings outside of the House if the chairman of the committee and other subcommittee chairmen and the ranking minority member of the subcommittee is consulted in advance to ensure that there is no scheduling problem. However, the majority of the committee may authorize such meeting or hearing.

(5) The provisions regarding notice and the agenda of committee meetings under committee rule II(a) and special or additional meetings under committee rule II(b) shall apply to subcommittee meetings.

(6) If a vacancy occurs in a subcommittee chairmanship, the chairman may set the dates for hearings and meetings of the subcommittee during the period of vacancy. The chairman may also appoint an acting subcommittee chairman until the vacancy is filled.

(g) Subcommittee Action.—(1) Any bill, resolution, recommendation, or other matter forwarded to the committee by a subcommittee shall be promptly forwarded by the subcommittee chairman or any subcommittee member authorized to do so by the subcommittee.

(2) Upon receipt of such recommendation, the majority staff director of the committee shall promptly advise all members of the committee of the subcommittee action.

(3) The committee shall not consider any matters recommended by subcommittees until 2 calendar days have elapsed from the date of action, unless the chairman or a majority of the committee determines otherwise.

(h) Subcommittee Investigations.—No investigation shall be initiated by a subcommittee without the prior consultation with the chairman of the committee or a majority of the committee.

XI. COMMITTEE BUDGET, STAFF, AND TRAVEL

(a) Committee Budget.—The chairman, in consultation with the majority members of the committee, and the minority members of the committee, shall prepare a preliminary budget for each session of the Congress. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the committee and subcommittees. After consultation with the ranking minority member, the chairman shall include an amount budgeted to minority members for staff under their direction and supervision. Thereafter, the chairman shall combine such proposals into a consolidated committee budget, and shall take whatever action is necessary to have such budget duly authorized by the House.

(b) Committee Staff.—(1) The chairman shall appoint and determine the remuneration of, and may remove, the professional and clerical employees of the committee not assigned to the minority. The professional and clerical staff of the committee not assigned to the minority shall be under the general supervision and direction of the chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See House rule X, clause 9).

(2) The ranking minority member of the committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the ranking minority member of the committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of committee staff pursuant to any primary or additional expense resolution, the chairman shall ensure that each subcommittee is adequately funded and staffed to discharge its responsibilities and that the minority party is fairly treated in the appointment of such staff (See House rule X, clause 6(d)).

(c) Committee Travel.—(1) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of committee members and committee staff regarding domestic and foreign travel (See House rule XI, clause 2(n) and House rule X, clause 8 (reprinted in appendix A)). Official travel for any Member or any committee staff member shall be paid only upon the prior authorization of the chairman. Official travel may be authorized by the chairman for any committee Member and any committee staff member in connection with the attendance of hearings conducted by the committee and its subcommittees and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

(i) The purpose of the official travel;

(ii) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(iii) The location of the event for which the official travel is to be made; and

(iv) The names of members and committee staff seeking authorization.

(2) In the case of official travel of members and staff of a subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such subcommittee to be paid for out of funds allocated to the committee, prior authorization must be obtained from the subcommittee chairman and the full committee chairman. Such prior authorization shall be given by the chairman only upon the representation by the applicable subcommittee chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the committee chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of members of the committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies;

(i) No Member or employee of the committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(ii) Each Member or employee of the committee shall make an itemized report to the chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

XII. AMENDMENT OF RULES

These rules may be amended by a majority vote of the committee. A proposed change in these rules shall not be considered by the committee as provided in clause 2 of House rule XI, unless written notice of the proposed change has been provided to each committee Member 2 legislative days in advance of the date on which the matter is to be considered. Any such change in the rules of the committee shall be published in the Congressional Record within 30 calendar days after its approval.

□ 1315

PAYING DOWN THE PUBLIC DEBT

The SPEAKER pro tempore (Mr. LINDER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, last night we heard a new President talk about some of the priorities of this country and some of the potential problems with the economy which could eventually affect jobs, not only the number of jobs, but the kind of incomes that are offered for those jobs.

To me the important thing is not whether or not we have a tax cut. To me I think the most important thing we can do to strengthen the economy is to hold down the increase in Federal Government spending. We have seen a Federal Government over the years that has ballooned in size, and the political situation is that when Members of Congress, both the House and the Senate, come up with new programs, new spending, take home pork-barrel projects, they end up on television, the front page of papers and it is announced on the radio; and it probably increases their chances of being reelected.

Mr. Speaker, the problem is having a government growing bigger and bigger, which is bad for the economy when we take more and more money out of worker's pockets and send it to Washington; but the problem is also taking away the empowerment from individuals and sending it to Washington, so Washington ends up with more rules and more governing of your lives and how you live it and take care of your family. I see that moving the question of how big should government be to the top of my personal list.

Now the question is: In a situation now where we have more money coming into government than is currently used or is currently anticipated of being used over the next 10 years, what do we do with those extra dollars.

What happened last year is we increased discretionary spending by approximately 8 percent. The three bills that we finished in December had an increase of almost 14 percent. So government and the tendency for government to get bigger and bigger and control more and more of our lives is very real.

Mr. Speaker, I want to talk about this chart that I have beside me that relates to a lot of talk these days about debt, about paying down the debt. There are three parts to the $5.7 trillion of total public debt in this country. And the three elements that make up the total of $5.7 trillion are:

The debt held by the public, $3.4 trillion. This is the Treasury paper that is loaned out, that is borrowing money for government needs; and so I call it the Wall Street debt.

The other debt is the debt to approximately 119 trust funds, that is about $1.2 trillion; and the debt to the Social Security trust fund, and that is now $1.1 trillion.

So when people talk, when Washington talks about paying down the public debt, they are talking about borrowing money from Social Security trust funds and the other trust funds and using those dollars to pay down the debt held by the public.

Let me briefly go through that again. There is extra money coming into Social Security right now, approximately $150 billion that Social Security taxes will bring in more than is required to send out immediately for Social Security benefits. So what do you do with that $150 billion. Mr. Speaker, we have said look, we are going to take those dollars and write out an IOU and we are going to use that to pay down the so-called Wall Street debt, the debt held by the public.

But over the years, what is anticipated is the total debt, the total debt, the total public debt subject to the debt limit under law is not going to go down. All we do is increase the size of the debt to Social Security, increase the size of the debt to the other 118 trust funds that we have, the largest being civil service, veterans, et cetera, and we decrease the amount of debt held by the public. There are some 20- and 30-year bills out here that would be very difficult to bid up and pay down so we are saying now you can only go so far in paying down the public debt.

Mr. Speaker, the question is what do we do with the extra surplus dollars coming out of the Federal Government. The danger is if we leave this money, if you will, on the counter, available for politicians to spend, the tendency is to spend that extra money.

Mr. Speaker, let me give one example of our trying, our effort. In 1997, with the caps on spending that we set in 1997 and we passed into law, passed by this House, passed by the Senate, signed by the President, that we were going to limit how much discretionary funding we spent over the next 5 years; if we had stuck to those spending caps through those years, that level of spending that is going to exist for the next 10 years that were talked about last night, that we talk about in the 10-year budget, that we talk about in the 10-year savings, if we had stuck to those caps that we set for ourselves instead of violating those caps, we would have spending over the next 10 years that is $1.7 trillion less than what we anticipate for spending because of the new spending levels and the giant increases in spending every year. That could double the tax cut.

One way to help make sure that Washington does not spend that money is to say look, let us set some of this money aside to do nothing except pay down part of that debt held by the public. So even though we borrow some money from Social Security and the other trust funds, at least we do not expand government spending, we use it to pay down the debt held by the public.

Mr. Speaker, the other way is to get some of that money out of town. You would do that by a tax reduction. So can we have the kind of tax reduction that is going to increase fairness, a kind of tax reduction that is going to stimulate the economy during this downswing or at least leveling off of the economy? The answer is absolutely, yes.

There are two ways that we can be significant in helping for this economic recovery in the short term. One is lowering interest rates. Alan Greenspan and the Feds can do that by issuing a rule on what the discount rate is for interest. That lowers interest for everybody.

The other way is government can start reducing the bidding up of available dollars. In other words, paying down the Federal debt to leave more money available for everybody else. So as you decrease the demand for that money, then interest rates are also going to tend to go down.

Let me show my colleagues this next chart. This is what has happened to the total public debt. The public debt is defined in law as the total debt, public debt, subject to the debt limit that includes what we are borrowing from the trust funds in addition to the Treasury paper, the Treasury notes that we are issuing.

As my colleagues see, we did very well from 1940 to about 1982. In 1982, the debt of this country just expanded by leaps and bounds. And how bad is going into public debt? The reason the debt was increased is because, politically, it is easier to increase borrowing than it is to go out and raise taxes.

So to expand government, a decision was made to increase borrowing. So we substantially increase the borrowing, making it tough for our kids and our grandkids because someday, somehow, somewhere, future generations are going to have to pay back this debt, whether it is an obligation to Social Security, whether it is an obligation to Medicare, or whether it is an obligation to the Treasury bills where government has borrowed money.

The next chart sort of starts relating to a particular interest of mine, and that is Social Security. What do we do about the problem of Social Security when the baby boomers retire. They start retiring 8 years from now, and they go out of the, if you will, the mode of paying in their FICA taxes to support Social Security; and they become recipients as they retire. Social Security is going to start, if you will, going broke, start having to have less dollars coming in in taxes than is needed to pay benefits.

It is estimated by Greenspan and others that the unfunded liability of Social Security right now is $9 trillion; that we would have to come up with $9 trillion today to put it in a savings account earning an interest rate of at least 2.2 percent to accommodate keeping our promise to future retirees.

So if we simply continue to borrow Social Security dollars and other trust fund dollars to pay down the debt held by the public, this represents the debt held by the public when the baby boomers retire, and we start needing that money to pay benefits again, then we substantially increase our borrowing to start paying back some of the money. So it is just a temporary downswing and then a giant increase in the debt that will be required if we continue to borrow money in the future.

Back to this chart. So if my colleagues can visualize, if my colleagues can visualize a projection of the increase in debt up till this year, what we are looking at if we borrow money from Social Security and write out an IOU and then pay back the debt, we would have a downswing. But then it would go dramatically upward to increase the debt of the country.

I am a farmer from Michigan. It has always been the tradition for farmers to try to pay off some of the mortgage, to pay it down so that their kids could have a little better chance. In this body, we are not doing our job. We are increasing the debt. We are increasing the obligation to our kids and our grandkids.

Then let me go over this last chart. The President last night suggested maybe some private investment. A lot of people have said, well, gosh, how can one talk about equity investments when the stock market is so volatile right now? What about the downswings?

This chart that I made up represents what has happened to stock investments in the last 100 years. Some downswings, definitely downswings, up, down, up, down, up, down. But with a long-term investment, there has never been a 12-year period where stocks did not have a positive return.

So if one is going to put some of that money into some kind of an equity investment, then the only way it is reasonable, is if one starts talking to younger workers of America, number one; number two, you say one can have the option. One can have some of this money if one puts it into an IRA type investment for one's retirement.

There is going to be limits on where one can invest that money. It is not going to be a situation where some snake-oil salesman can say, look, put your money with me, and then we will double with it. It is going to be limited investments, such as 401(k)s, such as the Thrift Savings accounts that Federal Government employees have. Probably there is also going to be an obligation that half of it or 40 percent or a certain amount goes into bonds or interest-bearing accounts. So only part of that investment can go into growth funds or equity investments.

I think the important thing to realize is the comparison of the average of 6.7 percent a year return on equities as compared to what you are going to get from Social Security. Right now, if one is an average Social Security recipient retiree, one is getting back 1.7 percent return on the money that one and one's employer paid into Social Security.

So then the logical question is, can we do better than a 1.7 percent return? The answer of course is, if one has checked one's CDs or checked most any savings account or checked the school loans that are tax free, there are a lot of ways that we can do much better than a 1.7 percent return that one is going to get from Social Security.

I have got a chart that I will show my colleagues a little bit later; that the average retiree starting next year is going to have to live 22 years after they retire simply to break even on the money that they have sent into Social Security. Social Security is not a good investment.

Ben Snyder is a page helping me put up these charts. Ben is from Northwestern Pennsylvania. We have a page program. Everybody should know and maybe start applying for a page job. It is very interesting. I think we have got about 80 total pages. They come during their junior year in high school, and they work like heck. They get up, I think, at 5:30 in the morning to accommodate both going to school and working as a page in the United States Congress.

□ 1330

This pie chart represents how we are now spending money. The largest piece of pie, if that is visible, roughly 20 percent, is what is being paid out in Social Security. Social Security is the largest Federal Government expenditure and it is growing. Medicare is growing faster. If we go ahead with prescription drug coverage to add to the cost of Medicare, then we are looking at a Medicare expense that could very easily equal the cost of Social Security within the next 50 years.

We argue in this Chamber a good part of the year over discretionary spending. There are 13 appropriation bills. Twelve of those appropriation bills represent 19 percent. The 13th appropriation bill is defense. Defense, by itself, represents 17 percent. In both cases that is still smaller than what is being paid out in Social Security.

So how do we fix the problem when we know eventually that we are going to run out of tax money coming in for Social Security? One possible recourse is to increase taxes on workers. One possibility is to reduce benefits. I do not think either one of those options is acceptable and should not even be considered.

When Franklin Delano Roosevelt created the Social Security program over 6 decades ago, he wanted it to be sort of a part of a three-legged stool, where there would be private pensions, personal savings, plus Social Security. So instead of people going over the hill after the Great Depression to the poor house, the Congress passed a law saying, look, we are going to have forced savings and we are going to take some money out of taxpayers' paychecks while they are working to ensure that they have a little Social Security when they retire. That is the program that we have been operating under since 1934.

Right now, Social Security is a system stretched to its limits. There are 78 million baby boomers who begin retiring 7 years from now. They go out of the paying-in mode and into the recipient or taking-money-out-of-Social Security mode. Social Security spending exceeds tax revenues starting in 2015. Social Security trust funds go broke technically in 2037. We are going to have a new trustee's report soon, and that might even go up to 2040.

The question is, with all of this money, the $1.1 trillion so far, and by that year it will be another $4 trillion,

how does government pay back this money? Maybe there are three options, maybe four: we can increase taxes again on workers or on the general public; we can cut other benefit programs or cut Social Security benefits; we can dramatically increase borrowing to put this country further in debt and put our kids and our grandkids at greater jeopardy and also risk economic development in this country with that kind of negative savings; we can start looking at a fix for the program now. And that is what we should be doing.

I was encouraged that President Clinton said, ''Let us put Social Security first,'' but he did not come up with a bill. I was encouraged last night that this President said, ''Let us give a priority to Social Security.'' But what I wonder and am concerned with regarding this commission is does that just put off the question into the future. I would hope we could move aggressively ahead.

We have Democrat Senators, like Senator Moynihan, Senator KERRY, Democrats in the House, like the gentleman from Texas (Mr. STENHOLM), and a lot of Republicans that have come up with proposals on how we can keep Social Security solvent. But, Mr. Speaker, here is what everybody should remember: that the longer we put off the decision on fixing Social Security, the more dramatic and drastic those changes are going to have to be. So the quicker we do it, the better. So let us move ahead. If it is a commission, hopefully we can move quickly.

Insolvency is certain. We know how many people there are, and we know when they are going to retire: 62, 65 and, in some cases, 67. We know that people will live longer in retirement.

I chaired the Social Security task force, a bipartisan task force, made up of Republicans and Democrats. We ended up, after hearing all of the testimony, agreeing on 18 different parts of the solution that both Republicans and Democrats could agree to. But on the part of living longer, I wanted to mention what some of the medical profession were suggesting in terms of our longevity, our long life-span. They suggest that within 20 to 25 years, anybody that wants to live to be 100 years old will have that option. Within 30 to 35 years, anybody that wants to live to be 120 years old could very well have that option.

What does that do to an individual's personal savings now? Is there going to be enough money in their savings accounts to accommodate any kind of a decent retirement if they are to live that extra 20 years or 30 years over the average today? And what is it going to do to programs that industry has that have guaranteed a fixed income on retirement? It is going to be tremendously expensive. What is it going to do to Social Security and Medicare? A tremendous imposition, a tremendous danger of asking American taxpayers to dig deeper into their pockets in the future to accommodate that growing senior population.

The last point. Taxes will not cover benefits starting in 2015, and the shortfalls will add up to $120 trillion between 2015 and 2075; $120 trillion more is going to be required over and above what is coming in from the payroll tax. One hundred twenty trillion dollars in the future dollars is the same way as expressing the current $9 trillion unfunded liability that we need today to put into an investment account to return at least a 2.2 percent interest rate to accommodate future retirees.

Here is part of the problem: there are fewer workers. It is a program that was designed in 1934 to be a pay-as-you-go program. Like a chain letter, it depended on expansion. It depended on more and more workers paying in part of their payroll tax to accommodate retirees. In 1940, for example, we had 38 workers paying in their Social Security tax for every retiree. In 1940, 38 workers paying in their Social Security tax for every retiree.

Today, it is down to three workers, working with that increased tax and paying in their Social Security tax to accommodate every one retiree. The estimate is that by 2025 there will be just two workers. Because people are living longer, because the birthrate went down substantially after the baby boomers, and the life-span is dramatically increasing, there are fewer workers. So we have fewer workers and more retirees, which makes it tough on those two guys left that are going to end up having to pay that kind of tax, especially if we do not start planning now for the long-term solvency of Social Security.

This represents the long-term solvency up until 1975. Because we increased taxes on Social Security substantially in 1983, the so-called Greenspan Commission in 1983 got together as a commission, what we are talking about now, and they decided to do two things: reduce benefits and increase taxes. They increased taxes so dramatically that there has been a huge surplus since that time coming in from Social Security taxes over and above what was needed for paying out benefits. And let us remind ourselves that it is a pay-as-you-go program. Most of that money comes in at the end of the month; and within the next week, most of the money is sent out in terms of paying benefits for existing retirees. So a huge imposition.

The red part of this chart represents the $120 trillion that Social Security is going to be short of paying benefits over and above what is coming in in Social Security taxes. So I should make my point, Mr. Speaker, and the point is let us not waste this short-term opportunity that we have to make some use of this money to start getting a better return on that money coming in.

There is no Social Security account with our name on it. I have made maybe between 200, 250 speeches around the United States and a lot of people think somehow that there is an entitlement there, that there is an account with their name on it which they are entitled to. This is a quote from the President's Office of Management and Budget and it says: ''These trust fund balances are available to finance future benefit payments and other trust fund expenditures, but only in a bookkeeping sense. They are claims on the Treasury that, when redeemed, will have to be financed by raising taxes, borrowing from the public, or reducing benefits or other expenditures.''

That is the problem. A lot of people, say, ''Well, we have a trust fund that is going to take care of us until 2035, maybe 2040 when the trustee's report comes out. The question is where does the money come from? The money is gone. Over the last 40 years we have taken the extra Social Security surplus and spent it on other programs, which have almost become entitlements.

So it increases the size of government and perpetuates itself because on almost every new spending that is developed there now becomes an interest group, a special interest group, that starts doing everything they can to lobby Congress to continue that spending. And if we continue it the second year, then there is a feeling, well, we are entitled to it. So a strong public political pressure to continue that spending. That is one of the problems that we have seen in this country, is that government has continued to grow.

The public debt now, as I mentioned earlier, is $3.4 trillion. So what we hear is the suggestion that if we pay down this $3.4 trillion it will accommodate the $120 trillion over the next 75 years, or the $46.6 trillion over the next 55, 56 years. The fact is that that little block of money, or the interest savings, worse yet, the interest savings that we save from paying off this $3.4 trillion is going to somehow accommodate the shortfall that we are facing in Social Security.

Some have suggested economic growth will help take care of the Social Security problem. Not so. Because there is a direct relation between the wages we make and the taxes we pay in, in relation to the benefits we will ultimately receive, short-term economic growth and increased wages means that in the short run there is extra money coming into the Social Security Trust Fund; but in the long run, when eventually that person retires, their entitlement for benefits is going to be significantly larger. We increase benefits not based on inflation increases but based on wage inflation. So at some point it ends up catching up with us and simply costing more.

Let me just read through this chart. Social Security benefits are indexed to wage growth. When the economy grows, workers pay more in taxes but also will earn more in benefits when they retire. Growth makes the numbers look better currently now, but

leaves a larger hole to fill later. And the administration has used these short-term advantages, I think, over the last 8 years, to do nothing. Very disappointing.

What I have decided, Mr. Speaker, I have decided that it is going to take the bully pulpit of the President; it is going to take that information going out to America so more and more people know the seriousness of the Social Security problem.

Medicare is also going broke, but right now we are talking about adding a prescription drug coverage to Medicare. There is no question a lot of people need that prescription drug benefit. But, again, it is like a cargo ship that is already overloaded that we know if we are not careful it is going to sink, and yet we are adding more cargo to that ship.

□ 1345

I hope we are very, very careful in the way we design any kind of a prescription drug program or any kind of benefit expansion, whether it is Social Security or Medicare or any of the other benefits. We should not be allowed to do that in any way that simply says that we will borrow more money later or we will tax the younger generation later when we need it or we will pretend that we are going to cut other benefits. My guess is that we do not have the intestinal fortitude to cut Social Security benefits or Medicare benefits significantly or any other government expenditures to accommodate the need in the future.

The biggest risk is doing nothing at all. Social Security has a total unfunded liability of over $9 trillion. The Social Security trust fund contains nothing but IOUs and to keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent or benefits will have to be cut 30 percent. That is just in the next 30 or 40 years.

Here is the average return on what you get on Social Security. Over the last 25 years, the average return on equities, for example, combined with some kind of investment in interest income, such as bonds or other securities, has been 6.7 percent over the last 100 years. It has been approximately 7 percent over the last 25 years. The real return of Social Security is less than 2 percent, or 1.7 percent for most workers, it shows a negative return for some, compared to over 7 percent for the market. Some minority groups and some people that are put in unhealthy environments in their working lives end up dying earlier, so they end up paying into Social Security but never getting anything back really. For example, a young black male, because their life expectancy is earlier than even when they start drawing benefits, is going to have a negative return on average for what they and their employer are putting into Social Security. The average again is 1.7 percent and the market for the last 25 years has given a return of 7 percent.

Even those who oppose PRAs, personal retirement accounts, agree that they offer more retirement security. This is a letter written by Senator BARBARA BOXER and DIANNE FEINSTEIN and Senator TED KENNEDY to then President Clinton. They said, ''Millions of our constituents will receive higher retirement benefits from their current public pensions than they would under Social Security.''

What we did in 1934 is we left it an option to local government and to State government whether they wanted to participate in the Social Security program or whether they wanted to have their own payroll deduction with their own investments.

The U.S. trails other countries in terms of coming up with some programs that are owned by the worker, that they have control over.

Let me just point out, Mr. Speaker, that the Supreme Court on two decisions now has said that there is no entitlement to Social Security. Social Security is a tax on one hand that Congress has passed and the President has signed and the benefit package is simply another benefit package that is not related and otherwise no obligation on the part of government. So government can change any time they want to. When we ran into problems in 1977, when we ran into problems in 1983, in both of those situations government made the decision to lower benefits and increase taxes. I see that as a danger but I see it as a plus if we can have a personal retirement savings account that is in the control of the individual where politicians cannot, if you will, mess around with them in future years.

I see an absolute in our Social Security Task Force that I chaired. We had different vendors come in suggesting that they could guarantee a return much higher than the 1.7 percent that Social Security has, a guaranteed return with part of the investment in equities. With that guarantee you have a little less risk but like in our thrift savings account for the Federal Government, our thrift savings account gives individual Federal employees the option of putting some of the money in index stocks or index bonds or Treasury paper. And so you have some choice but it is limited to more safe investments. If we have a Social Security account, I visualize that as having similar characteristics where you would have a limit on where you could invest that money and a requirement that a certain percentage go into securities that would be interest-bearing and absolute. Look at what can be paid at your local bank on a CD or a government savings bond or any kind of investments that are available out there and very secure in terms of interest, none of which are as low as the 1.7 percent.

This just says that in the 18 years since Chile offered the PRAs, 95 percent of the Chilean workers have created accounts. They have their own passbook. Their average rate of return has been 11.3 percent a year. British workers chose PRAs with 10 percent returns. I was over in Europe representing what our country's public pension program was, and I was surprised to learn that so many countries around the world are so much further ahead in the private investments that give a much greater retirement benefit package than our current Social Security plan does in this country.

For this chart we came up with a dollar amount of $58,475. If the total family income were this $58,000, the return on a PRA is even better. We broke it down into 20 years, 30 years and 40 years, with a decision of whether or not to invest 2 percent of the money, 6 percent of the money or 10 percent of the money. You can see if you go all the way on purple, invest it in a working career for 40 years, you end up putting 10 percent of your money in for 40 years, it ends up being $1,389,000. This is the magic of compound interest. It is another demonstration that you cannot just go in and out of the market. It has got to be more of a long term.

There has never been any period in American history, even around the greatest recession and depression, any 15-year period anyplace you want to put it on the map that has not shown a positive return in equities. For example, if you have 40 percent of your money in investment accounts and not more than 60 percent in equities and you left that money in for 35 years, guess how bad the market would have to drop for you to be worse off than Social Security. The stock market would have to drop 100 percent. That is, of course, never going to happen. It is never going to go to zero. That is because even the 40 percent that are in investment funds are going to end up giving you more than you are going to end up with Social Security.

This is my legislation for Social Security, and I am just going to briefly go through the highlights of the bill. When I first came to Congress in 1993, I wrote my first Social Security bill. I have written three Social Security bills now in each of the last three sessions. They have all been scored to keep Social Security solvent. I have spent a lot of time because I think it is a very, very important program, and I think the consequences of doing nothing, of continuing to put this off, are going to tremendously jeopardize future retirees and going to put a huge burden on future workers. The bill that I introduced, the Solvency Act for 2000, allows workers to invest a portion of their Social Security taxes in their own personal retirement savings account, the PRSAs that start at 2.5 percent of wages and gradually over the next 50 years increase that amount. We do not touch, nor does any proposal that has been introduced in Congress, touch any part of Social Security that is designed as an insurance program for disability and survivors. Nobody is talking about doing anything with that program. That would continue totally

to be a Federal Government program to ensure against disability on the job and the need of survivors if something happened to that particular worker.

My bill does not increase taxes. It repeals the Social Security earnings test for someone 62 years old. It gives workers the choice to retire as early as 59½ years old, and as late as 70. In my proposal, which interestingly I use the word actuarially sound, it does not cost any more to tell a person, Look, if you want to put off your benefits after age 65, we will increase future benefits 8 percent a year in what you otherwise would have gotten from Social Security for every year that you put off retiring. If you wanted to put off the whole 5 years, you could have a 40 percent increase in benefits. It is actuarially balanced simply because your life expectancy, some people might die at 69 or 70, on the average it is not going to cost any more if we allow people to put off their retirement. More and more seniors are in good health and are willing to continue working and that should be a flexible program of choice that is available.

My bill that I introduced this last session takes a portion of the on-budget surplus over the next 10 years. It takes $800 billion over and above the Social Security surplus. So we go into the, if you will, on-budget surplus, some of the surplus that we are talking about. Remember now, this is a pay-as-you-go program. The money comes in, most of it goes out by the end of the week that it comes in, so how do you change that to allow some real investments, some personal investments? That is the cost of transition. To accommodate that cost of transition, to put the money in accounts that are going to give a better return than Social Security does by far, then you need some extra money. Part of that is going to be the Social Security surplus money, but in addition, it is going to take money from the general fund surplus.

So when you hear Washington talk about paying down the debt in the next 10 years, again the debt they are talking about is not the total debt. The debt they are talking about is the Treasury bills, the Treasury paper debt. Here again, the only way that is going to be paid down is if you take the Social Security surplus dollars, write an IOU and use that money to pay down the other debt. By definition, that means that if you are using that money to pay down the Treasury bill debt, you are not using that money to accommodate a transition so that we can have a Social Security program that is going to be solved forever.

I resist and I urge my colleagues and the White House to not suggest that we are going to pay down the debt held by the public over the next 10 years, because by definition that means that we are not going to solve Social Security.

My bill uses the capital market investment to increase the Social Security rate of return, and it is interesting, when I wrote this it was 1.8 percent, today it is 1.7 percent, that workers are now receiving from Social Security. Over time, PRSAs grow and the Social Security fixed benefit is reduced. It indexes future benefit increases to the cost of living increases instead of wage growth. Future benefits would be indexed and increased to a COLA that represents inflation rather than the higher increase due to inflation. That goes a long way in solving the problem.

This is another way of representing that Social Security is a bad investment. To get back what you and your employer put in, or what you put in if you are a private business, in 1940 you had to stay alive 2 months after you retired to get everything back you had put in. By 1960, you had to stay alive 2 years to get everything back. Today when you retire, you have to live 23 years after you retire to break even getting the money back that you and your employer put into Social Security. Not a good investment. We can do better.

This represents what this government has done on tax increases when we have gotten into trouble, Mr. Speaker, in past years. In 1940, the Social Security rate was 2 percent. The employer paid 1 percent, the employee paid 1 percent on the first $3,000. The maximum payment for both employee and employer was $60. In 1960, we raised the rate to 6 percent. We raised the base to $4,800 for a maximum payment, employer and employee, of $288. In 1980, we jumped it to 10.16 percent of the first $26,000. And, of course, after the 1983 changes, we are up to 12.4 percent on the first $78,000. That is about a $10,000 a year payment going into Social Security. The danger is, is what is going to happen in this line and in this line if we do not do anything to fix Social Security and if we put it off, then the likelihood is, is that we are going to put the imposition of more taxes on the American worker to accommodate those existing retirees.

With those tax increases, here is the situation that we have found ourselves in. Now 78 percent of families pay more in the payroll tax than they do in the income tax.

□ 1400

So part of the discussion on a tax cut, how do we accommodate a break for those individuals that pay more in the FICA tax, the payroll withholding tax, than they do in the income tax? My suggestion is that we tell these workers that if they want, it is their choice, but if they want, they can take a part of their Social Security tax and invest it in an IRA, to ultimately increase their retirement benefits.

So I would like to see that part of this tax package that starts that opportunity with the limitation on safe investments, with a requirement that a certain amount go into interest-bearing accounts.

There are six principles of saving Social Security: Protect current and future beneficiaries; allow freedom of choice; preserve the safety net; make Americans better off, not worse off; and create a fully funded system; and no tax increases.

Again, if I come back to my concern of the danger of increasing spending and almost demanding that this body is faced with the kind of lobbyists and special interest pressure to continue that expanded spending, expanding the spending of the Federal Government is the greatest negative, the greatest potential to making our economy worse, than almost anything else we can do.

When we talk about this tax increase, we talk about a situation where this tax increase does not even offset the projected 1993 tax increase. The tax reduction, the tax cut, that President Bush is talking about that our Committee on Ways and Means is taking up tomorrow does not offset those past tax increases.

I think the question we should ask ourselves is, how high should taxes be in the United States? How high should taxes be? And then when we make that decision, we say, look, we do not want them too high. That is going to discourage entrepreneurs. It is going to discourage somebody from going out and getting a second job if they want to do better for their family because government takes more and more of it away. Then after we set that limit, let us discipline ourselves to set priorities on how to spend that amount of money.

There is an unlimited need. We are going to hear Republicans and Democrats suggest that we should not have tax cuts because there are all those needs out there for more government spending. I think this is dangerous. I think we should not let ourselves fall into the trap of trying to fix every problem there is from Washington and simply asking all taxpayers to pay a greater tax on what they might earn.

How would Members react, Mr. Speaker, if they were thinking of starting a new business that would employ workers and give them a good salary if government told them if they are a success we are going to take half of the money that they make and if they fail then tough luck, they do not have any money to send their kids to piano lessons and do not have the money to have a decent vacation? If we increase taxes too high, it is a negative on the economy. If we let the debt grow too much, then it becomes the kind of negative savings that we are seeing in this country.

By the way, this country has a lower savings rate than any other industrial country in the world.

Finishing up, personal retirement accounts, they do not come out of Social Security. They would simply come out of the additional funds that are now coming into government, the so-called surplus. They become part of Social Security retirement benefits. A worker will own his or her own retirement account and it is limited to safe investments that will earn more than the 1.7

percent that we now see as an average return coming back in.

Social Security personal retirement accounts offer more retirement security. For example, if John Doe makes $36,000 a year, in Social Security he can expect $1,280 a month in a personal retirement account compared to what has happened in the last 100 years with no more than 60 percent in equities. He would have $6,514 per month retirement from his PRAs. As I mentioned, States and local governments had the option of going into the Social Security program or doing their own investments. Galveston County, Texas, decided they wanted to do their own investment so they are not paying into Social Security.

Just a comparison in Galveston, death benefits $253 in Social Security, $7,500 under the Galveston plan. Social Security benefits for disability, $1,280; Galveston plan, $2,749. Social Security payments $1,280 a month compared to the Galveston plan now paying $4,790 a month.

I just simply demonstrate this to say that we can do better than the 1.7 percent return we are now getting on Social Security. San Diego did the same thing.

Mr. Speaker, I would conclude by urging this body to hold the limit on spending. Again, we have tried to set caps on spending. We did that last in 1997 with the 1997 caps on spending. If we would have had the discipline to hold down spending, to do what we said we were going to do when we passed those 1997 caps, the baseline, what is projected for increased spending over the years, that is roughly inflation plus 1 percent, the projected spending if we would have stuck with those caps that we set for ourselves, would be $1.7 trillion less than is now projected under the new baseline. So we could have doubled the tax cut.

So the danger and the question is, how do we keep government from continuing to grow at the rate that it has been growing? How do we make sure we pay down the total debt of this country, including the debt that is owed to the trust funds, Social Security, Medicare and the other trust funds, to make sure we keep Medicare and Social Security solvent? It is a huge challenge.

Mr. Speaker, I appreciate the time; and I urge the President, I urge my colleagues, to move aggressively to solving Social Security and developing ways that we can discipline ourselves. A lot of this has to come from the White House. Discipline the Federal Government from continuing to increase spending like we have in the past.

PRINTING OF A REVISED EDITION OF ''BLACK AMERICANS IN CONGRESS, 1870–1989''

The SPEAKER pro tempore (Mr. REHBERG). Under the Speaker's announced policy of January 3, 2001, the gentleman from Maryland (Mr. HOYER) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOYER. Mr. Speaker, this is the last day of Black History Month, a vital commemoration that we celebrate in our Nation each February. I have had the privilege of hosting for 20 years, every year that I have been in Congress, a black history breakfast in my district, to which I have invited extraordinary speakers over the years, including our colleagues, the gentleman from Georgia (Mr. LEWIS), the gentleman from Illinois (Mr. JACKSON); as well as his father; and many other distinguished African Americans and Members of this House.

At the outset, because she has a committee meeting to attend, I would like to yield to one of our newer colleagues but who is not new to the struggle for civil rights in this country and in her city. She is also a leader in her city as a prosecutor and as a judge. It gives me a great deal of pleasure to yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) for yielding.

Mr. Speaker, I have to say that in the time that I have been in Congress, although 2 years and 60 days, the gentleman from Maryland (Mr. HOYER) has been one of my finest friends and has given me great instruction and guidance; but I want to be invited to be the speaker at the Black History Month breakfast next year.

Mr. HOYER. I hear the gentlewoman.

Mrs. JONES of Ohio. Mr. Speaker, I rise today in support of the resolution to reprint the book called Black Americans in Congress; and I thank my colleague, the gentleman from Maryland (Mr. HOYER), and my colleague, the gentleman from Ohio (Mr. NEY), for their insight and vision to do such a thing.

I rise today to honor the contributions of black Americans in the Congress of the United States. In our collective history, the period of 1865 to 1877 marked reconstruction. The first African-American Member of Congress, Senator Hiram Rhodes Revels from Mississippi, Republican, served in 1870 in the 41st Congress.

Senator Revels was also the first black Member of Congress and the first black Member from Mississippi. Senator Revels began an illustrious tradition that has continued through this day. The History of Blacks in Congress was last published in 1989. It is now time to update this volume to reflect the work of individual Members of Congress, as well as the collective work of the Congressional Black Caucus over the past 12 years.

In the 212 years of congressional history, African-American Members of Congress have shown that effective African-American leadership is more than simple expressiveness. It must deliver substance by opening up opportunities for the poor and powerless. It must enhance race relations but also hold accountable any group or individual that may seek to disenfranchise people of color.

Hiram Revels and other 19th and 20th century black Members of Congress worked to ensure that representation of African Americans through the franchise, voting rights. At this point in our history, it is highly significant that we must continue to examine the systematic disenfranchisement of voters, most recently during the 2000 elections.

Most African Americans who aspire to leadership in the post-civil rights era will understand what makes a difference in people's lives: Homes and safe neighborhoods, schools that teach our children, businesses that support economic growth and jobs in our communities, faith and community institutions. These matters are at the heart of much of the work of the Members of Congress, both black and white. But until our society prioritizes fairness, economic stability, health care, security for seniors, and education, advocacy on behalf of the poor and powerless need continue. African-American Members of Congress will continue to strongly advocate to ensure that our society evolves into a more perfect union.

Again, I am so happy to join my colleague, the gentleman from Maryland (Mr. HOYER), and my other colleagues as we push to reprint Black Americans in Congress. This time maybe I will get printed in the program since I have managed to make it here, and am blessed to be here.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from Ohio (Mrs. JONES) for her remarks. She is impossible not to include, Mr. Speaker. She is effervescent, ever-present and ever-ready; and we thank her for her participation.

Mr. Speaker, I mentioned that today is the last day of Black History Month. It is appropriate that we look back on this history and we look back with our eyes wide open at the injustices committed on American soil. The stain on our history deserves no defense because it is simply indefensible, but let us take this opportunity today to look back and learn from those who led our Nation out of darkness through the strength of character, through the unbreakable human spirit, through the unending quest for freedom and human dignity and in the words of that great national anthem, ''facing the rising sun of their new day begun, let us march until victory is won.''

The inspiring lives of our colleagues teach rich lessons for all of us. The inspiring lives of great African Americans do so as well: George Washington Carver; Frederick Douglas; Sojourner Truth; Harriet Tubman; W.E.B. DuBois; Thurgood Marshall, from my own State; Jackie Robinson; Dr. Martin Luther King, Jr.; and Shirley Chisholm, who served with such high distinction in this House. Mr. Speaker, that list of great African Americans could go on and on; and that list is continually growing.

If we take a look around this very body, Mr. Speaker, we will see a new generation of African-American leaders who serve the American people so ably, so proudly. It is important that we recognize their contributions and their service to the people of America.

□ 1415

It is important that we capture the rich lessons of their lives which inspire generations yet to come, not just of young African-Americans who will see them as role models, but young Americans and young people throughout the world who will see them as courageous human beings who have overcome great adversity, racism, in many instances, economic deprivation, cultural deprivation.

Some, have come from advantaged homes, but they have not forgotten that there is a struggle that continues.

To that end, Mr. Speaker, I have joined more than 40 of our colleagues in introducing a bipartisan concurrent resolution for the printing of a revised edition of the House document entitled ''Black Americans in Congress, 1870 to 1989.'' I introduced this because in the last 10 years now we have had many distinguished African-Americans join our ranks. I and my cosponsors want to make sure that they are remembered.

The latest edition of this work, published in 1990, contains biographies, photographs, and other important historical information about the 66 distinguished African-Americans who had served in either Chamber of Congress as of January 23, 1990. Since that time, an additional 40 distinguished African-Americans have served or are now serving.

As we celebrate Black History Month, therefore, I encourage my colleagues to support this important resolution, which directs the Library of Congress to revise and update this volume. It will be a tremendously important resource for Members, scholars, students, and others.

To appreciate history, we must recognize where we have been and how far we have come. When the Voting Rights Act was signed into law by President Johnson in 1965, there were five African-Americans in Congress. Today there are 38, nearly eight times that number. Progress? Yes. But our work is far from finished. We cannot, rest on our laurels or that accomplishment. That, Mr. Speaker, as all of us in America know, became painfully clear during last November's national election.

Yesterday I participated in an important hearing on election reform convened by the Members of the Congressional Black Caucus. It is undeniable that the election problems and irregularities that arose not just in Florida, where we focused, but all across this land, contain a profound civil rights dimension.

It is a basic right of American citizenship to have the opportunity to vote. It is a fundamental responsibility of our democracy that we ensure that their everyone's vote is properly counted. In Atlanta's Fulton County, which uses punch card machines similar to those that gained so much notoriety in Florida, one in every 16 ballots for President was invalidated. In Cobb and Gwinnett Counties, two largely white neighboring counties that use more modern optical-scan equipment, the nullification rate was one in 200. Think of it. In the inner city, one in 16 ballots was thrown out. In the more affluent suburbs, which could afford better technology, only one in 200. What a stark contrast that is a 1,250 percent difference.

That is not acceptable in America, it is not acceptable in any democracy. In many Chicago precincts populated by African-Americans, one in every six ballots was thrown out. In contrast, neighboring DeKalb and Henry Counties, which are mostly white and use optical scan equipment had a spoilage rate of only three-tenths of a percent, one in six versus three-tenths in 100.

It is painfully clear today, Mr. Speaker, nearly 36 years to the day after the famous bloody Sunday civil rights march in Selma, Alabama, an event that awakened the Nation to rank injustice and led to enactment of the Voting Rights Act, that our work is not finished. Far from it. Those brave foot soldiers of the civil rights movement, including our beloved colleague, the gentleman from Georgia (Mr. LEWIS), marched in Selma and across our Nation for the most basic right in a democracy, fought for the right to vote.

Mr. Speaker, I will be marching across the Edmond Pettis Bridge on Sunday. I will be marching across that bridge with the gentleman from Georgia (Mr. LEWIS) and many others to commemorate that historic march which directly led just a few months later to the passage and enactment and signing by President Lyndon Johnson of the Voting Rights Act.

The right to vote alone is simply not enough. Even in a Nation as great as ours, we must redouble our effort to ensure that every single vote is counted, and that the integrity of our election system is never threatened.

It is startling, Mr. Speaker, that women were not able to vote in this country until the 1920s. African-Americans could not vote, not because legally they could not, but because they actually were discouraged. They were not empowered by being encouraged to register to vote. They were instead given literacy tests and other devices were used to preclude them from exercising what the 13th, 14th, and 15th Amendments said was rightfully theirs as citizens of this country.

As we conclude Black History Month, as many of us prepare, as I said, to join the gentleman from Georgia (Mr. LEWIS) and others this weekend in a pilgrimage to the historic civil rights sites in Montgomery, Birmingham, and Selma, let us redouble our commitment to the spirit and righteousness of that historic Voting Rights Act and say, never again, never again will we accept an election system that fails to count every vote.

As Frederick Douglass, the abolitionist and journalist who escaped from slavery, said so many years ago, ''The whole history of the progress of human liberty shows that all concessions yet made to august claims have been born of earnest struggle. If there is no struggle, there is no progress.''

When we join the earnest struggle for human liberty, then and only then, Mr. Speaker, will we have learned the rich lessons that Black History Month helps us to teach. Then and only then will we honor the extraordinary Americans, African Americans, but Americans, committed to their country, chosen by their neighbors to serve in this Congress who have enriched this institution, enriched their fellow African Americans, and enriched this Nation by their service.

Mr. Speaker, I am pleased in this special order to urge every one of my colleagues to support this resolution to reprint this fine publication to ensure that even the newest Members of this Congress who are African Americans are included in it, so that everybody in America can know of their background, of their service, and of their commitment.

Mr. Speaker, I am pleased to yield to the gentleman from Missouri (Mr. CLAY), a distinguished former member of the Missouri Senate, the son of a distinguished former member of this body, William Clay, who chaired the Committee on Education and Labor for a number of years, who was a giant in speaking out for the education of every American child, white or black, yellow, brown, or red.

The gentleman's father is, I know, extraordinarily proud of his son, who has been selected by his Missouri neighbors to represent them here. No father can send a son here; only the citizens can do that.

I am pleased now to yield to the gentleman from Missouri (Mr. CLAY), the son of a great American, a great American himself, and the president of the House freshman class for the year 2000.

Mr. CLAY. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, it is appropriate that I rise on this, the last day of Black History Month, to urge my colleagues to support passage of House Concurrent Resolution 43.

I also want to thank my distinguished colleague, the gentleman from Maryland (Mr. HOYER), for scheduling this special order and allowing us this opportunity to speak on the measure.

As the gentleman from Maryland (Mr. HOYER) mentioned earlier, I am a second generation African American Member of this body. I am only the second African American to succeed a parent in this body, with the gentleman from Tennessee (Mr. FORD) being the first.

We were proud to follow in our parents' footsteps, and with both his father and my father being founding members of the Congressional Black Caucus, that adds a certain significance, also.

House Concurrent Resolution 43 calls on the Library of Congress to update and reprint the historic publication, ''Black Americans in Congress, 1870 to 1989.'' I urge all of my colleagues to support this effort. Black Americans in Congress is an important historical document for all Americans. It brings together the stories of men and women of color who, through their own determination and commitment, overcame incredible barriers to serve this Nation with distinction as Members of Congress. The collective stories are a record of achievement that we can all be proud of.

It has been more than a decade since this collection was last issued, and during that time many more distinguished African Americans have stepped forward to serve their Nation as Congressmen and Congresswomen. Their stories of success in public service deserve to be told, as well.

I encourage all of my colleagues in the House to support and pass this resolution.

Mr. HOYER. I thank the gentleman for his comments, and contributions. He and the gentleman from Tennessee (Mr. FORD) have two fathers who are very, very proud, and I know mothers, as well, proud of their sons who are serving so ably and following their fathers' footsteps so appropriately. I thank the gentleman for his comments.

Mr. Speaker, I said earlier that on Sunday I would be marching across the Edmond Pettis Bridge. One of the people that I am sure will be walking with us is a great fighter for civil rights who was there during the darkest days, most difficult days of the struggle for, as Martin Luther King, Jr., said, America to live out its promise. He represents Birmingham, the city of Bull Connor, one of the examples of how hate and racism can inflict a community like a cancer. The gentleman was perhaps not as famous, but a giant himself of the civil rights movement.

I am very proud to yield to my friend, the gentleman from Alabama (Mr. HILLIARD), formerly a member of the Alabama Senate and chairman of one of its most important committees.

□ 1430

Mr. HILLIARD. Mr. Speaker, history is very important, not only for the sake of knowing of the past, but being able to look at the past in terms of the future and the present and interpret history and perhaps see the resemblance and correct the things of the past, so that in the present we will not make those same mistakes.

It is very important that we have documentation that explained the facts, that explained the order of being during a particular time. It is very important that information be gathered and be cataloged and be published, so that in the future, people will be able to reflect back in a written manner and ascertain facts of the past.

Mr. Speaker, I speak because I am one of those who have an appreciation of history. Unless we make sure that our history is accurate, that the record is clear, concise and in a form that can be interpreted, digested and related to the future, we will never be able to have accurate representation of the past, and we will never be able to correct problems of the past, so that those mistakes will not be made in the present, nor in the future.

Bloody Sunday in Selma, Alabama was one of those historical events in Alabama that changed this Nation, that called for laws in the State of Alabama and in the United States Congress to be changed. So it is always important that an accurate representation be made on Bloody Sunday.

It is also important that an accurate representation of the history of those who serve in the United States Congress be documented for the present and for the future.

Mr. Speaker, as a student of history, I ask that all Members concur and support the gentleman from Maryland (Mr. HOYER) and what the gentleman is seeking to do.

This has been done in the past, and it was good. It must be done in the present, so that we may continue the goodness of the past so that it will be available in the future.

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from Alabama (Mr. HILLIARD) for his contribution, not just to speak on this resolution, but his contribution over at least three, possibly four decades of service to his State, to his community and to our Nation. I thank the gentleman from Alabama.

Mr. Speaker, I am pleased to yield to the gentleman from New York (Mr. MEEKS), my friend, one of our newer Members, but one of our most able Members.

Mr. MEEKS of New York. Mr. Speaker, this month, as we celebrate the achievements of African Americans to our great country, I find this resolution most appropriate to recognize the hard work of African American legislators and the world's greatest legislative body, the United States Congress.

As we do today, African Americans have always been the conscience of the Congress, fighting for people and communities that have traditionally had no voice in these hallowed halls, championing for the protection of civil rights of all people.

This book will give a historic illustration of the tireless work black Members of Congress made during the post-Civil War era to the last decade in the 20th century, arguably the most crucial period in our country's history.

Mr. Speaker, I stand here today as a proud Member of Congress, because of the work of black pioneers who served in this body at the turn of the century through the civil rights movement and right on up to today.

Mr. Speaker, I know from looking at the first edition of the book that I stand here as only the 98th Member of Congress who happens to be of African descent. And I know that that first edition sits on my coffee table at home and there a number of young people that pick it up and look at it and begin to ask questions about the people that are contained in there and read the contributions that they have made to this great Nation.

Indeed, I know of some teachers who utilize this book as part of their curriculum, not just in February, but throughout the year in teaching all children, no matter what color they may be, about the accomplishments of those who serve in these hallowed halls and the contributions that they have made to these United States.

Mr. Speaker, for sure we have come a long way, and Members who happen to be of African descent that is in this body have helped make this Nation great and greater than it would have been had they been excluded from this body.

So I want to thank the gentleman from Maryland (Mr. HOYER), my good friend, for introducing this timely resolution. As Black History Month comes to its conclusion, let us all celebrate the achievements of black Members of Congress by updating the work of African American Members of Congress from 1989 until today.

Mr. HOYER. Mr. Speaker, I thank the gentleman from New York (Mr. MEEKS) for his contribution. And the gentleman is correct, the history of this institution would not be nearly as rich, as important as it is without the contribution of Americans of African descent. Mr. Speaker, I thank him for his contribution.

Mr. Speaker, I am pleased to yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), a distinguished representative of a great State. She is the Chair of the Congressional Black Caucus.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to speak on behalf of this publication. Every month, and this happens to be the last day of that month, we have Black History Month. We have that because much of the history of black Americans was not recorded and intertwined with history making.

Often, we do not know our own history until we can get some publication where someone wrote something down about what was going on.

All too often, we find the absence of anything that sometimes we accomplish unless it is breaking the law. Our young people need role models. They need to know opportunities are really available. When they can see a publication like this, then often it gives them that inspiration to feel that it is possible for them, too. That is why I think that it is very worthy of having it printed and updated now.

Classrooms at every level can utilize something of this sort, and it is not because we think we are that special. It is because there are so many young black Americans that do not even know today that many of us serve in Congress and do not know what we do.

It is very moving to walk into a classroom and students just want to touch you, because they think that where you have gone and what you have achieved is untouchable until you can say to them, it is touchable. It is touchable because the people that are featured in this book helped to make that possible.

And the next one that comes out, it will be those people that helped to bring us to the next level. It is important, and it makes for a more positive attitude with our young people for them to work toward a most successful and productive future.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for her contribution. I want to join her in saying that it was not any individual Member of this Congress of African American descent seeking to have a new book published with his picture. It was a thought, as the gentleman from New York (Mr. MEEKS) mentioned and the gentlewoman has mentioned, that we have millions of young people around this country who are not sure of what the opportunities are. And knowing that there have been trailblazers who have done that and been there will give them a confidence that they, too, can seek opportunity and success in any place in America.

Mr. Speaker, I am pleased to yield to the gentleman from Maryland (Mr. CUMMINGS), my very close friend, who is the Vice Chair of the Congressional Black Caucus and a great leader of this Congress.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman from Maryland (Mr. HOYER) for yielding to me, and I want to thank him for his leadership and sponsorship, and I join the gentleman in sponsoring this legislation and on speaking on it today.

As I listened to the gentleman and then I saw the gentleman from South Carolina (Mr. CLYBURN) walk into this Chamber, I could not help but think about my great grandfather.

The only thing I have from him is to see his grave. I have never seen a picture of him. I have never seen anything written about him, nothing.

I think it is so important that our young people be connected with their past. It is so very, very, very important. This is the kind of effort that does that.

As the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) talked about it, there is something about a child seeing someone who looks like them and saying that here is an African American woman, she is a Congresswoman, and I can be one, too.

Mr. Speaker, I remember when I was a little boy, I mean being a Congressman was just off limits. I just did not even think about it, but I will tell my colleagues one thing, if someone had presented a book like this to me and I could see people who were doing it in my space and in my time, it certainly would have been a major force in helping me to get to where I have gotten to today.

Mr. Speaker, I applaud this effort. I think it is very important that we document our history. During this month, African American History Month, so often what happens is that we set aside this month for African American history, but as I have often said, everyday, 365 days a year, we should not only celebrate the history of African Americans, but celebrate the history of this wonderful country and how all of us have come together to work together.

Mr. Speaker, I think a document such as this not only helps African American children, but guess what, it helps white children, Hispanics and others, too, because then they get a chance to see that their classmates and the foreparents of their classmates made a tremendous contribution to their society.

My daughter was in a class once and she was telling me how a number of the white children just could not believe that her father was in Congress, could not believe it. But I think documents like this remind all of us of the power of the determination, the power of working hard, the power that people can have to attain high heights.

I have often said, and we have said it many times in our State of Maryland, our children are the living messages we send to a future we may never see. When we send a message through a book like this one, it is a powerful message, because someone once said that what a book does is it memorializes a time and a space. It memorializes it, so when we are dead and gone, this document will still be here, lifting up the lives and encouraging people to go forth.

I applaud my good friend, the gentleman from Maryland (Mr. HOYER), with regard to ''Black Americans in Congress'' and seeing that it will now be extended from 1870 straight on up to the present time.

I think it is a wonderful effort, and I think we all ought to applaud ourselves for sending that wonderful, powerful message to our future.

Mr. HOYER. Mr. Speaker, the gentleman from Maryland (Mr. CUMMINGS) is one of the most eloquent Members we have in this body. When he was in the Maryland General Assembly, he was the Speaker Pro Tempore of our House of Delegates, the second highest leader in our House. The gentleman did an extraordinary job there. He is doing an extraordinary job here, and I thank him for his contribution.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. CLYBURN), the immediate past Chair of the Congressional Black Caucus, whom I have known for almost 40 years. He and I started out in the Young Democrats together. We have gone through a lot of history ourselves.

He came to this Congress several years ago. He is a colleague on the Committee on Appropriations, a real leader on the steering committee, the managing committee of our party. He has done an extraordinary job in leading the Congressional Black Caucus and an extraordinary job in serving South Carolina and America.

□ 1445

Mr. CLYBURN. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) very much for yielding me the time. I thank him so much for his leadership, not just on this issue, but his leadership here in the Congress on so many issues. Also, I want to thank the gentleman for our long-time friendship. The gentleman is right. I started adding up the years in my head. I hate to think of it, but the gentleman is probably close to it.

Mr. HOYER. Stop doing that.

Mr. CLYBURN. But, Mr. Speaker, I thank the gentleman from Maryland so much for his friendship over the years, and I appreciate being a part of this special order to speak on this very special issue.

As the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), our chair in the Congressional Black Caucus, stated so eloquently, one of the reasons to me, the main reason for this document, which I think was first published in the 101st Congress, and of course I came here in the 103rd, is in order to give young people most especially in our country a fuller understanding of the broad history of this great Nation.

I have always maintained, as so many others, that Black History Month is a time for us in this country to focus attention in an affirmative way on what some of the issues are today that have come to pass because of our passive resistance in so many areas in years gone by.

As I go around my district during this month, I like to remind the students that I talk to. I go to public schools and private schools. In fact, I have gone to participating in a Black History Month program in a private academy in my district with only one black student. But I accepted the invitation, because I wanted to be there to talk to those students, irrespective of skin color, about what this month really means.

In this country, we tend sometimes when we know that there is an issue that needs to be addressed, we tend not to take the giant step. We want to creep and then crawl, then walk and run.

We started out, when I was a kid, we had Black History Week, the week that embraced both the birthdays of Abraham Lincoln and Frederick Douglass, that was set aside every year for us to focus attention on the contribution of African Americans. That was done because our textbooks in those times

were completely devoid of any mention of African Americans, irrespective of what field they may have made their contributions in.

So in 1976, I believe, under the direction of, first, former President Gerald Ford I think, and then followed in action by maybe executive order by Jimmy Carter when he became President, we moved it to Black History Month.

So we have gone from one week now to a month. I believe that, in the not too distant future, we will eliminate whatever reasons we have for setting aside this month, because I think that we will slowly but surely get to a point where we are going to bring into our textbooks all of the contributions of African Americans in whatever field of endeavor.

I think now, though, we are here to talk about updating this book that really discusses the history of African Americans' service in this great body. I believe it is important for us to understand that this is to offer an opportunity for everybody, red and yellow, black and white, to get a better understanding of their history and a better understanding of all of the people who are citizens of our great Nation what contributions they may have made to the development of this Nation.

Because in so many instances, I am actually surprised when I go to these schools the number of young students, black and white, who are just unaware of this rich history and the kind of respect that can be developed for each other when we have a better understanding that all of us have a rich history in this country and all of us, irrespective of background, race, gender, hair texture or which side of town one may have been born on, all of us have made significant contributions that the entire country celebrates this month and celebrates the year round.

I am going to use an example of what happened in the school I was in the other day to underscore this point. I said to the students that I talked to, I said, you know, when I was a child, I remember the most dreaded disease known to us children at that time was the disease of polio. We used to really live in fear of it. I remember one would come home from school with a headache, my mother feeling that may have been the first sign of polio. Polio visited my neighborhood twice, leaving one of my playmates dead and another one crippled for life.

But along came two people, Jonas Salk and Albert Sabin, whose great work, great study and contributions have virtually eliminated polio from the face of the earth.

Well, at the same time, there were soldiers dying on battlefields all over the world, not because of the wounds they were receiving, but they were dying because of a loss of blood. Along came a guy named Charles Drew who saw that life did not have to end this way. Because of his hard work and his study, he came up with a method by which we can refrigerate blood and save it until we need it.

So I tell students these two stories to let them know that it does not matter to me that Jonas Salk and Albert Sabin happen to have been born white, nor should it matter to anybody else that Charles Drew happened to be born black. What matters to all of us is these three men made contributions so that all of us can have better lives, better quality of life today.

When these things are put in our books so that our students can see that people of various backgrounds, various skin colors did in fact make significant contributions, there is a higher level of respect they will have one for the other.

They will learn to treat that student sitting next to him or her irrespective of what the gender or color they may be with a new level of honor because they will know that that could very well be another leader in the political world, in the government affairs, in science, in whatever field of endeavor they may undertake.

So I want to thank the gentleman from Maryland (Mr. HOYER) for bringing this resolution so that we can update this book, because I think that, when one looks at some of the men and women who have been elected to this august body since it was last published in 1989, it behooves all of us to make them familiar to all of our students so those students can get a better level of respect for this body and for the men and women serving in it.

So I thank the gentleman from Maryland (Mr. HOYER) for letting me be a part of this special order. I hope that the entire Congress will see that the wisdom of going forward with this resolution, funding it, so we can get it out to all of our libraries and our schools, these men and women who make significant contributions day in and day out to the governmental affairs of our great Nation.

Hopefully they may spark something into that little girl or boy who may wonder whether or not service in this body can, in fact, be something they can look forward to and use that as a stepping stone instead of the many stumbling blocks that have been placed in many of their ways in years gone by. So I thank the gentleman so much for letting me be a part of this.

Mr. HOYER. Mr. Speaker, I thank the gentleman from South Carolina (Mr. CLYBURN) for his remarks. I want to say that, having known him for a long period of time, there is no doubt in my mind that he has himself been a spark, an inspiration to many, many young people, not only in his home area of South Carolina, but around this country, to see the opportunities available to them.

Mr. DAVIS of Illinois. Mr. Speaker, I rise to join my colleagues in support of the concurrent resolution authorizing the printing of a revised version of ''Black Americans In Congress, 1870–1989'' Our beloved Capitol is rich in culture, art, and most importantly, history.

It is this great history that paints a picture of growth, prosperity and advancement for all of the world to see. And in this spirit, it behooves us to take note of those great pioneers, who came before us, and blazed a trail for us to follow. It is important to take note of the accomplishments of Congressman Jefferson Franklin Long, the first Black congressman from Georgia. It is essential that history reflects the legacy of Bill Dawson, the first Black congressman to serve on a major congressional committee. We can never forget the contributions of Adam Clayton Powell who introduced legislation to outlaw lynching and the poll tax, and to ban discrimination in the armed forces, housing, employment and transportation. These are just three out of countless examples that illustrate the important accomplishments of legislative patriarchs who presided in these hallowed halls.

The reprinting of ''Black Americans in Congress'', is essential. I urge my colleagues to pass this resolution to help further our dedication in preserving and maintaining the rich history of our Country and fortifying the spirit and heart of our Country's citizens.

Mr. CONYERS. Mr. Speaker, I rise to today in support of H. Con. Res. 43, legislation to authorize printing of a revised and updated version of the book ''Black Americans in Congress, 1870–1989.'' This volume is an important chronicle of the history of the United States Congress. It is especially appropriate that we take time during Black History Month to recognize the many African-American Members of Congress that have come before us.

The printing of an updated version of ''Black Americans in Congress'' will serve as an educational and historical reference for all Americans. We must never forget that there were Black Members of this Congress in 1870, just five years after the end of slavery. We must not hesitate to teach our children that there were, at one time, Members of Congress who had barely secured their own right to vote. As we continue to work towards the promise of our democratic system, it becomes even more relevant to recognize those past Members of Congress who struggled, in sometimes hostile environments, to serve our country. Special thanks go to my good friend STENY HOYER and the Members of the House Administration Committee who have shown such leadership on this important issue. As a founding member and Dean of the Congressional Black Caucus, I encourage the House to pass this resolution.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the subject of this special order.

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

There was no objection.

INTRODUCTION OF THE VOTING IMPROVEMENT ACT

Mr. HOYER. Mr. Speaker, on an additional subject, today together with the gentleman from California (Mr. HORN) and the gentleman from North Carolina (Mr. PRICE), my colleagues, and 60 additional cosponsors, I am introducing the Voting Improvement Act. This bill provides a short-term and

a long-term solution to a crisis we face in the wake of the 2000 elections.

Mr. Speaker, today together with my colleagues Mr. HORN and Mr. PRICE, and with 60 additional cosponsors, I am introducing the Voting Improvement Act. This bill provides a short term and a long term solution to crisis we face in the wake of the 2000 election.

One of the reactions that I have heard repeatedly from my constituents in the months since the election, was shock at the sheer number of votes that were cast but were not counted—19,000 discarded ballots in Palm Beach County alone. Those numbers are shocking—and they have the potential to drive voters away from the polls permanently unless we can act quickly to repair our voting system and repair the voters' confidence in that system.

In 615 days we will be having a federal election. That election will be subjected to the greatest amount of media scrutiny that has ever befallen an election in this country. And that is why I believe that it is imperative that we devise a way to bring about the most dramatic reduction possible in the number of votes that are cast but not counted.

The quickest way to get more votes counted is to target the system with the highest rate of error and the lowest rate of public confidence. That system is, without a doubt, the punch card. A joint MIT Caltech analysis recently estimated that the nationwide error rate for punch cards is 2.5 percent. This translates to as many as 986,000 votes cast but not counted on punch card systems alone. Almost a third of voters used punch card systems in 2000, making it the most commonly used voting method.

Yet, in some jurisdictions punch cards have had error rates as high as 6.25 percent or one in every 16 ballots. These disturbingly high rates of spoiled ballots also have a troubling tendency of occurring in jurisdictions with high populations of minority voters. For example, in Chicago rates of uncounted ballots increased from 1 in 20 in precincts that were less than 30 percent African American, to 1 in 12 ballots in precincts more heavily populated with minorities. Fifty one precincts in Chicago had ballots that were ruined at a rate of 1 in 6 ballots. These 51 precincts were 90 percent African American and Hispanic.

Punch card technology has not changed significantly since its introduction in 1964. This is true even though there is virtually no other technology that has not undergone revolutionary improvements since 1964. We no longer use rotary dial 1964 telephones, or portable 78 rpm record players. Desktop computers have completely displaced typewriters, and even the venerable rolodex is being quickly replaced by the Palm Pilot. Yet the punch card counter remains virtually unchanged. In fact, punch cards themselves, a standard IBM product used in any number of computer systems in 1964—today are produced only for the purpose of voting! There is no excuse for keeping a punch card voting system in place. Particularly as this bill will provide $6,000 a precinct to any jurisdiction that replaces punch cards by Election Day 2002.

While punch card voting systems are the number one offender, they are not the only problem. One estimate from a Bryn Mawr computer scientist is that nationwide, and across voting equipment, about two percent of the votes cast nationwide in 2000 were not counted. That means that over 2 million voters were unintentionally disenfranchised. Spoiled ballots occurred on lever machines, on punch cards, on optical scanners and on modern electronic touch screens. The number of ballots not counted far exceeds any measure of the margin of victory in the Presidential election.

We have neglected our election system as a whole—trusting in outmoded equipment because it is familiar—and trusting in wide margins of victory because they often occur. I believe that with focus and funding we can develop voting technology that is cost effective, that is accurate, and that is accessible to all voters including the blind and the disabled. While it is not possible to eliminate spoiled ballots, there is no reason that we should not be able to reduce the nationwide error rate to .5 percent.

I know that it is possible as a nation to drastically reduce the numbers of uncounted votes and do it quickly. It is possible because my own state of Maryland did it. They went from a statewide error rate of 1.5 percent in 1988 to a statewide error rate of less than .5 percent in 2000. They accomplished this remarkable achievement in part by getting rid of punch cards. Maryland stands as an example and a challenge to the rest of the states. If we can reduce the number of uncounted ballots to .5 percent nationwide, one and a half million more voters would have their votes counted.

Whatever the means by which we seek to reduce the number of uncounted votes—through this bill—through some other Congressional proposal—or by State action—we must work hard to get these votes counted. I also want to say to the States and to the counties—this is an urgent problem. Do not wait. Do not trust that federal resources are coming. Act now to make improvements including buying new equipment for 2002. I fear that one of the unintentional effects of the discussion about this issue on Capitol Hill, is that we are unintentionally producing a disincentive for states and counties. The Voting Improvement Act would provide reimbursements to any punch card jurisdiction that acts now and gets new equipment in place for Election Day 2002. I challenge those state and counties to do so.

Nonetheless, money and equipment alone cannot solve the problems with our voting system. New technology must be accompanied by voter education, and by polling place resources including helpful and well trained workers and officials. That is why the punch card buyout is simply step one of the Voting Improvement Act.

The Voting Improvement Act would also create a new four member bipartisan Election Administration Commission. The primary function of the new agency would be to administer an annual grant program to aid states in the administration of elections. In 2003, the punch card buyout would be replaced by a grant program to provide $140 million annually to states and to counties.

Unlike the buyout which requires no commitments from the States, the grant program would require States or local jurisdictions to provide 25 percent in matching funds. States will also be required to install equipment that can be used by blind and disabled voters to vote privately, and States must also provide assurances that they are in full compliance with existing laws.

Ten million dollars of the grant money would also be reserved for research and development by manufacturers. one of the problems that election officials have faced in buying new equipment is that the available technology is simply not as good as it could be. In part, that is because the market for voting equipment is not that large. Thus, the grant money would help to stimulate the production of equipment that better accommodates all types of disabilities, is more cost effective, and is more accurate and easy to use.

A minimum of 20 percent of grant funds for States and local jurisdictions would be required to be used for voter education and for training. Voter education plays a critical role in getting more votes counted. The implementation of new voting systems cannot be successful unless the voters are amply educated in how to properly use it. Polls must also be staffed with people trained to aid voters in getting their votes cast and counted, not at discouraging them from voting at all. To that end, the bill would provide leave to any federal employee who worked in a polling place on a federal election day. Making federal worker resources available is an attempt to aid election officials in the tremendous task of recruiting and training the huge work force that play a key role in making federal elections work.

The new Commission would also be responsible for creation of a Model Election Code. Like the Uniform Commercial Code or other Model Codes, it would serve as a resource to States that are seeking to protect themselves from legal challenges. The Model Code would cover statutory provisions including what constitutes a vote, when and how a recount should be held, and how an election contest should be handled. I hope that an organization with experience in producing model laws, such as the National Conference of Commissioners on Uniform State Laws, will agree to draft the Model Code, as I believe that a product will that imprimatur of expertise and credibility could prove a valuable resource in improving election statutes nationwide.

Finally, the new Commission would serve as a national clearinghouse for information and study on what elections practices work best. It would develop voluntary ''best practice standards'' to study issues including how a ballot should best be designed, how voter registration list should best be maintained, and how many votes continue to go uncounted across the country.

This bipartisan legislation is supported by a broad and diverse group of Members. I am very hopeful that we will continue to add more co-sponsors and move this legislation forward.

A few weeks ago, President Bush met with members of the Congressional Black Caucus and remarked: ''This is America. Everyone deserves the right to vote.'' However, as we all know now, the right to vote is not enough. Every vote also must be counted. The Voting Improvement Act will help us do just that, and will go a long way in restoring public confidence in our election system and our democracy itself.*****-*****- -Name: -Payroll No. -Folios: -Date: -Subformat:

BIPARTISAN CONGRESSIONAL DELEGATION TRIP

The SPEAKER pro tempore (Mr. OSBORNE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to take the 1-hour Special Order to highlight a congressional delegation trip that transpired last week traveling to Moscow, Russia; Kiev, Ukraine; and Kishinev, Moldova. One of the areas that perhaps presents the greatest challenge to us over the next several years is our relationship with those critical countries.

The delegation that traveled to those countries was a bipartisan delegation. In fact, I was outnumbered. There were four Democrats and three Republicans. But it was a solid bipartisan effort. We had no disagreements and we had, I think, one of the most exciting series of meetings that any delegation has had in that part of the world.

It was a delegation that hit the ground running. We were hosted by the chairman of President Putin's political party in Moscow, the Unity Party, Boris Gryzlov. Even though our plane was late because of problems with the weather, we left on Saturday, we were hoping to arrive Sunday afternoon, we arrived in our hotel in Moscow at 12:30 a.m.; and there waiting for us was the Deputy Minister for Housing and Construction in Moscow.

So we had our first meeting at 12:30 in the morning until 1:30 in the morning. So those who say Members of Congress do not work, I would say this delegation worked. That was to set the tone for the trip. That was the first of 41 meetings that occurred during 5 days in the capital cities of Moscow, Kiev and Kishinev.

It was a very historically significant time because each of those countries are going through some very difficult turmoil. As we all know, Russia has been drifting away from the West. In fact, while we were there, we got an update on a new strategic partnership that Russia is now aligning itself with China.

In the Ukraine, we were there in the midst of a crisis as the President of that country, President Kuchma, was under severe criticism for having allegedly been taped in ordering the assassination of a prominent journalist in Ukraine. The people in many regards were demanding, not just free press, but were demanding that President Kuchma be held accountable and be removed from office.

In Moldova, the meetings were equally significant because, 2 days after we were in Moldova, they had their parliamentary elections. Unfortunately, Mr. Speaker, the Communists won control of the Moldovan parliament with 71 percent of the vote, a major shift in that country, a very strategically important country, a major shift away from the democratic reforms that have been occurring in Moldova over the past 8 years.

So that underscores the importance of the reason why our trip was significant.

I want to go through the trip in a great amount of detail, but I would like to call on my colleagues while they are here to make whatever comments they would like to make.

The cochair of the delegation is someone who I have the highest admiration for in this institution. He and I worked together on a number of issues, Russia being one of them. Seven years ago, the gentleman from Maryland (Mr. HOYER) and I were able to convince our leadership, then Speaker Gingrich and Minority Leader GEPHARDT, that we should institutionalize the relationship between the Russian Duma, their parliament, and our Congress.

The gentleman from Maryland (Mr. HOYER) and I have co-chaired that initiative for the past 7 years, and we have had dozens of meetings in America and in Russia trying to build a closer sense of cooperation with the parliamentarians in the Russian Duma in all fashions.

The gentleman from Maryland also is the first vice president of the Committee for Security and Cooperation in Europe, and so he represents our country on issues affecting the European community as it relates to Russia and other Nations. He also is the former chairman of the Helsinki Commission, so he has worked tirelessly for human rights throughout the world.

So it was a real pleasure to have the gentleman from Maryland (Mr. HOYER) on this trip.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER), my good friend and colleague, for his own summation of our trip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership. The gentleman from Pennsylvania (Mr. WELDON) and I have been friends since he came to the Congress many years ago.

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He serves on the Committee on Armed Services and is one of the most knowledgeable Members in the Congress on matters related to our national defense. But probably less well known is his extraordinary depth of knowledge of Russia, of the former Soviet Union, of former Soviet officials, and present leaders in Russia itself. He is a friend of many, a colleague of others, and an interlocutor of many more.

Obviously, our relationship to Russia is one of the most important relationships that we have as a Nation. The relationship between Russia and the United States is one critical to international security and stability. As vice president of the Parliamentary Assembly of the Organization on Security and Cooperation in Europe, I have the opportunity to meet regularly with members of the Duma. However, under the leadership of the gentleman from Pennsylvania (Mr. WELDON), and with the concurrence, as he pointed out, of then-Speaker Gingrich and minority leader GEPHARDT, we established a formal relationship.

It is interesting to note that the supreme Soviet, when the Soviet Union was still in existence, sought a formal relationship with the Congress. We demurred and did not want to enter such a relationship. The reason for that, of course, is they were not a democratically elected parliament. We have seen historic changes, revolutionary changes as Russia emerged as a new democracy. It is a democracy, obviously, struggling with its economy and struggling with a developing democracy. It was the thought of the gentleman from Pennsylvania (Mr. WELDON), with which I strongly agreed, that the better and closer relationship they had with representatives of the people's House and of the United States Senate, really the examples for democratic parliamentary bodies in the world, it would assist them in their developing democracy and would assist us as well in establishing a relationship which would lead to better understanding and, therefore, more cooperation.

Mr. Speaker, the gentleman from Pennsylvania mentioned that I chaired and am now the ranking member of the Helsinki Commission. That commission focuses on human rights. I kidded when we were in Moscow, when Viktor Chernomyrdin was at dinner with us, that I was coming back to the United States and raising a human rights issue about the gentleman from Pennsylvania making us work so hard. Forty-one meetings in 4 days is quite a schedule. But I found the meetings extraordinarily productive, worthwhile, and I think establishing a better relationship between our two countries and, indeed, between the leaders in Moldova, although they are now new, and the leaders in the Ukraine, although now troubled.

I had to leave the trip early and go to Vienna for a meeting of the standing committee of the Organization on Security and Cooperation in Europe where I have the privilege of representing our country, but I know from talking to Members who concluded the trip that it was an extraordinarily worthwhile trip.

The gentleman from Pennsylvania (Mr. HOEFFEL) is going to speak after me. He is a new Member of Congress. This was, I think, his first visit to Russia and to some of the former Soviet states. It was my 15th or 16th visit. The gentleman from Pennsylvania (Mr. WELDON) has been there, as I recall his saying, 23 times.

Mr. Speaker, we need to continue these visits. We need to continue this conversation. We need to continue with cooperation. There will, of course, be and are times when we disagree; but we need to disagree while talking to one another. We need to disagree while understanding the perspective of one another. It is critical for our own countries and critical for all the world, and I want to thank the gentleman for his leadership and to tell him how much I appreciate co-chairing the Congress-Duma committee with him and the worthwhile work that we and other Members of the House of Representatives and the United States Senate and

the Duma are doing to establish an ongoing, continuing, positive relationship with this great merging democracy, Russia.

I thank the gentleman for yielding to me.

Mr. WELDON of Pennsylvania. I thank the gentleman from Maryland for his leadership on this delegation and in the Congress and, actually, in the world. He is extremely well respected around the world for his commitment to principles that are important to any democratic nation.

Just to give our colleagues one example of one of the issues that the gentleman from Maryland (Mr. HOYER) raised repeatedly in Russia was freedom of the press. He arranged a meeting with one of those, a fellow by the name of Mr. Kiselov, who is the equivalent to our Dan Rather or one of those kinds of people, Ted Koppel. The gentleman from Maryland was very adamant in pressing the Russians on the freedom of the press as a key part of any democracy. In fact, he challenged them on the rumored threats to shut down one of the TV stations and to further censor their media.

Perhaps the gentleman would like to elaborate on that point.

Mr. HOYER. I will take a little more time. I know the gentleman from Pennsylvania (Mr. HOEFFEL) has a meeting to go to, and I want to get to him, but I did have the opportunity to meet with Mr. Kiselov, who, as the gentleman from Pennsylvania (Mr. WELDON) pointed out, is sort of our Tom Brokaw, Peter Jennings, Walter Cronkite, and Dan Rather rolled up into one. Media-MOST and NTV is the only independent TV station in Russia. It is funded by, in part at least, by a gentleman named Gusinsky. We urged the members of the Russian Duma and other officials with whom we met to ensure that they would continue to be free and independent.

It is interesting that Ted Turner, who has so successfully opened up the eyes of the world to other lands through CNN, an extraordinary contribution to the interchange of peoples and the knowledge of one people of another, it is interesting that he has made an offer, along with partners, George Soros and others, to participate at the level of $30 million in helping to finance this independent TV station. We urged the leaders in Russia to ensure that that station would remain independent, because we know that a democracy cannot flourish without an independent press, without independent criticism, without an independent voice letting the people of that democracy know what their government is doing. If it is only a government-owned station, or if it is only a station owned by an organization like Gasprom, dependent on the government, then it will not be a free and objective voice. It will not be an alternative voice.

So that was one of the issues that we had the opportunity to raise. I know that the gentleman from Pennsylvania (Mr. WELDON), who is probably the expert in this Congress on national missile defense, will relate the numerous discussions we had on that issue to ensure that there is not a misunderstanding on either side as to what the objectives are and what the sense of responsibility is with respect to defending our peoples, both in Russia and in the United States, from those who would terrorize our peoples by ballistic missile attacks from a Third World nation.

So the issue of independent media outlets, the issue of defense and security arrangements between our two peoples, were very important issues among many, many others that we raised. I am not going to go into them all, because I know the gentleman from Pennsylvania (Mr. WELDON) will as well. But we talked about health issues, we talked about the environment, we talked about fighting drugs, and we talked about confronting terrorists in a cooperative way, because all of those issues were convergent in the best interests of both of our citizenry. Again, the discussions that we have that lead to better understanding and more cooperation will certainly result in a more stable and secure international environment.

Again, I thank the gentleman for allowing me to speak briefly about the importance of NTV and Media-MOST to the growth of the democracy in Russia. I thank the gentleman for yielding to me.

Mr. WELDON of Pennsylvania. I thank my colleague again for stopping by this evening. He is extremely busy.

Joining us from the delegation, Mr. Speaker, among the seven Members of Congress who were with us besides the gentleman from Maryland (Mr. HOYER) and the gentleman I am going to introduce next were, on the Republican side, the gentleman from Colorado (Mr. SCHAFFER) and our freshman Republican, the gentleman from Florida (Mr. CRENSHAW). Joining us on the Democrat side were the gentleman from Ohio (Mr. KUCINICH), and also a senior member of the Committee on Appropriations, the gentlewoman from Ohio (Ms. KAPTUR). So it was a strongly bipartisan and well-balanced delegation that gave the people that we met with a complete picture of the political landscape in America.

It was a pleasure to have one of our more junior Members of Congress with us. He is now in his second term. He hit the ground running. It was his first trip to Moscow, and he did the people of Montgomery County well by showing the very positive side of America, yet confronting the Russians where needed as well as the other countries that we visited on the important issues that face our two societies.

I would like now to recognize my colleague, the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. I thank the gentleman for yielding to me; and I want to thank my colleague, the gentleman from Pennsylvania (Mr. WELDON), for his extraordinary leadership in this Congress and on this trip due to his vast knowledge of Russia and the former Soviet Union, the extraordinary contacts he has as a result of those 23 visits. I can report to the House that the gentleman is well known and well regarded among Russian officials, members of the Duma, as well as members of the Putin cabinet and members of the Russian military.

My colleague has devoted years and years to the study of Russia. And with his relationships and in developing relationships with people in Russia, that reflects so well on this Congress and provided such great guidance to us on this trip. And, of course, he will agree that we were blessed to have as a co-chair on the trip the gentleman from Maryland (Mr. HOYER), who just spoke, who also has a marvelous background with his many visits to Russia. I cannot imagine a delegation that could possibly be better led than this one led by my colleague, the gentleman from Pennsylvania (Mr. WELDON), and the gentleman from Maryland (Mr. HOYER).

I wanted to thank my colleague for his foresight in establishing with the gentleman from Maryland (Mr. HOYER) the Congress-Duma committee. I wanted to say just a few words about how interesting I found this relationship during our visit to Moscow; how useful I found it to be to have an established format and framework in which Members of Congress could talk with Members of the Russian state Duma and have a very free flow of information and questions back and forth.

In fact, we had that free flow of information. I was able, along with the members of our delegation, to ask some tough questions of our Russian guests regarding, first off, the question of freedom of the press that the gentleman from Maryland (Mr. HOYER) has just eloquently addressed. We were able to ask the members of the Duma why this crackdown is occurring against the independent media in Russia. We asked about the background for it, the reasons for it, and we got some mixed results.

Some of the members on the Russian side denied that there was any serious crackdown or infringement of freedom of the press in Russia. That is not the information that we have been given by human rights advocates, by our embassy personnel and by others. We did not resolve this dispute in our discussions, but we had a good opportunity to talk about it and to raise the issue and to make sure that the members of the Duma understand that the Members of Congress are well aware of this issue.

I and other members of the congressional delegation were able to raise questions about legislation the Duma is considering that would restrict religious practices in Russia by regulating organized religion, and legislation that would restrict and limit political parties in Russia. Both of those restrictions are of great concern to those of

us in this country who understand how important it is not just to have a free and independent media but also, obviously, to have a free exercise of religion and a political system that allows political parties to organize free of government control.

□ 1515

There is no doubt that while Russia is moving toward a more democratic society, dedicated to free enterprise and the development of free markets, there are still some efforts involved to centralize society and government, efforts that we do not fully support here in this country. We were able to raise these issues with our colleagues from the Russian Duma in a way that I think was very positive. In turn, as the gentleman from Pennsylvania (Mr. WELDON) knows, this format gave members of the Duma the opportunity to raise issues with us. I and members of our delegation asked them about the arms transfers to Iran which concerned us. Their reply was that this was an economic matter, that the budget problems they have in Russia leads them to sell their arms technology and the ability to establish nuclear reactors, for example, to Iran to help with their budget problem. And so they asked us, in turn, to help them with their debt, to help the Paris Club of Nations to understand the need to either forgive or restructure some of the Russian debt that is owed that is a crushing burden on that economy. Much of that debt is Soviet era. Some of that debt is World War II era. The Russians made a good argument for the need for some debt relief. But that, of course, did not change our belief that these arm sales and technology transfers to Iran is not something that we view as simply an economic issue as the Russians do but something that we consider to be a security threat to this country and a political problem for this country that must be addressed and must be changed.

And, of course, the issue that we discussed the most with our Russian hosts was the question of arms control and missile defense. While we did not have a complete meeting of the minds on that issue and while in fact our own delegation had several different views on the question of missile defense in particular, we did have a good discussion which I think would be summarized that the Russian officials as well as the Russian military would like to see continued arms negotiations, bilateral negotiations as opposed to unilateral reductions, because the process of going through bilateral negotiations allows confidence and trust to be developed on both sides and allows the negotiations of verification provisions that would make sure that through inspections and other mechanisms, we can be sure that the reductions in arms that are being negotiated are actually implemented, something that is not available when one country unilaterally cuts its weapons.

On the question of missile defense, the Russians are very alarmed by the possibility that this country will unilaterally deploy a national missile defense. They seem anxious to work with Western nations on the notion of missile defenses. They recognize that the biggest threat to them as the biggest threat to us is the concern about rogue nations, terrorist use of weapons and of course the possibility of accidental launches. I think while we certainly did not come to a meeting of the minds, there is a greater understanding, I think, as a result of this visit regarding the potential for the United States and Russia and our European allies and NATO to work jointly to develop a joint missile defense system that would protect all of the Western democracies and our emerging democracies, such as Russia, against the very real threats that our President has quite rightly pointed out that are posed by rogue nations and others.

I thank the gentleman for this opportunity to speak. I did not mean to talk this long this afternoon, but the gentleman has given me an opportunity to learn a great deal about Russia and the former Soviet Union. It was a fascinating trip. I believe that this kind of travel is very useful for Members of Congress. And when there is an organization in place, such as the Congress-Duma Committee, it gives a wonderful opportunity for a better understanding between parliamentarians of different countries. I thank the gentleman for the work he has done over the last decade or so here in Congress dealing with Russia, I thank him for his leadership on the trip, and I thank him for his time this afternoon.

Mr. WELDON of Pennsylvania. I thank my colleague for his outstanding contributions to the trip. He was a valuable partner, he was an aggressive representative of the American position, and yet he was open and aware of the need to listen to the Russian-Ukrainian-Moldovan perspective of world issues and the relationship to our relationship with those countries. I thank my colleague for being here this evening.

Mr. Speaker, at this time before I introduce one of my other colleagues who was on the trip, I would like to go through and just highlight the kind of meetings we held and give the overall themes of what the purpose of our trip was all about.

First of all, since we formed the Duma-Congress initiative 7 years ago, I have had two overriding purposes in our relationship with Russia. We tend to want to rely on the Presidents of our two countries to work out our relationship. As we all know, they are the heads of state and they are the ones who set the overall policy. But there is a constructive role for the parliaments to play. There is a very important role that we can do to assist emerging democracies like those we visited. The two overriding purposes I have had in forming the interparliamentary dialogue with the Russians was to empower the parliament to show the emerging Duma and its leaders how they can accomplish the same kinds of checks and balances that we provide in our government here in America. By interacting with committee chairs, by sharing staffs, by having regular meetings on issues that are both common to us like the environment, health care, social issues, economic issues, we also can confront the more difficult issues, strategic issues, defense issues, multilateral relationships. So our overriding purpose is to empower the parliament, make it more of a constructive force in the democracy so it can in fact achieve the same kind of role that our Congress plays in America, one that only makes the democracy in Russia stronger.

The second purpose is to help Russia build a middle class. Because if Russia is to survive over the long haul, we can do all that we want to encourage relationships but we have to help Russia understand what it is going to take to build a middle class. The strength of America is our middle class. I am convinced that what has largely empowered that middle class has been the ability of people to own and buy their own homes, to own a piece of America, if you will, and what we have been doing for the past 5 years is working with Russia to put into place a mortgage financing system for average Russians. These discussions were a major part of our efforts in Russia. We also had similar discussions in the other countries. So focusing on empowering the parliament and building a middle class, they were the overriding themes of our talks, but we had a wide range of talks.

I think, Mr. Speaker, we took the right approach. In visiting Russia, we did not go over there as if they were our enemy. Unfortunately, the presidential visit that took place last May between President Clinton and President Putin had the two of them come together and focus on things that we totally disagree on; namely, how many missiles should we point at each other. We took the exact opposite approach. The major thrust of our meetings were positive. They were about health care initiatives. They were about environmental initiatives, economic initiatives, technology initiatives, a mortgage system, ways that we could further cooperate and allow Russia to build a stable society and one that is closely interconnected with an American society. That reflects the kinds of meetings that we had.

I mentioned our first meeting was at 12:30 a.m. on Monday morning when we arrived and our plane was late, we drove to the hotel and there in our hotel in downtown Moscow was the Deputy Minister of Housing and Construction Mr. Ponomorof waiting for us. And so the Members of Congress, even though they had been flying for over 24 straight hours, sat up for another hour until 1:30 in the morning and had our first meeting.

On Monday morning, we arose at 8 a.m. and we had meetings with the deputy minister of the economy, the housing minister for all of Russia and the finance minister. We met with our Ambassador, Jim Collins, to get a briefing from the State Department there. For lunch we were hosted by the American business leaders, the executives of American companies who have set up operations throughout Russia, and we heard from them about what we should be doing to better improve the relationship economically between Russia and America. We then traveled to a hospital on the outskirts of Moscow, Hospital No. 7. We were joined by representatives of cancer institutes in America who had flown over separately from the Fox Chase Cancer Center and from the National Cancer Institutes, we took a delegation and traveled out to the largest hospital in Moscow, a 1,500-bed hospital that focuses on cancer and cancer research. Right adjacent to this hospital is the Blokhin Cancer Center. Our purpose was to build on a memorandum of understanding that had been signed 2 weeks earlier by the Russian and American Cancer Research Centers. So our first serious meeting outside of the government was with ties to establish closer relations between our health care system.

After the meeting at Hospital No. 7, we went to the Nuclear Safety Institute, where again we ceremoniously signed memorandums of understanding that were agreed upon by our Department of Energy earlier to establish joint projects between the Kurchatov Institute, an institute in downtown Moscow, and the Nuclear Safety Institute, to bring our two countries closer together to protect the people in both countries from the threat of nuclear problems, the theft of nuclear material, the disintegration of nuclear material, the illegal dumping of nuclear waste and establishing a new framework of cooperation.

In fact, Mr. Speaker, one of the most interesting discussions on the trip was with our Russian counterparts who floated the idea that perhaps we can create a new way of disposing or actually storing our spent nuclear fuel.

As we all know, Mr. Speaker, in America, Yucca Mountain is very controversial, which is the site where we would ultimately store our spent nuclear waste. What the Russians are beginning to talk about is America and Russia joining together and having a common site, probably in Siberia or in the Ural Mountains that would be managed by an international organization where America and Russia together would store their spent nuclear fuel so that we could work together on research over the next several decades of how to eliminate that spent nuclear fuel and how to develop new peaceful solutions and new peaceful uses of spent nuclear fuel, an interesting concept that we invited the Russians to come back to us with some specific ideas on.

With Kurchatov we continued our discussions about cooperation, in particular some measures of providing a new form of energy that could be floated on barges involving nuclear power plants, to assist where there are energy shortfalls like that that we have just seen experienced in California.

Our final major event on Monday was a dinner hosted by the executives of UKOS Oil Company, the second largest oil company in Russia, and there we talked about economic interaction, we talked about ways that American companies can more aggressively engage with the energy giants that are developing inside of Russia. As President Bush outlined to us last night, that developing an national energy strategy is critically important, our goal was to see whether or not Russia can become a key strategic ally in terms of offering us other energy resources.

On Tuesday at 8 a.m. we started our meetings with the Ministry of Atomic Energy. Minister Adamov hosted us for an hour. We discussed the broad range of nuclear issues involving both Russia and America. There are productive opportunities that are arising from that meeting. I will outline them in more detail in a report that I will file.

The rest of Tuesday was spent in the Duma. We met with the Deputy Speaker, all the factional leaders and the major committees in the Duma, including international affairs, foreign affairs, housing and mortgages, ecology, all the major interest areas in the Russian Duma that we could work together on. In fact, a part of our meeting with the Ecology Committee of the Duma, which is chaired by Chairman Grachev, was to sign an agreement to assist the Russians in building a cooperative effort to deal with their environmental issues and concerns. Working with a London-based group, the Advisory Council on Protecting the Seas, over the past 4 years, Russia has developed a strategy to begin to address its environmental concerns. At our meeting with Chairman Grachev, we affirmed our support to help Russia through the U.N. acquire the money to implement that environmental plan of action.

Also on Tuesday, we had a dinner with the Moscow Petroleum Club. Former Prime Minister Viktor Chernomyrdin, former Ambassador to the U.S. Yuli Vorontsov, our Ambassador and a host of other dignitaries joined us for a solid evening of both social interaction and, more importantly, constructive dialogue about U.S.-Russian relations.

On Wednesday we traveled to Moldova. In Moldova the delegation met individually with all the senior leaders of the Moldovan government, the President, the Prime Minister, the Foreign Minister, the Speaker of the Parliament and we met with the parliamentary members themselves, including the Communist faction.

□ 1530

Now when we arrived in Moldova, they were controlled by a western faction. Unfortunately, two days later, Moldova's parliamentary elections turned the control over to the communists who now control 71 percent of the Moldovan parliament.

One of our prime purposes in going to Moldova was to establish a new interparliamentary linkage between the Moldovan parliament and the U.S. Congress. Chairing the American side of that interparliamentary linkage is the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Ohio (Mr. KUCINICH).

At this point in time, Mr. Speaker, I would like to turn to my colleague, the gentleman from Ohio (Mr. KUCINICH), who is the co-chair of the Moldovan American Interparliamentary Assembly, who was on the trip, for his comments both about Moldova and more broadly about the trip in general. So I yield to my good friend, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. WELDON) for yielding. I want to thank the gentleman for his outstanding leadership in reaching out to people in Russia and the Ukraine, Moldova and throughout Europe. I think that I can speak for everyone on the trip in saying that we believe that the gentleman from Pennsylvania (Mr. WELDON) has brought a level of stature to his position as a Member of Congress where one can see the respect with which he is held by leaders of all the nations who have met with him many times concerning their movement towards democratization. So I can say what an honor it was for me to be on the trip and to share in the dedication of the gentleman from Pennsylvania (Mr. WELDON), and his knowledge and his passion for bringing people together, particularly at a parliamentary level.

Since the gentleman left off mentioning with Moldova, we went to Moldova in the hope of encouraging the rule of law, democratic order, market economy and as the gentleman from Pennsylvania (Mr. WELDON) may have recounted or has been recounted early, Moldova made a choice a few days ago for the Communist Party to be involved in the organization of its government and actually direct the organization of its government.

The notes that I have from the meeting indicate that the leader of the party in Moldova stated that they appreciated the contacts with the U.S. Congress and they look for those contacts to become stronger and that they respect the United States as a world power and they hope that our government will work with them and respect the choices that have been made by the people and that they hoped that the relations will develop between the U.S. Congress and the Moldovan government. This was done, of course, prospectively because as it turns out Moldova did vote for the Communist Party.

The gentleman from Pennsylvania (Mr. WELDON) and members of our delegation actually laid the groundwork for a dialogue with a government which now may have a totally different perspective than we do about how things should be done, but at least we are in a position where we can be talking.

Furthermore, the opening that made with Russia, we had, I thought, very important discussions with parliamentarians about issues of financial aid and the International Monetary Fund, the need for further economic reforms, discussions about privatization, discussions about the role of NATO, which a number of parliamentarians were concerned about, the bombing of Serbia, which, by the way, it was almost 2 years ago that the gentleman from Pennsylvania (Mr. WELDON) led a delegation to Vienna, which I was privileged to participate in, that created a framework for ending the bombing in Serbia. Actually, as we met with the members of the Russian parliament there, we created more of a structure for increased exchange and confidence building, and I thought that was very important.

In our discussions with Lubov Sliska, who was the first deputy of the Duma, she pointed out how important it was to have productive discussions with NATO; that she wanted to see trade and economic growth emphasized in our relations, agriculture, energy, foreign affairs, internal security, defense and disarmament, cooperation on crime investigations, culture and health.

Our meeting with Sergey Kiriyenko, who was at one time the prime minister of Russia and is now one of the super governors appointed by President Putin, I thought was very productive. He pointed out among other things how grave is the threat of chemical weapons. They have 40,000 tons of chemical weapons they want to dispose of, and how he had hoped we could bring a level of cooperation through parliamentary contact to help raise the issue of these chemical weapons, increase the awareness of the need for U.S. and Russian cooperation, sponsor colloquia in the U.S. Congress on this; that we as Members of Congress could write letters to our fellows urging them to get involved; sign a letter to the President talking about the need to do something about these chemical weapons and to generally pursue a course that would enable Russia to get some assistance on trying to dispense with this.

One final comment, if I may, I think our visit to Ukraine was momentous because we were able to get the Kuchma administration to recognize how serious our commitment is to freedom of press, freedom of speech and freedom of assembly in this country. We take it quite seriously.

In an unprecedented 2 hour and 15 minute meeting with the President of Ukraine, we got him to agree to an F.B.I. independent investigation and assistance on the forensics of a case that involves the murder of a journalist, H.E. Khandogiy, whose death has unfortunately been linked to people in power in Ukraine.

So what we did on our trip was to affirm support for democratization; was to show people all over the world that they can benefit by taking a course of market economics that are tempered by respecting the systems of power that exist in a country. One of the things that I thought was quite telling that was said by Mr. Kiriyenko, and I would like to close with this thought, is the importance of paying attention to people and developing people. He said that in the future we will compete not just with price or quality but with respect to who will be first to introduce innovation.

He spoke of the significance of human capital, people, investing in people. He said this is not just a financial issue, it is not a technical issue, it is a problem of culture, and it is not incidental that we talk of culture. He talked of the importance of us learning other cultures, the importance of us understanding the results of culture and transitional economies, and I think that message that we bring back here is one that shows that we as Members of Congress can help to improve exchanges with other parliamentarians around the world, can be vessels for freedom and justice and can continue the work of this country as being the light of the world.

I thank the gentleman from Pennsylvania (Mr. WELDON) for his indulgence here, and I thank him for giving me the privilege of assisting him and other Members, the gentlewoman from Ohio (Ms. KAPTUR) and others of the delegation, in this very important mission.

Mr. WELDON of Pennsylvania. I want to thank my friend and colleague, the gentleman from Ohio (Mr. KUCINICH) for his remarks. He played an absolutely unbelievable role in this trip. He has kicked off, along with the gentleman from Pennsylvania (Mr. PITTS), a new initiative with the Moldovan parliament. Nothing could be more important right now because of Moldova's strategic location, because of Moldova's issues. Part of our visit to Moldova, besides the formal meeting, including a trip to Trans-Dniester, which is an independent enclave where the 14th Army Division of the Russian military is still located. In fact, there are so many units there that we were told it would take days and days and over a year, if you had four train loads a day hauling armaments out of Moldova it would be over a year and you still would not have removed all of the 14th Army Division. So we traveled up there, and we met with someone who calls himself President, the leader of this breakaway public, Mr. Smirnov, and the gentleman from Ohio (Mr. KUCINICH) joined us in a dialogue with this breakaway group saying it is important that you reunify with Moldova and the West and the U.S. wants to help you.

We also visited a collective farm or a former collective farm on perhaps one of our most emotional visits on the trip to see young children and adults who have been given the opportunity to take over the land that used to be owned by the state and now own it privately; to see the pride in their faces as they stood up before us and they told their personal stories of having taken back land that their grandfathers and grandmothers had had decades ago that now is controlled by them; and the products they are producing with no pesticides, no fertilizers, organic farming at its best. This is a part of the Moldovan experience, and the groundwork we laid will allow our Congress to play an integral role with this new communist-controlled parliament which won the elections in Moldova this past Monday.

So I would say to the gentleman from Ohio (Mr. KUCINICH), he was a very important addition to the trip and we thank him. It was really good because all of them got to see that in America there are two sides on missile defense. Every time I would give one position, the gentleman from Ohio (Mr. KUCINICH) would give the other. We said that is healthy, that is America. It was a good dialogue, and I thank the gentleman for being with us on the trip.

Mr. KUCINICH. I thank the gentleman.

Mr. WELDON of Pennsylvania. The other important part of our trip, Mr. Speaker, was Ukraine. Arriving in Ukraine 3 days ahead of us, after having left us in Moscow, were our two Members of Congress who know the most about Ukraine. In fact, they are both of Ukrainian ancestry. They are the new cochairs of the Ukrainian Rada American Congress initiative coming together on behalf of our two countries. The gentlewoman from Ohio (Ms. KAPTUR) has traveled to Ukraine a number of times. She has been out on the farms, outside of the big cities, looking for strategies to help the Ukrainian people.

She is our Democrat co-chair. The gentleman from Colorado (Mr. SCHAFFER) is our Republican co-chair. The gentlewoman from Ohio (Ms. KAPTUR) is just the person to talk to when it comes to that part of the world, and if anyone wants to know anything about Ukraine, they cannot know anything without talking to the gentlewoman from Ohio (Ms. KAPTUR). So our good friend and colleague on the trip and leader in the Congress, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I want to thank my good friend and most able colleague, the gentleman from Pennsylvania (Mr. WELDON), for arranging for this special order. I wanted to publicly acknowledge the incredibly important role he is playing in helping to build bridges to nations that were our former enemies. I think as history is

written, as surely it will be, and we look back at the challenge to building the peace as opposed to only fighting either hot or cold wars, the role of the gentleman from Pennsylvania (Mr. WELDON) will be absolutely essential and recognized, and I hope the American people as they listen to this special order today will understand that it is in America's interest to build functioning democracies in that part of the world; that we cannot afford to ignore the millions and millions of people that live there and still need to learn about the institutions of freedom, certainly in the management of their own instruments of governance. The gentleman from Pennsylvania (Mr. WELDON) has been the leader in establishing the Congressional Duma exchange in Russia.

For the last 8 years, sometimes I am sure it was a lonely task trying to make friendships with people who had just recently been some of our most harsh critics and bitter enemies, and yet the gentleman has pursued this year after year after year. To me, that is the test of true leadership, and I wanted to say that.

I hope the gentleman's constituents are listening to this. I hope the American people are listening because truly we have to figure out how to build a peace that will last, and it can only come through communication with the leaders of those countries and with the people institution of those countries.

In the brief time I have to say something tonight, I also wanted to acknowledge, in terms of Ukraine, the gentleman from Colorado (Mr. SCHAFFER), who is our partner in this effort, Republican and Democrat working together on behalf of the interests of freedom, in signing the agreement that we would like to submit to the RECORD this evening for the new Congressional Rada exchange for Ukraine.

It is modeled on the impressive work that the gentleman has done, along with the gentleman from Maryland (Mr. HOYER), in Russia for these past several years. We have a lot of work to do in Ukraine and we arrived at a most delicate moment, and I will say a word about that in a second. But I wanted to say to my colleagues here this evening, the gentleman from Florida (Mr. CRENSHAW), what a great thrill it was for me to be able to travel with him, with his wife; the gentleman from Pennsylvania (Mr. HOEFFEL); the gentleman from Ohio (Mr. KUCINICH), who was with us a little earlier this evening; and the gentleman from Maryland (Mr. HOYER); and certainly the gentleman from Pennsylvania (Mr. PITTS), who has a major responsibility on the Moldovan Parliamentary Exchange.

To be there particularly at this time and to experience the ambassadors' wisdom really, the ambassador of the United States to Russia, Mr. James Collins, the ambassador from the United States to Ukraine, Ambassador Carlos Pascual. Honestly, they are among the most able citizens that we could send into that most complex part of the world.

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As an American, I was just very proud to be there and to be able to listen to them and to learn from them, and to have their help in meeting the people that we needed to in those countries.

At the urging of the gentleman from Pennsylvania (Mr. WELDON), several of us attempted to put the beginnings of an agreement on housing, helping Russia to begin, begin the first mortgage system. It will not be easy. It is a vast country with 13 time zones, no sense of free enterprise, no institutions in place, either financial or in terms of the substantive work that needs to be done to create a mortgage system based on collateral, including land. There is no system of collateralizing land to borrow against.

But America must help in this endeavor. We cannot be like ostriches with our heads in the ground. We have to use the instruments of freedom, all the institutions we have available to us, to try at this moment in history to make a difference.

I want to thank the gentleman from Pennsylvania for leading us down that path, recognizing that community development is an equal partner, along with a strong defense, in order to help nations remain at peace.

In terms of Ukraine, I just wanted to say that we arrived at a time when the President of the country obviously is under extreme duress. There are charges and countercharges, and the institutions of that country are not strong enough to conduct a full and thorough investigation of the actual criminal acts that were involved in the beheading of a very well known journalist in that country who had been a critic of many aspects of the current government.

I wish to submit to the RECORD also this evening the press statement that all of us created in Ukraine and released to the international press encouraging that there be a full investigation, and in fact, even engaging other partners from the West, from Europe, from the United States, in trying to get at the true facts in this case.

The press statement referred to is as follows:

U.S. DELEGATION CONDUCTS WHIRLWIND FACT-FINDING VISIT OF RUSSIA, MOLDOVA AND UKRAINE

DELEGATION URGES PEACEFUL, DEMOCRATIC RESOLUTION TO CURRENT CRISIS; DELEGATION ESTABLISHES HISTORIC U.S. CONGRESS-VERKHOVENA RADA PARLIAMENTARY EXCHANGE

A Congressional delegation of seven members of the U.S. Congress led by the Honorable Curt Weldon (R–PA) is completing a three-nation visit including Russia, Moldova, and Ukraine. The purpose of this visit was to continue the relationships established seven years ago between the United States House of Representatives and the Russian Duma, and to establish similar relationships with the parliaments of Moldova and Ukraine. The other members of the delegation include: Representative Steny Hoyer (D–MD), Representative Marcy Kaptur (D–OH), Representative Bob Schaffer, (R–CO), Representative Dennis Kucinich (D–OH), Representative Joe Hoeffel, (D–PA), and Representative Ander Crenshaw, (R–FL).

The Congressional delegation participated in over 40 scheduled meetings in the three countries that included meeting with the Presidents of Moldova and Ukraine, as well as the leadership of the parliaments, senior civilian cabinet level officials and military leaders in all three countries. In Russia and Ukraine, the delegation met with prominent media figures concerned with press freedoms in their respective countries.

While meeting with President Leonid Kuchma and other officials in Kyiv, the delegation expressed its serious concerns with the Heorhiy Gongadze incident, and believes the subsequent investigation must be pursued irrespective of where it may lead. That pursuit must be compatible with the following principals: The freedom of speech, press, and assembly; the rule of law; and nonviolence.

The delegation believes that any settlement of the Gongadze crisis not taking the above points into account would adversely affect future Ukrainian/American relations.

The delegation also: Extends its sincere sympathy to the families and associates of Mr. Gongadze; reiterates the offer of technical support from the Federal Bureau of Investigation; expresses its strong belief and insistence that a credible and independent investigation is essential in order to earn the confidence of Ukraine and the rest of the world community; affirms the principle that those accused must be considered innocent until proven guilty; and intends to introduce a resolution in the House of Representatives to express the sense of Congress that this incident should be resolved peacefully.

During the over two hour meeting with President Kuchma, the delegation was gratified to receive the commitment of the President to follow the rule of law, maintain the freedom of the press and assembly, and to use restraint in the use of force.

U.S. CONGRESS-RADA PARLIAMENTARY EXCHANGE

We, the undersigned members of the United States House of Representatives and members of the Parliament of Ukraine, do hereby establish the U.S. Congress-Rada Parliamentary Exchange (further referred to as CRPE), for the purpose of facilitating expanded strategic relations between the United States and Ukraine.

The purpose of CRPE is to foster closer relations between our two legislatures to address key bilateral issues. It is the goal of the CRPE Parliament to examine issues of mutual understanding and continue a constructive dialogue toward permanent peace and prosperity.

Having reviewed the work of the initial congressional delegation to Ukraine in November 1999, which participated in discussions of mutual interest in trade, economic well-being, energy reformation, agriculture, and military relations, CRPE will promote closer relationships between the lawmakers of both countries.

Building upon the strategic partnership between the Untied States and Ukraine first established in 1996, the CRPE shall serve as a conduit in further developing and continuing economic and political cooperation between the two countries.

Now, be it resolved by affirmation of the undersigned Members of the House of Representatives, with the support of the Congressional Ukrainian Caucus, and the Parliamentarians of the Ukrainian Verkhovna

Rada there is hereby established, the U.S. Congress-Rada Parliamentary Exchange. Be it further resolved, the Exchange shall:

(1) Constitute a working group to help resolve any issues hampering an expansion of economic and political cooperation between the United States and Ukraine; and,

(2) Establish items of discussion by the CRPE which encompass economic relations, trade, space exploration, health-care, the environment, agriculture, natural sources, and any other matter important to the promotion of close ties between the United States and Ukraine; and,

(3) Convene bi-annually in the United States and Ukraine to formally exchange viewpoints brought about by current events. The CRPE will from time to time issue recommendations to be pursued in each legislature.

The founders of the CRPE hereby acknowledge the leaders of the Congress of the United States, in coordination with the Congressional Ukrainian Caucus, and the Parliament of Ukraine, for their dedication to establishing the Exchange.

Signed at Washington, D.C. November 18, 1999 by: Hon. Dennis Hastert, Speaker of the U.S. House of Representatives, Signed at Kyiv, on November 30, 1999 by: Hon. Oleksander Tkachenko, Speaker of the Ukrainian Parliament.

Ms. KAPTUR. Also to that country, we would urge Ukraine to follow the principles of freedom of speech, press, assembly, the rule of law, and nonviolence. We want to walk alongside them. As they get through this particular crisis, we know their country will be stronger, just as ours will be stronger as a result of the crises that we have been through.

We expressed our deep regrets to the families who are so troubled by the disappearance of Mr. Gongadze, and we also reiterated and believe that in the meeting with the gentleman from Pennsylvania (Mr. WELDON) and President Kuchma, we got the first commitment of an agreement from the Ukrainian government to use resources in the West to help get at the bottom of what actually created the crime.

We urge the government of Ukraine to use us. We believe that the confidence of the people of Ukraine and the West depends on a fair and thorough investigation of the facts. We are going to be introducing a resolution here in the House to express the sense that this Congress wants this incident resolved peacefully.

So I wanted to say to the gentleman from Pennsylvania (Mr. WELDON) for the RECORD this evening, I just again want to thank the gentleman so very much for the gentleman's international leadership in bringing this all together and doing what is historically correct and imperative for peace in this new millennium.

Mr. Speaker, I also include for the RECORD an article that relates to Russia and some of the difficulties that church-related organizations are having in accessing properties.

The article referred to is as follows:

ICE CURTAIN IN THE EAST

(By Geraldine Fagan)

On 7 January, Russia's Orthodox Church celebrated the two-thousandth anniversary of the birth of Christ. Thousands attended the Christmas liturgy in Moscow's Cathedral of Christ the Saviour, triumphantly, and, many have averred, tastelessly, restored to the city's skyline more than 60 years after Stalin ordered its obliteration from it. Live coverage of the event was marred, however, when Patriarch Alexis II arrived more than an hour late, delayed by his participation in the day's informal meetings between President Putin and the German Chancellor, Gerhard Schroder. As the television cameras panned in on the massed faithful awaiting their Patriarch, they picked out the emerald robes of seemingly the most senior cleric in attendance—Mufti Talgat Tadzhuddin, head of Russia's Central Spiritual Directorate of Muslims. For the third year running, the chief representative of Russia's Roman Catholics, Tadeusz Kondrusiewicz, had not been invited.

Catholic-Orthodox relations in Russia remain poor. The Moscow Patriarchate's frequent complaints that the Catholic Church is engaging in rampant proselytism translate into a state policy of containment. In Moscow, there are 27 Masses in more than 10 languages every Sunday—almost all of which take place under two roofs. Attempts to reclaim the third historically Catholic building of the church of SS Peter and Paul in order to relieve the strain have been fruitless. When Cardinal Angelo Sodano acting as papal legate made a request to Mayor Luzhkov's office for three plots of land to build chapels in lieu of the return of the church of SS Peter and Paul, he reportedly received a strong and swift rejection.

According to one Catholic source in Moscow, the Catholic Church has agreed not to create any new institutions or structures in the city, so that the number of legally registered parishes totals five. The remainder—including those which group Filipinos, Latin Americans, Koreans and Iraqis—are either termed ''pastoral points'' in an official directory of the Catholic Church in Russia for the year 2000, or else are not listed at all. In addition, the two apostolic administrations (''diocese'' would be too provocative a term) of southern European Russia and eastern Siberia have been denied registration because they are headed by foreigners. Bishop Jerzy Mazur, a Pole, and Bishop Clemens Pickel, a German, have been told that they will be granted Russian citizenship only if they marry a Russian, and currently have to pass any noninternal documentation—such as invitations for visiting foreign clergy—to their counterparts with legal status in Moscow or Novosibirsk. By contrast, the American-born Berl Lazar, the Kremlin's preferred choice as chief rabbi over Adolf Shayevich, who is backed by the industrialist and oligarch Vladimir Gusinsky, faced no obstruction in obtaining Russian citizenship.

The chancellor of the Moscow-based European Apostolic Administration, the Catholic priest Fr Igor Kovalevsky, insists that the Catholic Church in Russia ''is just trying to function normally and provide for its minority here. We are not posing any competition at all.'' With 60 per cent of the Russian population claiming to be Orthodox, and the Catholic Church bending over backwards to keep to its own while simultaneously supporting the Orthodox through foundations such as Aid to the Church in Need, it is intended difficult to see why the Catholic minority of approximately 500,000 is subject to so much hostility.

Orthodox fears of competition appear more realistic, however, when one takes into account the fact that so few Russians are truly touched by Orthodoxy. Where they have a presence, Catholics might constitute 1 per cent of the population, with practising Orthodox making up another 3 per cent. In addition, the concentration of Orthodox parishes is such that 8,450, or almost half, are situated not in Russia, but in the west in Ukraine. The vast area of Siberia east of the Yenisei River, by contrast, contains approximately 500 parishes. The Orthodox Church's current total of 19,000 parishes is still only a fraction of the 78,000 it had before the Revolution, and the euphoria of the early 1990s when many new believers were received is a thing of the past.

Does this mean that the much-vaunted revival of Orthodoxy in Russia is a fiction? Many Western commentators have looked for it in vain, expecting a healthy revival to exhibit certain characteristics, such as social work, a desire for ecumenical dialogue or a move towards modernising liturgical language. By contrast, they have seen a rise in nationalism within the Church coupled with virulent anti-Catholicism.

If one can speak of a revival, it does not exhibit those characteristics sought for by Western Christians. There is a core of sincere, sober-minded practising Orthodox in Russia devoted to their Church, but they tend to concentrate upon the vertical aspects of church life. Asked whether there had been an Orthodox revival in Russia, one young parishioner told me that it was difficult to know hat such a revival would be like from the point of view of the New Testament, since ''God's kingdom is not of this world''. In the light of such sentiments, it is perhaps easier to understand why one of the strongest elements of revival is not in the social sphere, but monasticism. Compared with their Christian counterparts in western Europe, however, practising Orthodox are stronger within sections of society such as academia and youth, where they tend to enjoy the respect of their non-believing peers rather than experiencing their scepticism.

Nationalist feeling among these practising Orthodox, however, remains passive. Nationalists prefer to parade on the streets with banners rather than attend church, and, as before the Revolution, only a tiny minority of Orthodox monarchists belong to the virulently nationalist Black Hundreds movement. There are in any case two forms of nationalism in Russia—Stalinist and pre-revolutionary. Most nationalists belong in the first category and are indifferent to religion. This does not stop them from being opposed to the institution of the Catholic Church, however, since there is a general perception that it belongs to an organised anti-Russian force, and all Russians were taught in school that Catholics were crusaders from the Baltics repelled by the national hero Alexander Nevsky.

Although punching above their weight, practising Orthodox in favour of ecumenical dialogue are indeed very few. In the Soviet era, the pro-ecumenical element within the Church gained an artificial influence because of its usefulness to the foreign policy aims of the regime, and precisely for that reason is now frequently viewed with derision by post-revival practising believers. For most Orthodox, ecumenical dialogue with Catholics (and others) is impossible for a simple reason—they are heretics. To Russian Orthodox, however, this does not necessarily conjure up emotive images of burnings at the stake: one parishioner matter-of-factly explained to me that the word ''heresy'' merely derives from the Greek for ''opinion''; that is, anything deviating from Orthodox tradition is the product of the mistaken human notion that this tradition could be improved upon.

In one Moscow parish I recently heard a sermon in which the priest likened Orthodoxy to the calculation 2×2=4. At some stage, he said, Catholics (and others) decided that in fact it would be more accurate to say 2×2=4.000025. ''You can build a chair with

those people using their calculations and it will turn out all right'', he explained to the congregation, ''but if you both build spaceships and set your course on a far-off planet, their spaceship will end up somewhere else''. The Catholic concept promoted by Pope John Paul II of a Europe breathing with two lungs, East and West, is not theologically possible for Orthodox in Russia. No amount of sensitive diplomacy and donations of floating churches from Catholics will change that.

There are signs, however, that the Vatican might be becoming wise to all this. The passivity towards Orthodox criticism throughout the past decade in Russia, culminating in intense diplomatic efforts to bring the Pope here in the symbolic year of 2000, has brought few returns. In the light of this, it is of some significance that the recently-returned and restored Church of the Immaculate Conception in Moscow is now openly referred to as a cathedral. Of much greater import is the planned papal visit to predominantly Orthodox Ukraine, set up without the agreement of the leader of the only officially-recognised Orthodox Church in that country—the one that gives allegiance to the Moscow Patriarchate. It looks as if Catholic-Russian Orthodox relations might be about to become stormier, if also more open.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentlewoman from Ohio. We all have a very valued possession in this Congress with the gentlewoman from Ohio (Ms. KAPTUR), who is an outstanding leader, commands respect wherever she goes, and always presents a nonpartisan view in terms of improving relations.

The gentlewoman's leadership as a senior member of the Committee on Appropriations, a specialist on agriculture issues, on economic development and empowerment issues, is known throughout the world, especially in Ukraine and now in Russia. We appreciate that.

I look forward to working with the gentlewoman and our good friend, the gentleman from Colorado (Mr. SCHAFFER), in helping Ukraine become a key ally of the U.S. over the next several years.

Mr. Speaker, I yield to the gentleman from Florida (Mr. CRENSHAW), our freshman member of the delegation, an outstanding Member. He was involved, engaged, and he played a very vital role. We look to him to provide that freshman leadership in showing other colleagues of ours that are new to Congress that they can play a very constructive role in helping to make the world a safer place.

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman from Pennsylvania for the privilege to travel with him. As a freshman, as the gentleman points out, it was remarkable to me to know and understand first-hand some of the problems in that region, and as a new member of the Committee on Armed Services, I think it is going to be even more valuable.

I would just like to make a couple of observations that really hit home to me, particularly in Russia. It was a grueling trip, with 40 meetings in six cities and 23 meetings in Moscow, but I came away with such a unique understanding of that region of the world. I think there is no better way, if we are going to develop a lasting peace, than for people to talk to people and get to know and understand each other.

But as I observed from just a political standpoint, it was so encouraging to me to see that Russia is moving in the right direction. They have opened their society. There is freedom of religion, freedom of assembly, freedom of the press. They are establishing a rule of law.

But I think it was particularly important for us to be there at that time, because as crises occur, there is always that chance that we can move forward and become more open, or move backwards and become oppressive and regressive.

I was encouraged to see things moving in the right direction from a political standpoint. The rule of law seems to be taking place. Property rights are being established. We were instrumental in trying to encourage the use of mortgages as people borrow money to try to own their own property.

From an economic standpoint, I was particularly pleased to see that last year their economy grew about 7 percent, investment was up 15 to 17 percent, so that is all encouraging. I think that has a lot to do with the political stability that is coming into play.

But as the gentleman and I know, how important that economic engine becomes. I was astounded to learn that while the economy is growing, it is relatively small by world standards, in the neighborhood of $30 billion, when that is half of what the State of Florida is. So they have a long way to go, but they are moving in the right direction.

Finally, as we visited, it was encouraging to me to see from a security standpoint that they are taking steps in the right direction: reducing their military, dealing with us in ways to solve their biological and chemical weapons problem. I guess the jury is still out on that.

But the message we took is when we talk about national missile defense, we want to work together; they are no longer our enemy, that the Cold War is over. Yet, it is still not a safe place to live. There are rogue nations, there is nuclear proliferation. I hope they will continue the dialogue with us that we began so we can work together for a long and lasting peace.

Again, I say to the gentleman from Pennsylvania (Mr. WELDON), I want to thank him as a freshman here for that incredible opportunity to begin to understand and now to work as a member of the Committee on Armed Services to try to make this a safer place for everyone.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank our colleague. The people of Florida have sent us a great one. He is going to be a star in this body. We can already see it in the way he handled himself and the way he conducted himself in meeting with these foreign leaders. I thank the gentleman for his great leadership, and for what I know is going to be a very effective role in this Congress during his long tenure here.

Mr. Speaker, there it is, a summary of our trip. We are proud of what we did. We have no apologies to make: 41 meetings in five days in three different States, a number of cities, visits with the people on collective farms, in hospitals, going out and having dinner with ordinary people and future and emerging leaders, all of it designed to build better relations between America and the emerging former Soviet states.

I want to close, Mr. Speaker, with a brief outline of a meeting that I had with General Kavshnin. General Kavshnin is the equivalent to our General Shelton. The meeting was supposed to last for 30 minutes. He had all of his generals lined up there together across the table. We sat there for over 2 hours, a very animated discussion about where Russia is, the strength of the Russian military, the recent military exercise they were involved in, and what his vision of an American-Russian relationship will be in the future.

I will be candid, it was not the most warm discussion of our trip, but it was a candid discussion of Russia's concerns. We reassured him that America is not trying to drive Russia into the corner. To the contrary, we do not want Russia aligned more closely with China against us. We challenged General Kavshnin, based on discussions I had before going on the trip with Secretary of Defense Don Rumsfeld, who I have the highest respect for, and the general in charge of our missile defense organization, General Kadish, who I have equal praise for.

Their challenge from me to the Russians was: We are waiting for your response, Russia, to work together. That was the message we carried throughout our trip: We are waiting for you, Russia, to come back and tell us how we can work together on defending our people, the European people, and the Russian people from the threat of rogue states, states that do not abide by the norms.

In that meeting with General Kavshnin, we opened the door for further dialogue.

Finally, Mr. Speaker, we were disappointed with one aspect of the trip: We did not get to meet President Putin. We had had a commitment before we left that we would meet with him. We were told when we arrived that, because of the bombing of Iraq, he would not meet with us. It was disappointing, because I had been on Air Force One the previous Tuesday, I had told President Bush of our trip to Russia, and he said to me, Congressman, make sure you tell President Putin and the Russians that we want to be their friends. We have no quarrel with the Russians. We want to work together.

That was the message, Mr. Speaker, that I wanted to deliver to Mr. Putin

personally with our delegation. We were not able to do that. Otherwise, the trip was a resounding success. I thank my colleagues for participating.

INTRODUCTION OF H.R. 775, THE VOTING IMPROVEMENT ACT OF 2001

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

Mr. HORN. Mr. Speaker, I am pleased to join today with our colleague, the gentleman from Maryland (Mr. HOYER), and others in introducing the Voting Improvement Act of 2001, H.R. 775, as we will call it.

The past election produced a great deal of confusion, turmoil, and uncertainty. Although there were a number of factors in producing that confusion, one major factor in Florida and other States was the continuing use of outdated and even antiquated punch card voting systems.

The bill we are introducing today tackles this problem immediately and directly by establishing a grant program for the States to replace all punch card systems before the next Federal election in 2002. In short, this bill provides a practical solution for solving some of the more troublesome voting equipment problems.

As the gentleman from Maryland (Mr. HOYER) has noted in introducing the bill, punch card systems have the highest rate of error among all voting methods. One study by the Massachusetts Institute of Technology and the California Institute of Technology recently estimated that the nationwide error rate for punch cards is 2½ percent, and in a national election that would mean that nearly 1 million votes are thrown out and never counted due to mistakes caused by punch card systems. Clearly, we need to make replacements of these antiquated systems a very high priority.

In addition to immediate equipment replacement, this bill establishes an ongoing grant program to assure that new voting systems are developed and deployed so that voters have up-to-date systems in the future.

The bill also assures that voter education and training of poll workers are given increased attention and support, and H.R. 775 establishes a permanent bipartisan commission to act as a nationwide resource for information gathering and studying the best practices for ballot design and other basic election needs.

Mr. Speaker, the Voting Improvement Act is one of several proposals being introduced for overhauling our election laws and making certain that we never repeat the chaos of the past election. All of these demand careful review and the development of a bipartisan consensus for sound reform. This bill sets clear priorities and offers practical solutions that must be part of any final reform plan.

I urge our colleagues to join us in this effort in backing H.R. 775.

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REFORM EDUCATION IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, in the President's address last night he reaffirmed the fact that education is one of his top priorities. It appears from the speech that the President made that the only priority which ranks above education is the tax cut that is being proposed.

I salute the President for his selection and for his devotion and dedication to education as the number one priority. I think it is very important that he has taken note of the fact that this has been the priority of the American people for the last 4 years or 5 years.

Education has ranked as either the number one priority or somewhere in the top two or three priorities for the last 5 years. So the President is acknowledging the fact that in a democracy, the directions really come from the bottom.

He is not alone. The previous President chose to call himself the Education President, President Clinton. At one point he said he wanted to be the Education President. And he and the younger Mr. Bush are not the only ones.

Father Bush, I think, first coined the phrase Education President. The father of the present President said he wanted to be the Education President.

Before that, Ronald Reagan launched the movement to reform education in America with a report called A Nation At Risk, A Nation At Risk. We are now in our fourth President who has chosen to make education a number one priority. We should be making some tremendous progress in terms of the improvement of education in our Nation.

I regretfully report, however, that this is not the case. Despite the fact that lip service has been paid to the reform of education in America by the last four Presidents, the progress has been fairly slow. The flaw is in the lack of resources.

When A Nation At Risk was issued as a report by President Ronald Reagan, President Reagan offered no program with any dollars. He offered strictly jawboning, lectures about how important it was to improve education.

President George Bush, following President Reagan, did offer a program, but it was a very sparse program in terms of dollars. There were a lot of words and a lot of lectures again, but very little was offered in terms of resources.

President Clinton offered a dramatic blueprint for the reform of education. President Clinton did build on some of the activities of President Bush, Father Bush. Father Bush had launched the governors campaign to improve education. There was a huge governors conference and the governors came together, and they set forth goals to be achieved.

There was a step-by-step progression forward, which President Clinton as a governor, Governor Clinton of Arkansas, had been involved in, and President Clinton did build on what President Bush had started. President Clinton also added some dollars to the master plan.

I think, relatively speaking, if you compare the record of President Clinton on education to the record of his predecessor, Father Bush, to the record of Ronald Reagan, President Clinton had a very outstanding record in terms of resources committed as well as the necessary job owning.

But even the Clinton administration did not dare, for whatever reason, which I do not care to go into today, set forth a bold blueprint and the resources to match it, which would deal with the problem in a constructive way. Why? Why is it? Repeatedly there is a sense within America that ordinary people, the public opinion polls keep showing that there is a gut reaction, a gut feeling that nothing is more important than education. There is a feeling that we are not doing enough to improve education in America.

Why is that? The gut reaction and the common sense feeling does not translate into really bold action. We have had bold action within the last 5 years. We have had bold action in terms of a transportation plan.

One of the boldest initiatives taken in the domestic front was the bill which authorized $218 billion over a period of 6 years for transportation projects, road building, bridges, et cetera, et cetera. So we did some big spending on a domestic issue.

We have been spending large amounts of money, of course, on defense. And continually under all of these Presidents, the defense budget has done very well. But in the domestic arena, we moved in a very bold way to fund a transportation act which provided $218 billion over a 6-year period. That is the kind of action that I always dreamed of, and I think it was necessary.

I maintain it still is necessary if we are really going to come to grips with what has to happen in the area of education.

Education suffers from a lack of resources, and that is the primary problem. We cannot escape that. No amount of jawboning and no amount of theorizing, no amount of testing will escape the fact that there is a definite lack of resources.

Let me just set the stage and establish some parameters which are both local and national. At the local level, in New York City, we have just received the results of a 7-year court case. A ruling has been made after a 7-year trial by a Supreme Court judge

that New York State has systematically been short-changing New York City in education funding over the years. The order of the judge is that New York State must take steps immediately to provide greater resources to New York City.

It is at the local level. The Nation's largest city, 1.2 million children, about 1,100 schools, more than 60,000 teachers. It is at the local level, but I think it has good, strong implications for the entire Nation.

The lack of resources is pinpointed by Judge Leland DeGrasse's decision, which declared that New York City schools have been grossly neglected and underfunded.

I maintain at this point that despite all the rhetoric and discussion about education at the national level through the last four Presidents, the problem in America is that the schools of America are grossly underfunded. Now, many of the Members of Congress and many members in government are high places, live in neighborhoods where their schools are doing all right, but I am talking about across the Nation as a whole.

There are too many schools that need considerable resources that they are not receiving. They need the resources in the areas of physical infrastructure. They need resources in other areas.

Mr. Speaker, in fact, I think that this applies to all of America, Justice Leland DeGrasse's decision in the case of New York City versus the State reads as follows, I am just going to read a section from his conclusion, this court has held, I am quoting from Justice DeGrasse's decisions, this court has held that a sound basic education mandated by the education article consists of the foundational skills that students need to become productive citizens capable of civic engagement and sustaining competitive employment.

In order to ensure that public schools offer a sound basic education, the State must take steps to ensure at least the following resources, which as described in the body of this opinion, for the most part, currently are not given to New York City's public school students.

The following resources are not provided for New York City's students. This is the finding of a judge after 7 years of trial.

Number one, sufficient numbers of qualified teachers, principals and other personnel; number three, appropriate class sizes; number three, adequate and accessible school buildings with sufficient space to ensure appropriate class size and implementation of a sound curriculum; number four, sufficient and up-to-date books, supplies, libraries, educational technology and laboratories; number five, suitable curricula, including an expanded platform of programs to help at-risk students by giving them more time on tests; number six, adequate resources for students for extraordinary needs; number seven, a safe, orderly environment.

Education discussions become extremely complicated. People think that there is a morass out there, and there is no way out of this endless discussion of what it takes to reform education in America.

Here we have a judge that has listed the simple elements, the components of what is needed to establish a sound basic education system. Those are the terms that he uses repeatedly.

I think in America we can, first of all, expect from every jurisdiction, every school district in America, every State, every jurisdiction should seek to establish a sound basic education. That is a terminology used in the State constitution. Not all States may use that term, but basically when States talk about the right responsibility for providing an education, it basically means the same thing, a sound basic education.

Let me go back for a moment and repeat his definition of a sound basic education. That is an education that allows students to become productive citizens, productive citizens. How does he define a productive citizen? A productive citizen is a citizen capable of civic engagement and sustaining competitive employment. It sounds too simple to be true. But this is what it boils down to.

We need to produce students who are capable of civic engagement and sustaining competitive employment. Both of those are rather complicated. Not complicated, it is easy to understand the concept to fulfill that concept. I do not want to oversimplify it.

To be capable of civic engagement; what does that mean? Surely it means that students produced by our system ought to be able to evaluate the pronouncements of officials seeking election and be able to vote in intelligent ways in election. It surely means that they ought to be evaluate the system that we have structured to provide for the election of our officials and be able to come up with system that is are fair and just.

Civic engagement means more than the old civic books which talk about how a bill becomes law in Congress. I have those little booklets I give to the kids on how a bill becomes law in Congress, very similar to how a bill becomes law in the State legislature.

Those little steps of the introduction and the action in the committee and the action on the floor and all of that is elementary and very inadequate in terms of telling students about what is necessary to have appropriate civic engagement.

How do we get elected? We have elections. We have primaries that elect people in the parties. We have elections between the major parties on Election Day. We all go to the polls. The polls are fair. They are policed by policemen and monitors. Both sides can have people who are judging whether or not the election is being conducted fairly, and it all appears to be a wonderful exercise that we can all applaud.

Students are not told about the fact that in all the counties of America you have different systems for electing. They are not told about the fact that machines have to be purchased because of varying circumstances. Some machines are very old and do not function very well. They are not told about the fact that from one county to another, you may have different ballots and some ballots are more difficult than others.

Human beings who are political entities, Republicans and Democrats, make up the ballots. And once you have the election and you have to have a count, there are human, subjective judgments that enter in, and you may have to have court cases, and, finally, the case may get to the Supreme Court that voting in our democracy is not as simple as it may be.

Mr. Speaker, to have students educated in a way which makes them capable of civic engagement, we have to do more in that area, and understand that it is not as simple as it has been made to appear over the last 100 years in our civic textbooks.

In the area of sustaining competitive employment, things are very complicated. There was a time when sustaining competitive employment meant all you had to do was to know how to read a few signs and follow instructions and follow a few written instructions, but mostly oral instructions, and the straw boss, or the foreman, in the plant would tell you which widget you have to put on which line as it moved and how many boxes you have to pick up. For a long time, the young people coming out of our schools were absorbed by the manufactured industries.

□ 1615

Most of them, for many years, did not even complete high school, and it was not necessary in order for them to obtain competitive employment. Sustaining competitive employment 30 years ago was very different than sustaining competitive employment now.

So sustaining competitive employment now, if the State is responsible for making it possible for students to sustain competitive employment, then the State must provide the kinds of tools and equipment that are in a present working environment.

The computer is dominant in the present working environment, whether one is talking about an assembly line in a factory or inside an office where the production of data and the distribution of data, the retrieval of data is the only concern. The computer science digital devices, they have all taken over.

If one has schools that do not have educational technology that is sufficient, computer labs, then one is not providing sustaining competitive employment.

So a decision like this challenges the system. When a judge says one must produce students who can become citizens capable of civic engagement and

sustaining competitive employment, one is laying down a formidable challenge to the education system of today.

A challenge in America today I think is how do we meet the challenges of our complex modern world. What kind of education system do we produce. We are a very powerful, smug, fat, comfortable empire at this point. Rome was just a village compared to the United States of America. Nothing has ever existed like the United States of America. Never have so many been so comfortable. Never have so many had benefits provided for them. Never have so many enjoyed the fruits of productivity in the area of technology and science and the fruits of productivity in agriculture.

America is great partially because of the fact that there is a common sense out there which says education is important. Something in the air that Thomas Jefferson breathed made Thomas Jefferson decide I will go and establish the University of Virginia. The University of Virginia later became the model for all of the land grant colleges. We have every State of the Union that produce something similar to the University of Virginia. We are better in terms of the land grant colleges helped by the United States Government.

The Federal Government established the Morrel Act. The Morrel Act provided the funding for land grant colleges. Land grant colleges define themselves in much the way the judge is defining basic education here, not in terms of Latin and philosophy and Greek, but whatever is necessary to allow citizens to become productive.

So agriculture, engineering and topics that usually were not taught in higher education institutions were the primary curricula of the land grant colleges.

So the land grant colleges were a part of the American instinct to push for more education, and our laws which made every State take on the responsibility for education. There is nothing about a responsibility to provide education in the United States Federal Constitution. But every State has something in their State Constitution which takes on the responsibility for the provision of education. Very American.

Later on, after World War II was ended, that same instinct, the same drive from the bottom to assert that education is number one priority led to the creation of the Bill of Rights for the G.I. bill, which allowed every returning American soldier to get the funding for an education from high school equivalency diplomas and high school diplomas, all the way up to college, college degrees.

Our universities and colleges were filled up with G.I.s going to school. They were later able to take on the revolution of technology.

Automation came along, and a number of new developments came along after World War II that we were able to sufficiently master because we were producing out of our universities and colleges a broad base of very highly trained people who could take that on.

So in America, we have had that push and that drive for education before. The question is now are we too smug, are we too petty, are we too driven to penny pinch that we cannot conceive of anything as great as the G.I. bill which said every soldier can go to school. If one wants to be a barber, one can get money to get trained as a barber. If one wants to be a mechanic, one gets money to be trained as a mechanic. If one wants to be a doctor of philosophy, one can get the money. The government will pay for one to become a doctor of philosophy.

We do not have that kind of spirit which says that, in order to earn a living in the future, every student is going to have to be exposed to computers and have some kind of basic computer literacy; reading, writing, arithmetic, and computer literacy. If one is going to have computer literacy, then education is going to cost more than it costs before.

Here we are with President Bush producing a plan which says he will leave no child behind. I have read the President's outline. I have a copy right here. ''The bipartisan education reform will be the cornerstone of my administration,'' by George W. Bush. It is an impressive outline of what he intends to do.

The President has not yet introduced a bill. The Republicans who are on the Committee on Education and the Workforce, I serve on the Committee on Education and the Workforce where this bill would have to be, this function, most of it will have to come through our committee. The President has introduced no bill yet. But his outline is interesting.

I would applaud President Bush in his outline for emphasizing at the very beginning the fact that we need to focus most of our resources that are available on the schools that need the most, on the failing schools, on the schools which have the most at-risk students, the most disadvantaged students. I would applaud that. It seems that that is common sense, one might say.

Why should one applaud the President for immediately proposing that our primary first dollars be focused intentionally on the schools that are in the greatest need? Why would not that be understood by everybody who is interested in improving education in America? It is not a self-evident fact. It is not endorsed by all the members of the President's party.

The great battle between the Democrats on the Committee on Education and the Workforce and the Republicans on the Committee on Education and the Workforce both in the House of Representatives and, I think, in the other body the same problem has arisen, is that the Republicans on the committee want to take the limited dollars that we have available in title I and other education programs and spread them out further. They want to have flexibility. They want to have block grants.

So the President's first statements, which call for intensifying and focusing more of the dollars on the schools in greatest need runs contrary to the position that the members of his own party have taken in the House of Representatives.

Let me recapitulate, Mr. Speaker. I really am talking about the education imperative. I am agreeing with the President of the United States that we ought to have education as one of our number one priorities. I think it should be the number one priority ahead of the tax cut even.

I think that the President's proposals deserve careful analysis, and I would start by applauding the first parts of his proposal which call for focusing on failing schools, disadvantaged students. Our resources should go there first. That seems to be a self-evident conclusion, but it is not.

The Republicans in the House of Representatives on the Committee on Education and the Workforce and some Democrats in the House have not seen fit to make that kind of dedicated proposition, support that kind of dedicated proposition.

In fact, when I talk about school construction and the fact that the first dollars for school construction ought to go to the areas which still have coal burning furnaces in their schools, or asbestos, overcrowding so great that the schools cannot provide lunch for the youngsters except on a three-cycle program where they start feeding the first cycle at 10 o'clock in the morning because of the overcrowding. They force students to eat lunch at 10 o'clock in the morning. They have just had breakfast already, so why should they be forced to eat lunch? I said we should give the priority to those areas. Most of those kinds of schools and situations are in the inner cities.

I have had Democratic colleagues who talk about, no, we do not want any construction bill which does not give equal treatment to all districts, you know. So I have a bill which calls for funding all school districts according to the number of school-age pupils.

All districts feel that they have a need. Some may need money for computerization and improving the safety facilities around the school. Some may need money for remodeling the auditorium, the gymnasium. Others may need money for life and death matters like getting rid of a coal-burning furnace which is jeopardizing the health and safety of the children or getting rid of asbestos. Others may need money to build new schools because of the fact that the overcrowding is strangling the whole process of education.

So President Bush, I will unite with him, and I hope that my Democratic colleagues in the House of Representatives, in general, beginning with those

on the Committee on Education and the Workforce, will unite with the President on the proposition that resources ought to be better focused.

Whatever we have to offer ought to be focused on the schools that are failing and the areas which have students with greatest need. Title I was conceived that way. The Federal Government became a partner in education to help with poverty areas whereas districts were too poor to educate youngsters.

Lyndon Johnson fashioned the Elementary and Secondary Education Act and title I as a primary provision of that act which funnels funds into districts according to the number of children who qualify for free lunches. Free lunches are provided by the United States Department of Agriculture. If one is eligible for those free lunches, that is the definition of the level of poverty that one must have in order to qualify for title I funds.

So we have a yardstick, a barometer for measuring where the problem is. The correlation between poverty and lack of achievement is well established.

The number one cause of poor school performance is poverty. Now, let me not be misquoted that all poor children are in a position where they cannot perform; that there are no schools in poor neighborhoods where children do not perform very well. There are numerous exceptions. The poverty does not fix the children into a pattern where it is impossible for them to perform well.

One of the best schools in my district, PS–161 on Crown Street, I was surprised to find out that 90 percent of the children, more than 90 percent of the children in that school qualified for free lunches, which means that they come from poor homes. Yet, that school performed as a second or third best sixth grade reading class in the whole State of New York.

The State of New York, of course, is very variant. The State of New York has very rich communities, very rich school districts. I think the school district in New York State that spends the most money per pupil spends $24,000 per pupil. $24,000 per pupil is spent in the richest district. In New York City, we are spending between $6,000 and $7,000 per pupil.

Nevertheless, there are children performing in some of these poor schools who can outperform schools in richer school districts. So it does not lock them in, but generally, generally poverty and low performance go together. The correlation has been proven over and over again.

So I congratulate President Bush on saying we should focus the money. I will unite with President Bush in a bipartisan cooperation. I call on all my colleagues to unite with President Bush to push for the concentration and the focus of Federal resources in the areas that need money, that need resources most.

□ 1630

Let us not have competitive grants in education anymore. Any additional money, and we need far more money, should not be funding that is put out there and then a proposal must be submitted and those who submit proposals will have to compete. They will have a peer review process, and the best written proposal will get the money. What we find is that the districts in America who have the best proposal writers are walking off with the available funding.

After-school centers, for example, 21st century learning centers they call them, they provide after-school money, Saturday tutoring, summer school money, very exemplary programs. I do not think anybody in the Congress, Republican or Democrat, who would say these programs do not work. If we are able to get after-school centers to provide that extra tutoring and Saturday tutoring, the things that go into those programs, then children can succeed, and we have seen the progress that students make. But the funding of the Federal Government for the 21st century learning centers does not even reach one quarter of those in need at this point, and those that are reached are not the most needy because it was a competitive grant and proposals had to be submitted and what we find is the best proposal writers are prevailing.

All future grants in education should be given out on the basis of need. In other words, we can target the areas where the need is greatest by following the formula for free lunches. The school districts which have the largest numbers of pupils who receive free lunches are the poorest districts. We should not have them compete with other districts for after-school learning centers. We should say there is where the need is and additional funding goes to meet this need.

Community technology centers. Community technology centers were proposed by the Congressional Black Caucus. We called them storefront computer centers because what we wanted to do was to have a situation where the deficiency in the homes of poor children would be compensated for by having the availability of computers in places where members of the family as well as the students could go to practice. They need access to a computer. Among other things, they need access to a computer in order to be able to master computer literacy. So a computer storefront center concept was a response of the Clinton administration to a request made by the Congressional Black Caucus.

I applaud the Clinton administration for their response. I applaud the Republican majority for agreeing to the funding. But the computer storefront centers in the bureaucratic process and the bureaucratic approach became computer technology centers. Already we had ratcheted them up to another level beyond the simple storefront centers that we talked about. The very title that came out for the RFP, the request for proposals, went out to everybody for computer technology centers. Already the proposal was more complicated than a simple gathering of computers at a storefront place, with some personnel to keep it open late at night and on Saturdays. It became something more difficult.

The proposal writers went to work all over America. Now, there are some school systems and some schools themselves that have excellent proposal writers. If there is a proposal, with guidelines, regardless of the circumstances on the ground, they will produce a magnificent proposal. And when the peer review readers get that proposal, they will mark it 100. It has no relationship with the actual need.

Those who are most in need usually do not have excellent proposal writers. Those schools have teachers and personnel who have moved on, and the schools that have the least experienced personnel, the ones least likely to have good proposal writers, or the districts who are struggling to meet the needs of putting people in the classroom every day, they cannot afford to hire somebody who becomes a specialist in proposal writing.

So what is happening in the Clinton administration, where we had funding for some good programs, all the way from Gear Up, community technology centers, and the Safe Schools and Drugs Act, there were a number of different programs that have been funded on the basis of competitive submissions and that process has led to the pupils and the schools and the district of greatest need not having received those programs.

So one thing the President can do, and we will certainly cooperate with him, is to have a provision which requires that programs that are deemed to be necessary to help improve the performance of disadvantaged and at-risk students are programs that should be targeted to those areas without a competitive bidding process.

We have many other programs that do get a distribution of their funds based on need or formula. We could have a formula which says if there are certain numbers of students which receive the free lunches or who are eligible for Title I funding, then that helps to drive and determine where the need is and that is where we should place the programs that we deem are necessary to improve education. So I agree with that point that the President starts with, and we certainly hope we can make that work in concrete terms.

One of the problems we will be up against is that the members of the committee who are Republican have a Republican position in the House in general that is going in the other direction. They do not want to target the money into the poorest districts. They want to have block grants. The block grant goes to the State and the State governor determines where the money goes. The Federal Government is out of it. That is disaster, in our opinion.

Block grants have flexibility. We can have a grant which is for a specific program, like Title I; but the flexibility is so great until they can skim off money for administration, they could use some of it to improve the parking lot in a richer district. All kinds of things can happen when we grant flexibility to the States. It can go in the direction which is opposite where the President has chosen for it to go.

Second point. President Bush says we will concentrate resources, and after we concentrate resources we will test. As a result of the testing process, we will make judgments. After 2 years, any school that is still failing will be required to allow its students to choose a public alternative. Public school choice will be mandated after 2 years. After 3 years, any school that is still failing will be closed down and declared ineligible for Federal funding and will be privatized. The schools would have an option. They can give the students vouchers and send them off to private schools, or they can become charter schools, or they can become contracted to profit-making contractors who would run the schools. Three years.

I agree that we should focus on failing schools. I do not agree that 3-years-and-a-school-is-out is an appropriate process. Three strikes and you are out. Three years and you are out. I think that two problems exist there. Three years is not enough time. We do not transform institutions in 3 years. We do not solve problems involving human beings that fast in 3 years. That is a pretty harsh judgment to make: either improve, come up to standard in 3 years, or we close it down.

We do not say that to any other set of institutions. We would have closed down the CIA and the FBI if we judged that harshly: either improve or perform. The CIA did not see the Soviet Union collapsing. Half of its resources were devoted to the Soviet Union, and they did not see the economy of the Soviet Union collapsing until I think the networks announced it to them. The CIA allowed Aldrich Ames, the person who was in charge of counterespionage, to sit there for years and destroy their effectiveness in terms of counterespionage. But we have not cut the CIA budget. We have not done anything to an institution that had a gross failure.

We have had gross failures. The FBI now has grossly failed in the area of their own counterespionage operation. Nobody has dared to say we should get rid of the FBI because of the fact that the chief of counterintelligence was himself the mole and directing the operation for so many years, 15 years. We do not judge institutions anywhere else in our democracy so harshly.

Why do we say to a school in a neighborhood struggling to educate its youngsters that they must either improve or we take all the Federal money away in 3 years? They have 3 years. So I think we ought to have some flexibility.

We will work with the President on that area, and maybe we can have some flexibility, between 5 and 7 years, some kind of barometers of progress where school improvement at a certain rate we can assume is going to keep going and not harshly move in to take over after 3 years. The problem with the 3-year mandate is that there are many of us who suspect that it is a setup for failure; that by mandating 3 years, we set the school up to become privatized, with the real objective to privatize the schools of America.

It is no secret that the members of the majority party want to go to vouchers, although not for their own school districts. When I question members of the majority party who advocate vouchers for poor districts, vouchers for the inner city, they do not want vouchers. They do not go to their own constituency and their own neighborhoods and say we are in favor of vouchers, because most of their neighborhoods where their children go to school have good schools. They have good public schools. Our goal is to have public schools as good as the ones that the majority of the Members of Congress have in their neighborhoods. Public schools.

However, the push for vouchers cannot be resisted. The push for privatization cannot be resisted. The President now and the majority party in the House of Representatives, the majority party in the Senate, all are pushing for privatization. So what better situation to allow for a massive privatization of the schools in America than that to set up the schools for failure and say that they must succeed in 3 years or they must be privatized; they will be out of business?

The other part of that is in 3 years what kind of resources does the President propose to provide? In 3 years, what kind of funding will the Federal Government provide for these schools? How will we increase what exists already? The President proposed in his speech last night that education would be the area of domestic programming to get the largest increase in his budget. He proposes to increase education funding by 10 percent. That is 10 percent over what exists now.

We have actually had a rate of funding over the last 4 years greater than that. The increases in funding for education have been greater than 10 percent per year over the last 4 years. So the President would slow down the process, not increase it. He has made education the number one priority in terms of rhetoric, but in his first discussion of dollars he is slowing down the commitment to the provision of the necessary resources for the improvement of education.

Here is the rub: I went to the White House as part of the Congressional Black Caucus meeting with the President and I spoke on education. I said, ''Mr. President, there are some good features in your plan. We would like to have a dialogue with you about it, but there are no figures, no dollars.'' At that time he had no dollar figures. He only came up with those last week, and last night he reaffirmed the fact that he is going to increase education by 10 percent.

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In the Congressional Black Caucus, we had a resolution passed like 2 years ago when they first began to talk about a surplus and we said that whatever the surplus is, let us devote 10 percent of the surplus, the present education budget, let us add onto that each year 10 percent of the surplus. If the surplus does not pan out to be as high as they thought it would be, it is 10 percent of whatever it is. The projections for the surplus at that time were $200 billion, what it is roughly now, around $200 billion, the same figure. That meant 10 percent for education would be $20 billion; $20 billion per year added to the education budget.

Does that seem like an exorbitant amount? No. What you can do is in this time of most fortunate times of prosperity, deal with the capital expenditures. You do not have to increase the operating budgets of any schools. The aid would not be such that you would make the schools dependent. Spend for school construction. Spend for school computers, equipment, the capital expenditures. Now let us have every district be freed of the need to expend for capital items and especially let us set free those districts that need decent schools, buildings, safe buildings, buildings conducive to learning. Especially let us get the schools wired for computers and let us put computers in the schools. All of those things do not require that the Federal Government get involved in discussions of curriculum in the local school, discipline, administration. You do not have to get involved in local school matters. As the President said, the money came from the people. It is their money. Anyhow, we are not benevolently passing back money that does not belong to the people. Give it back to the people in the area of highest priority in terms of capital expenditures for education and get out. You are not required to stay in after you give help for school buildings. There is nothing to keep you there interfering with the way the schools are run. If you give money for computers, there is nothing to require you to stay there and interfere with the way the schools are run.

A $20 billion increase in education per year over the next 10 years would create the kind of education system in America that would carry us forward into the 21st and 22nd century and make us completely inviolable, because it is education. Our greatness, our superiority in the military sector, in the industrial sector, commercial sector, in the cultural sector is dependent on a very highly educated population, a base of education which has people at every level educated. That must continue. If we fail to take this opportunity, if we are petty now and small-minded, have no vision and can only

see an increase of 10 percent of the current budget, rather than 10 percent of the surplus, then we are going to lose a golden opportunity to guarantee that what happened to the Roman Empire will never happen to the American empire.

Our empire is far more shaky than you think it is. We are alone in the world of 5 or 6 billion people and we have less than 300 million people who enjoy a very high standard of living. We have allies in industrialized areas. If you put us altogether, maybe we have a billion people who enjoy a very high standard of living, but what about the other 5 billion? Do you think you are really going to be able to exist unless we take our superior education, our productivity, our inventiveness, our ingenuity and keep spreading the prosperity of it, the benefits of prosperity and the benefits of inventiveness and the benefits of technology throughout the entire world. We have to have an educated population to do this. Everybody must be seen as a potential resource in the effort to keep America great in this area.

We are showing strains at every level. There is a great shortage of teachers. Thousands and thousands of teachers are needed right now and they are not available in certain areas. The projection is that it will be hundreds of thousands of teachers needed in the next 5 to 10 years and they will not be there. We have shortages in other areas. Policemen. In the area of government service, the quality of people, there is a problem. In the quality of people in the military, there is a problem. We had an aircraft carrier launched a couple of years ago, a new aircraft carrier launched and they were short 300 people. They could not get 300 people to fill the necessary positions on the ship because the ship was such a high technology, the aircraft carrier had such high technology devices until they needed a very well educated population. They could not find the people. Those shortages in the military continue to exist. Ever more complicated weapons are invented and we are not matching that with a massive education program to be able to pull from the bottom what we need in terms of education.

The caliber of people in high places obviously is a problem. I do not think 20 years ago we would have had a captain or an admiral or anybody in charge of a ship in the Middle East who would be so careless as to allow his ship to be put in a position where a man in a fishing boat could bring a bomb and blow a hole in the ship and the lives of 12 to 15 sailors were lost. That bomb incident in the Middle East, I do not think we would have had a person in charge of a ship who was that dumb, who was that unqualified. I do not think we would have had the submarine accident that happened in Japan, that you would have people in charge of a ship who were as dumb as the people or as careless, unqualified as the people in that submarine who let that happen. From all the facts that I hear, the human error, the sloppiness is part of a pattern. The sloppiness in the CIA that produced Aldrich Ames, the sloppiness in the FBI that produced Mr. Hanssen, the sloppiness, the erosion of quality in the Navy that produces these accidents. It is all over. We have glitches in every level of our society because the complexities of operating things are so great until you need not just people at the very top who are excellent people but you need them all the way down the line.

The man who put the oil in the airplane is the one I worry about when I get on the plane. Him and the mechanic who tightened the bolts on the little screws that had to be tightened, all those details are what makes a plane go. I do not worry about the pilot because we spend more money to train pilots than we do on anybody else, any other category of worker in the Nation. The pilots are well trained. But I worry about all those other people we are dependent upon. Education in America has to produce the high quality at every level. We have to get rid of our pettiness and go forward. We have to understand that this is no place to exercise some of our weaknesses, to let some of our weaknesses rise to the top.

The Education Committee that I serve on is also called the Workforce Committee, Education and the Workforce. It used to be called the Education and Labor Committee. It is very antilabor, so much that they changed the name. They got rid of the word ''labor.'' But nevertheless all the functions related to working people in America must come from the same committee. We have a hostile atmosphere there toward working families. We have a move on now to roll back the standards in ergonomics, to change the way labor unions can provide money in political campaigns. There is an attack on working families through labor unions. That is where the people who are going to make our society run have to come from. They have to come from working families. Middle-class families are going to continue to produce doctors and lawyers and people in the higher professions, the business graduates. We need more computer scientists, we need people to operate the ships. We need whole categories of people that must be producing. The only place they can come from are working families. The attacks that are being made on labor are ridiculous because of the fact that we are undermining a segment of the population, working families, that is critical.

In the area of minorities, we are still making critical mistakes in the area of minority education and the way we deal with minorities. We do not understand that the youngest population that we have are among the African Americans and the Hispanics. They have the youngest people. These are the people who are now at school age, who are going to be the workforce of tomorrow when many of the other folks in the majority population have begun to retire. The way we treat minor and children of minority families is critical.

I want to end with one last statement on a recent development within our Education and Workforce Committee. We are going forward in the committee with the assignments for the new 107th Congress. This button I have on relates to a problem that has arisen in the reconfiguration of our committee subcommittees, the subcommittees laid out by the majority. The majority Republicans decide. We hoped that they would have done this in consultation with Democrats, but the pattern nowadays is that they do not consult with the minority, the Democrats are never consulted on these things, so they came with a proposal for a Subcommittee on 21st Century Competitiveness. I think the Subcommittee on 21st Century Competitiveness is very much in order, very much in line with where we have to go. I am here saying that education is the hope of America, that the only way our society is going to survive is by focusing intensely on our education system and guaranteeing maximum education for all. I think that the change of a name of a committee that used to be the Higher Education Committee to the Subcommittee on 21st Century Competitiveness is appropriate. We were excited about that. But in the process of doing that and creating other committees, they took out of the Subcommittee on 21st Century Competitiveness all of the higher education titles related to minority schools. The historically black colleges and universities, title 3(B), the Hispanic serving institutions and the tribal colleges, all serving minorities, they were taken out of the Subcommittee on 21st Century Competitiveness. They were put into another committee which is called Committee for Select Education. In Select Education, you have the problems of juvenile delinquency prevention, child abuse prevention and a number of social programs and problems that are very important. We would like to see them dealt with. But why do you take out of the Committee on Competitiveness the minority colleges, the minority colleges, which have a great role to play in making America competitive in the 21st century? Where are we going to get the computer scientists from?

We have title 1(B) now, H1B, I think, which brings in foreigners to take positions in the computer science industry, in the information technology industry. We should have more and better computer programs in these historically black colleges and universities and in the Hispanic serving institutions and the tribal colleges. When we discuss 21st century competitiveness, we do not want to have a situation where the historically black colleges and the Hispanic serving institutions, the tribal colleges are not on the table, they are not being discussed. They go into another committee.

In boxing, if you have a bout scheduled after the main event, you get very little attention. No matter how much effort the boxers put forth, after the main event nobody is interested. The main event is the Subcommittee on 21st Century Competitiveness. We would like to have the historically black colleges and universities there. We would like to have the Hispanic serving institutions there. We would like to have the tribal colleges there. All of the members of the Education Committee who are minorities, we happen to have on that committee four people who are African Americans, three people who are Hispanic Americans, two who are Asian Americans and one who is a Native American. We all pleaded with the Republican leaders of the committee to not do that because it appeared, one, to push the minorities out of the process of preparing for 21st century competitiveness, it appeared that way, and in reality we know from experience that when you separate out things, they are not treated equally. When they get more attention as an event that takes place after the main event, if they are not at the table when the funding is being discussed, when the appropriations are being discussed, they will not prevail.

That is just one of the kinds of blunders that we must worry about as we go into the 107th Congress. There is no crisis on the horizon which raises our level of adrenalin. We do not feel any intermediate emergency. We are a pretty smug, comfortable people, the American Nation at this point. It is an opportunity. We should not relax.

When President Bush talked about the angel in the whirlwind in his inaugural address, the angel in the whirlwind which always seemed to be there to guide America through crisis. If we stop and think, that has been the case. We have gone through numerous crises in this country. We have had leaders produced at just the right time, Thomas Jefferson, Abraham Lincoln, and Roosevelt whose decisiveness and vision and cleverness matched Adolf Hitler. Not only did he get us out of the Depression but he led the way to the defeat of fascism.

We have had critical periods in our history and had to rise to the occasion. Usually they were very physical kinds of challenges. The challenge we face now is different and it requires some creativity and some vision in terms of here we are in the midst of a peacetime prosperity with resources that are unparalleled. Never before in the history of mankind has a Nation existed as rich and powerful as America. If all we can do now is to declare war on our working families and go after their labor unions and undermine the structure for providing jobs and higher wages, if all we can do is do negative things like classify minorities in a special way, if those are the things we do, we will destroy our opportunity to overcome the problems that the Roman Empire finally faced.

We do not have to decline. This empire can go on and on forever, but it has to have a firm commitment and dedication to education. We must put the money and the resources behind our rhetoric.

President Bush, I congratulate you on the rhetoric. Now we have to get the resources for education to make education our number one priority in reality.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 333, BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001

Mr. SESSIONS (during the special order of Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 107–4) on the resolution (H. Res. 71) providing for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. NUSSLE Mr. Speaker, in accordance with section 219 of H. Con. Res. 290, I hereby submit for printing in the CONGRESSIONAL RECORD adjustments to the section 302(a) allocation to the House Committee on Commerce, set forth in H. Rept. 106–577, to reflect $15 million in additional new budget authority and outlays for fiscal year 2001 and $250 million for the period of fiscal years 2001 through 2005.

Section 219 of H. Con. Res. 290 authorizes the Chairman of the House Budget Committee to increase the 302(a) allocation of the Committee on Commerce for legislation that provides Medicaid coverage for women diagnosed with cervical and breast cancer through the screening program of the Centers for Disease Control. Under the terms of section 219, the amount of the adjustment is in the amount of budget authority and outlays provided by such legislation, but may not exceed $50 million in new budget authority and outlays for fiscal year 2001 and $250 million in new budget authority and outlays for the period of fiscal years 2001 through 2005.

H.R. 4386, which became P.L. 106–345, provided funding for the specified purpose. Costs begin in fiscal year 2001 at $15 million in new budget authority and outlays and total $250 million in new budget authority and outlays over the period 2001–2005.

If you have any questions, please contact Dan Kowalski of my staff at 67270.

Mr. Speaker, in accordance with section 220 of H. Con. Res. 290, I hereby submit for printing in the CONGRESSIONAL RECORD adjustments to the section 302(a) allocation to the House Committee on Agriculture, as revised, to reflect $995 million in additional new budget authority and outlays for the period of fiscal years 2001 through 2005.

Section 220 of H. Con. Res. 290 authorizes the Chairman of the House Budget Committee to increase the 302(a) allocation of the Committee on Agriculture for legislation that provides for the stabilization of receipt-based payments to counties that support school and road systems and that provides for the dedication of a portion of those payments to local investments in Federal lands within such counties. Under the terms of section 220, the amount of the adjustment is in the amount of budget authority and outlays provided by such legislation, but may not exceed $200 million in new budget authority and outlays for fiscal year 2001 and $1.1 billion in new budget authority and outlays for the period of fiscal years 2001 through 2005.

H.R. 2389, which became P.L. 106–393, provided funding for those specified purposes. Costs begin in fiscal year 2002 and total $995 million in new budget authority and outlays over the period 2001–2005.

If you have any questions, please contact Dan Kowalski of my staff at 67270.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2001 AND THE 5-YEAR PERIOD FY 2001 THROUGH FY 2005

Mr. NUSSLE. Mr. Speaker, to facilitate the application 302 and 311 of the Congressional Budget Act and sections 202 and 203 of the conference report accompanying H. Con. Res. 290, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2001 and for the five-year period of fiscal years 2001 through fiscal year 2005. This status report is current through February 27, 2001.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, revenues, the surplus, and advance appropriations with the aggregate levels set forth by H. Con. Res. 290. This comparison is needed to implement section 311(a) of the Budget Act and sections 202 and 203(b) of H. Con. Res. 290, which create points of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2001 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays of each authorizing committee with jurisdiction over direct spending programs with the ''section 302(a)'' allocations for discretionary action made under H. Con. Res. 290 for fiscal year 2001 and fiscal 2001 through 2005. ''Discretionary action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to enforce section 11(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2001 with the revised ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act because

the point of order under that section applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 251 requires that, if at the end of a session discretionary spending in any category exceeds the limits set forth in section 251(c) (as adjusted pursuant to section 251(b)), there shall be a sequestration of amounts within that category to bring spending within the established limits. As the determination of the need for a sequestration is based on the report of the President required by section 254, this table is provided for informational purposes only.

STATUS OF THE FISCAL YEAR 2001 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 290—REFLECTING ACTION COMPLETED AS OF FEBRUARY 27, 2001

[On-budget amounts, in millions of dollars]

	Fiscal year 2001	Fiscal years 2001–2005
Appropriate Level (as amended):		
Budget Authority	1,537,861	n.a.
Outlays	1,506.048	n.a.
Revenues	1,503,200	8,022,400.

STATUS OF THE FISCAL YEAR 2001 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 290—REFLECTING ACTION COMPLETED AS OF FEBRUARY 27, 2001—Continued

[On-budget amounts, in millions of dollars]

	Fiscal year 2001	Fiscal years 2001–2005
Surplus	−2,848	n.a.
Advance Appropriations	23,500	n.a.
Current Level:		
Budget Authority	1,563,641	n.a.
Outlays	1,515,063	n.a.
Revenues	1,512,273	8,155,727.
Surplus	−2,790	n.a.
Advance Appropriations	23,524	n.a.
Current Level over (+)/under (−) Appropriate Level:		
Budget Authority	25,780	n.a.
Outlays	9,015	n.a.
Revenues	9,073	133,327.
Surplus	−58	n.a.
Advance Appropriations	24	n.a.

n.a.=Not applicable because annual appropriations acts for fiscal years 2002 through 2005 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of any measure providing new budget authority for FY 2001 would cause FY2001 budget authority to further exceed the appropriate level set by H. Con. Res. 290.

OUTLAYS

Enactment of any measure providing new outlays for FY2001 would cause FY2001 outlays to further exceed the appropriate level set by H. Con. Res. 290.

REVENUES

Enactment of any measure that would result in any revenue loss for FY2001 in excess of $9,073,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 290.

Enactment of any measure resulting in any revenue loss for the period FY2001 through 2005 in excess of $133,327,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 290.

SURPLUS

Enactment of any measure that reduces the surplus for FY2001 by more than $58,000,000 (if not already included in the current level estimate) would causethe FY2001 surplus to fall below the appropriate level set by section 201(c) of H. Con. Res. 290.

ADVANCE APPROPRIATION

Enactment of any measure authorizing new advance appropriations for FY2001 would cause FY2001 advance appropriations to further exceed the appropriate level set by section 203(b) of H. Con. Res. 290.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(a) REFLECTING ACTION COMPLETED AS OF FEBRUARY 27, 2001

[Fiscal years, in millions of dollars]

House Committee	2001		2001–2005 total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	3,062	2,295	10,832	9,819
Current level	3,284	2,319	11,095	10,145
Difference	222	24	263	326
Armed Services:				
Allocation	0	0	0	0
Current level	38	23	20,151	20,129
Difference	38	23	20,151	20,129
Banking and Financial Services:				
Allocation	0	0	0	−1,329
Current level	−16	−16	−53	−53
Difference	−16	−16	−53	1,276
Education and the Workforce:				
Allocation	0	0	0	0
Current level	6	4	30	28
Difference	6	4	30	28
Commerce:				
Allocation	15	15	250	250
Current level	1,540	1,540	−418	−418
Difference	1,525	1,525	−668	−668
International Relations:				
Allocation	0	0	0	0
Current level	348	348	475	478
Difference	348	348	475	478
Government Reform:				
Allocation	0	0	0	0
Current level	−6	−6	22	22
Difference	−6	−6	22	22
House Administration:				
Allocation	0	0	0	0
Current level	4	3	4	4
Difference	4	3	4	4
Resources:				
Allocation	0	0	162	44
Current level	−97	−114	39	39
Difference	−97	−114	−123	−5
Judiciary:				
Allocation	0	0	0	0
Current level	−112	−263	−370	−388
Difference	−112	−263	−370	−388
Small Business:				
Allocation	0	0	0	0
Current level	−10	−10	−10	−10
Difference	−10	−10	−10	−10
Transportation and Infrastructure:				
Allocation	0	0	0	0
Current level	14	14	132	132
Difference	14	14	132	132
Veterans' Affairs:				
Allocation	510	479	7,280	7,037
Current level	534	503	2,559	2,360
Difference	24	24	−4,721	−4,677
Ways and Means:				
Allocation	55	25	3,035	3,038
Current level	2,731	2,731	18,793	18,794
Difference	2,676	2,706	15,758	15,756

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2001—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)

[In million of dollars]

Appropriations Subcommittee	Revised 302(b) Suballocations as of July 19, 2000 (H. Rpt. 100–761)		Adjustments Not Reflected in 302(b) Suballocations		Current Level Reflecting Action Completed as of February 9, 2001		Currel Level minus Adjusted Suballocations	
	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development	14,548	14,972	3,563	3,088	18,746	18,285	635	225
Commerce, Justice, State	34,904	35,778	0	0	37,539	37,215	2,635	1,437
National Defense	288,297	279,618	249	185	287,381	277,741	−1,165	−2,062
District of Columbia	414	414	0	0	463	467	49	53
Energy & Water Development	21,743	21,950	214	133	23,556	23,012	1,599	929
Foreign Operations	13,281	14,974	467	55	14,868	15,260	1,120	231
Interior	14,723	15,224	1,689	710	18,888	17,298	2,476	1,364
Labor, HHS & Education	99,547	95,075	0	0	108,947	98,158	9,400	3,083
Legislative Branch	2,468	2,480	52	36	2,689	2,583	169	67
Military Construction	4,932	2,119	0	0	4,956	2,116	24	−3
Transportation [1]	13,735	48,255	718	193	16,804	49,194	2,351	746
Treasury-Postal Service	14,402	14,751	55	0	15,592	15,086	1,135	335
VA–HUD-Independent Agencies	78,317	85,840	1,296	−8	82,654	86,613	3,041	781
Unassigned	42	985	0	0	0	768	−42	−217
Grand total	601,353	632,435	8,303	4,392	633,083	643,796	23,427	6,969

[1] Transportation does not include mass transit BA.

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SECTION 251(c) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

[In millions of dollars]

	Defense [1]		Nondefense [1]		General Purpose		Highway Category		Mass Transit Category	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Statutory cap [2]	n.a.	n.a.	n.a.	n.a.	640,803	613,247	n.a.	26,920	n.a.	4,639
Current level	311,003	299,876	322,080	311,634	633,083	611,510	n.a.	27,294	n.a.	4,992
Current level over (+)/under (−) statutory cap	n.a.	n.a.	n.a.	n.a.	−7,720	−1,737	n.a.	374	n.a.	353

n.a.= Not applicable.
[1] Defense and nondefense categories are advisory rather than statutory.
[2] Established by OMB Final Sequestration Report for Fiscal Year 2001.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 28, 2001.

Hon. JIM NUSSLE,
Chairman, Committee on the Budget, House of Representative, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2001 budget and is current through February 27, 2001. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution on the Budget for Fiscal Year 2001. The budget resolution figures incorporate revisions submitted to the House by the Committee on the Budget to reflect funding for emergency requirements, disability reviews, and adoption assistance. Those revisions are required by section 314 of the Congressional Budget Act, as amended.

Since my last letter dated September 8, 2000, the following legislation has been enacted into law:

The Long-Term Care Security Act (Public Law 106–265).

Security Assistance Act of 2000 (Public Law 106–280).

Interior and Related Agencies Appropriations, 2001 (Public Law 106–291).

Lincoln County Land Act of 2000 (Public Law 106–298).

An act to provide personnel flexibilities available for GAO (Public law 106–303).

Children's Health Act of 2000 (Public Law 106–310).

An act to increase fees to employers who are petitioners (Public Law 106–311).

American Competitiveness in the 21st Century Act (Public Law 106–313).

Black Hills National Forest and Rocky Mountain Research Station Improvement Act of 2000 (Public Law 106–329).

Transportation Appropriations, 2001 (Public Law 106–346).

Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Public Law 106–354).

An act to amend title 5, United States Code, on Thrift Savings Plans (Public Law 106–361).

An act to direct the Secretary of the Interior to convey property (Public Law 106–366).

National Museum of the American Indian Commemorative Coin Act (Public Law 106–375).

An act to direct the Secretary of the Interior to convey facilities (Public Law 106–376).

Veterans Affairs, HUD Appropriations, 2001 (Public Law 106–377).

Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386).

Agriculture and Rural Development Appropriations, 2001 (Public Law 106–387).

An act to authorize the Bureau of Reclamation to provide cost sharing (Public Law 106–392).

County Schools Funding Revitalization Act of 1999 (Public Law 106–393).

Federal Employees Health Benefits Children's Equity Act of 2000 (Public Law 106–394).

Floyd D. Spence National Defense Authorization Act for 2001 (Public Law 106–398).

Veteran's Compensation COLA Act of 2000 (Public Law 106–413).

Alaska Native and American Indian Direct Reimbursement Act (Public Law 106–417).

Veterans' Benefits and Health Care Improvements Act of 2000 (Public Law 106–419).

National Transportation Safety Board Amendments Act of 2000 (Public Law 106–424).

Santo Domingo Pueblo Claims Settlement Act of 2000 (Public Law 106–425).

An act making further continuing appropriations for Fiscal Year 2001 (Public Law 106–426).

Foreign Operations Appropriations, 2001 (Public Law 106–429).

Arizona National Forest Improvement Act of 1999 (Public Law 106–458).

Grain Standards and Warehouse Improvement Act of 2000 (Public Law 106–472).

An act to amend the Harmonized Tariff Schedule to modify rates of duty (Public Law 106–476).

Palmetto Bend Conveyance Act (Public Law 106–512).

An act to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (Public Law 106–519).

An act making further continuing appropriations for Fiscal Year 2001 (Public Law 106–520).

District of Columbia Appropriations, 2001 (Public Law 106–552).

Commerce, Justice, State Appropriations, 2001 (Public Law 106–417).

Water Resources Development Act of 2000 (Public Law 106–541).

Consolidated Appropriations, 2001 (Public Law 106–554).

An act to direct the Secretary of the Interior to conduct a study (Public Law 106–566).

Omnibus Indian Advancement Act (Public Law 106–568).

American Homeownership and Economic Opportunity Act of 2000 (Public Law 106–569).

Federal Physicians Comparability Allowance Amendments of 2000 (Public Law 106–571).

Installment Tax Correction Act of 2000 (Public Law 106–573).

These actions have changed the current level of budget authority, outlays, and revenues.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

FISCAL YEAR 2001 HOUSE CURRENT LEVEL REPORT AS OF FEBRUARY 27, 2001

[In millions of dollars]

	Budget Authority	Outlays	Revenues	Surplus
Enacted before 2000:				
Revenues	0	0	1,514,800	
Permanents and other spending legislation	961,064	916,715	0	
Appropriation legislation	0	266.010	0	
Offsetting, receipts	−297,807	−297,807	0	
Total, enacted before 2000:	663,257	884,918	1,514,800	n.a.
Enacted in 2000:				
Authorizing legislation:				
An act to amend the Food Stamp Act of 1977 (P.L. 106–171)	1	1	0	
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	8	6	0	
Wendell H. Ford Aviation Investment & Reform Act (P.L. 106–181)	3,200	0	−2	
Civil Asset Forfeiture Reform Act of 2000 (P.L. 106–185)	−114	−75	−115	
Trade and Development Act of 2000 (P.L. 106–200)	−47	−47	−442	
Agricultural Risk Protection Act of 2000 (P.L. 106–224)	3,060	2,165	0	
Valles Caldera Preservation Act (P.L. 106–248)	−1	−1	0	
Griffith Project Prepayment and Conveyance Act (P.L. 106–249)	−103	−103	0	
Semipostal Authorization Act (P.L. 106–253)	−2	−2	0	
Long-Term Care Security Act (P.L. 106–265)	3	3	0	
Security Assistance Act of 2000 (P.L. 106–280)	6	6	0	
Lincoln County Land Act of 2000 (P.L. 106–298)	−3	−3	0	
An act to provide personnel flexibilities available for GAO (P.L. 106–303)	0	0	0	
Children's Health Act of 2000 (P.L. 106–310)	2	2	0	
An act to increase fees to employers who are petitioners (P.L. 106–311)	0	−64	0	
American Competitiveness in the 21st Century Act (P.L. 106–313)	0	−126	0	
Black Hills National forest and Rocky Mountain Research Station Improvement Act of 2000 (P.L. 106–329)	−1	−1	0	
Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106–354)	15	15	0	
An act to amend Title 5, United States Code, on Thrift Savings Plans (P.L. 106–361)	−3	−3	−6	
An act to direct the Secretary of the Interior to convey property (P.L. 106–366)	−5	−5	0	
National Museum of the American Indian Commemorative Coin Act (P.L. 106–375)	−3	−3	0	
An act to direct the Secretary of the Interior to convey facilities (P.L. 106–376)	−2	−2	0	
Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106–386)	342	342	0	
An act to authorize the Bureau of Reclamation to provide cost sharing (P.L. 106–392)	23	8	0	
County Schools Funding Revitalization Act of 1999 (P.L. 106–393)	21	21	0	
Federal Employees Health Benefits Children's Equity Act of 2000 (P.L. 106–394)	−1	−1	0	
Floyd D. Spence National Defense Authorization Act of 2001 (P.L. 106–398)	−22	−22	0	
Veteran's Compensation COLA Act of 2000 (P.L. 106–413)	380	349	0	
Alaska Native and American Indian Direct Reimbursement Act (P.L. 106–417)	9	9	0	
Veterans' Benefits and Health Care Improvements Act of 2000 (P.L. 106–419)	154	154	0	
National Transportation Safety Board Amendments Act of 2000 (P.L. 106–424)	12	12	0	
Santo Domingo Pueblo Claims Settlement Act of 2000 (P.L. 106–425)	8	8	0	
Arizona National Forest Improvement Act of 1999 (P.L. 106–458)	−5	−5	0	
Grain Standards and Warehouse Improvement Act of 2000 (P.L. 106–472)	1	1	0	
An act to amend the Harmonized Tariff Schedule to modify rates of duty (P.L. 106–476)	0	0	−26	
Palmetto Bend Conveyance Act (P.L. 106–512)	−42	−42	0	
An act to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (P.L. 106–519)	0	0	−153	
Water Resources Development Act of 2000 (P.L. 106–541)	2	2	0	
Consolidated Appropriations Act of 2001 (P.L. 106–554)	4,568	4,480	−139	
An act to direct the Secretary of the Interior to conduct a study (P.L. 106–566)	5	5	0	
Omnibus Indian Advancement Act (P.L. 106–568)	8	8	0	
American Homeownership and Economic Opportunity Act of 2000 (P.L. 106–569)	−13	−13	−68	
Federal Physicians Comparability Allowance Amendments of 2000 (P.L. 106–571)	−3	−3	1	
Installment Tax Correction Act of 2000 (P.L. 106–573)	0	0	−1,120	
Total, authorizing legislation	11,458	7,076	−2,070	
Appropriatoins Acts:				
Agriculture and Rural Development Appropriations, 2001 (P.L. 106–387)	77,830	42,663	0	
Commerce, Justice, State Appropriations, 2001 (P.L. 106–553)	37,812	25,437	0	
Defense Appropriations, 2001 (P.L. 106–259)	287,806	188,945	0	
District of Columbia Appropriations, 2001 (P.L. 106–522)	440	408	0	
Energy and Water Development Appropriations, 2001 (P.L. 106–377)	23,598	15,129	0	
Foreign Operations Appropriations, 2001 (P.L. 106–429)	14,945	5,457	0	
Interior and Related Agencies Appropriations, 2001 (P.L. 106–291)	18,905	11,912	0	
Labor, HHS, Education Appropriations, 2001 (P.L. 106–554)	289,432	227,557	0	
Legislative Branch Appropriations, 2001 (P.L. 106–554)	2,577	2,207	3	
Military Construction Appropriations, 2001 (P.L. 106–246)	4,932	−3,982	0	
Transportation Appropriations Act, 2001 (P.L. 106–346)	18,834	21,236	−460	
Treasury, Postal Service, General Government Appropriations, 2001 (P.L. 106–554)	29,964	26,342	0	
Veterans Affairs, HUD Appropriations, 2001 (P.L. 106–377)	103,577	62,961	0	
An act making further continuing appropriations for Fiscal Year 2001 (P.L. 106–426)	7	7	0	
An act making further continuing appropriations for Fiscal Year 2001 (P.L. 106–520)	7	7	0	
Consolidated Appropriations 2001 (P.L. 106–554)	15	−115	0	
Total, appropriations act:	910,681	626,171	−457	
Total, enacted in 2000:	922,139	633,247	−2,527	n.a.
Entitlements and Mandatories:				
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	−17,123	238	0	n.a.
Total Current Level [a]	1,563,641	1,515,063	1,512,273	−2,790
Total Budget Resolution	1,537,861	1,506,048	1,503,200	−2,848
Current Level Over Budget Resolution	25,780	9,015	9,073	0
Current Level Under Budget Resolution	0	0	0	58
Memorandum:				
Revenues, 2001–2005:				
House Current Level	0	0	8,155,727	n.a.
House Budget Resolution	0	0	8,022,400	n.a.
Current Level Over Budget Resolution	0	0	133,327	n.a.
2001 Advances:				
FY 2002 House Current Level	23,159	n.a.	n.a.	n.a.
FY 2003 House Current Level	365	n.a.	n.a.	n.a.
FY 2001 House Budget Resolution	23,500	n.a.	n.a.	n.a.
Current Level Over Budget Resolution	24	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: P.L. = Public Law; n.a. = not applicable.

[a] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include $3,380 million in budget authority or $3,340 million in outlays for Social Security administrative expenses. As a result, current level excludes these items. In addition, for comparability purposes, current level budget authority excludes $1,252 million that was appropriated for mass transit.

PUBLICATION OF THE RULES OF THE COMMITTEE ON VETERANS' AFFAIRS 107TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, pursuant to the provisions of Rule XI of the rules of the House, I submit for printing in the RECORD the Rules of the Committee on Veterans' Affairs as adopted by the committee on February 14, 2001.

COMMITTEE RULES OF PROCEDURE FOR THE 107TH CONGRESS

(Adopted February 14, 2001)

RULE 1—APPLICABILITY OF HOUSE RULES

The Rules of the House are the rules of the Committee on Veterans' Affairs and its subcommittees so far as applicable, except that a motion to recess from day to day is a privileged motion in Committees and Subcommittees. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the committee and to its rules so far as applicable.

RULE 2—COMMITTEE MEETINGS AND HEARINGS

Regular and Additional Meetings

(a)(1) The regular meeting day for the Committee shall be at 10 a.m. on the second Wednesday of each month in such place as the Chairman may designate. However, the Chairman may dispense with a regular Wednesday meeting of the Committee.

(2)(A) The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(B) The Chairman shall notify each member of the Committee of the agenda of each regular and additional meeting of the Committee at least 24 hours before the time of the meeting, except under circumstances the Chairman determines to be of an emergency nature. Under such circumstances, the Chairman shall make an effort to consult the ranking minority member, or in such member's absence, the next ranking minority party member of the Committee.

Public Announcement

(b)(1) The Chairman, in the case of a hearing to be conducted by the Committee, and the subcommittee Chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee or the subcommittee determines that there is good cause to begin the hearing at an earlier date. In the latter event, the Chairman or the Subcommittee Chairman, as the case may be, shall consult with the ranking minority member and make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Clerk of the Congressional Record and the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(2) Meetings and hearings of the Committee and each of its subcommittees shall be open to the public unless closed in accordance with clause 2(g) of House rule XI.

Quorum and Rollcalls

(c)(1) A majority of the members of the Committee shall constitute a quorum for business and a majority of the members of any subcommittee shall constitute a quorum thereof for business, except that two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(2) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee was actually present.

(3) There shall be kept in writing a record of the proceedings of the Committee and each of its subcommittees, including a record of the votes on any question on which a recorded vote is demanded. The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(4) A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. With respect to any record vote on any motion to amend or report, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the report of the Committee on the bill or resolution.

(5) No vote by any member of the Committee or a subcommittee with respect to any measure or matter may be cast by proxy.

Calling and Interrogating Witnesses

(d)(1) Committee and subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member may be extended only with the unanimous consent of ally members present. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. Except as otherwise announced by the Chairman at the beginning of a hearing, members who are present at the start of the hearing will be recognized before other members who arrive after the hearing has begin. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority.

(2) Notwithstanding the provisions of paragraph (1) regarding the 5-minute rule, the Chairman after consultation with the ranking minority member may designate an equal number of members of the Committee or subcommittee majority and minority party to question a witness for a period not longer than 30 minutes. In no event shall the Chairman allow a member to question a witness for an extended period under this rule until all members present have had the opportunity to ask questions under the 5-minute rule. The Chairman after consultation with the ranking minority member may permit Committee staff for its majority and minority party members to question a witness for equal specified periods of time.

(3) So far as practicable: (A) each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 48 hours in advance of the appearance of the witness, a written statement of the testimony of the witness and shall limit any oral presentation to a summary of the written statement; and (B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(4) When a hearing is conducted by the Committee or a subcommittee on any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chairman of a majority of those minority members before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of the hearing thereon.

Media Coverage of Proceedings

(e) Any meeting of the Committee or its subcommittees that is open to the public shall be open to coverage by radio, television, and still photography in accordance with the provisions of clause 4 of House rule XI.

Subpoenas

(f) Pursuant to clause 2(m) of House rule XI, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of an investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

RULE 3—GENERAL OVERSIGHT RESPONSIBILITY

(a) In order to assist the House in:

(1) Its analysis, appraisal, evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate, the Committee and its various subcommittees, consistent with their jurisdiction as set forth in Rule 4, shall have oversight responsibilities as provided in subsection (b).

(b)(1) The Committee and its subcommittees shall review and study, on a continuing basis, the applications, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee or subcommittee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated.

(2) In addition, the Committee and its subcommittees shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee or subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee or subcommittee.

(3) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Government Reform, in accordance with the provisions of clause 2(d) of House rule X.

RULE 4—SUBCOMMITTEES

Establishment and Jurisdiction of Subcommittees

(a)(1) There shall be three subcommittees of the Committee as follows:

(A) Subcommittee on Health, which shall have legislative, oversight and investigative jurisdiction over veterans' hospitals, medical care, and treatment of veterans.

(B) Subcommittee on Benefits, which shall have legislative, oversight and investigative jurisdiction over compensation, general and special pensions of all the wars of the United States, life insurance issued by the Government on account of service in the Armed Forces, cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior, burial benefits, education of veterans, vocational rehabilitation, veterans' housing programs, readjustment of servicemen to civilian life, and soldiers' and sailors' civil relief.

(C) Subcommittee on Oversight and Investigations, which shall have authority over matters that are referred to the subcommittee by the Chairman of the full Committee for investigation and appropriate recommendations. Provided, however, That the operations of the Subcommittee on Oversight and Investigations shall in no way limit the responsibility of the other subcommittees on the Committee on Veterans' Affairs for carrying out their oversight duties. This subcommittee shall not have legislative jurisdiction and no bills or resolutions shall be referred to it.

In addition, each subcommittee shall have responsibility for such other measures or matters as the Chairman refers to it.

(2) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of that subcommittee.

Referral to Subcommittees

(b)(1) The Chairman of the Committee may refer a measure or matter, which is within the general responsibility of more than one of the subcommittees of the Committee, as the Chairman deems appropriate.

(2) In referring any measure or matter to a subcommittee, the Chairman of the Committee may specify a date by which the subcommittee shall report thereon to the Committee.

Powers and Duties

(c)(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman of the Committee and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(2) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairman of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any member authorized by the subcommittee to do so shall notify the Chairman and the ranking minority party member of the Committee of the Subcommittee's action.

(3) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

(4) Each subcommittee of the Committee shall provide the Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chairman of the Committee deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 5—TRANSCRIPTS AND RECORDS

(a)(1) There shall be a transcript made of each regular and additional meeting and hearing of the Committee and its subcommittees. Any such transcript shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

(2) The Committee shall keep a record of all actions of the Committee and each of its subcommittees. The record shall contain all information required by clause 2(e)(1) of House rule XI and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House rule VII. The Chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GIBBONS (at the request of Mr. ARMEY) for today on account of official business.

Mr. TERRY (at the request of Mr. ARMEY) for today on account of official business.

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. MENENDEZ) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. WU, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

(The following Members (at the request of Mr. MILLER of Florida) to revise and extend their remarks and include extraneous material:)

Mr. MILLER of Florida, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

Mr. COMBEST, for 5 minutes, today.

(The following Members (at the request of Mr. HORN) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, today.

(The following Member (at the request of Mr. OWENS) to revise and extend his remarks and include extraneous material:)

Mr. NUSSLE, for 5 minutes, today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 p.m.), the House adjourned until tomorrow, Thursday, March 1, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1023. A letter from the Principal Deputy Under Secretary, Acquisition and Technology, Department of Defense, transmitting the National Defense Stockpile Annual Materials Plan (AMP) for fiscal year 2002 and revisions to the fiscal year 2001 AMP, pursuant to 50 U.S.C. 98d; to the Committee on Armed Services.

1024. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's report entitled, ''Use Of Plain Language In FDIC Rulemakings Pursuant To Section 722 Of The Gramm-Leach-Bliley Act of 1999''; to the Committee on Financial Services.

1025. A letter from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Standards for Privacy of Individually Identifiable Health Information (RIN: 0991–AB08) received February 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1026. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 to provide assistance to countries that participated in the Economic Community of West Africa States' Peacekeeping Force (ECOMOG), pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1027. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Notification of justification of defense articles, services, and military education and training furnished under section 506 of the Foreign Assistance Act of 1961 to Mexico, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

1028. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Fiscal Year 1999 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

1029. A letter from the Secretary, Mississippi River Commission, Department of the Army, Department of Defense, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act covering the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1030. A letter from the Chairman, Migratory Bird Conservation Commission, transmitting the 2000 Annual Report of the Migratory Bird Conservation Commission, pursuant to 16 U.S.C. 715b; to the Committee on Resources.

1031. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Track Safety Standards: Delay of Effective Date [Docket No. RST–90–1, Notice No. 13] (RIN: 2130–AB32) received February 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolladen Schneider Flugzeugbau GmbH Models LS 4 and LS 4a Sailplanes [Docket No. 99–CE–75–AD; Amendment 39–12081; AD 2001–01–11] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–60 SHERPA, SD3 SHERPA, SD3–30, and SD3–60 Series Airplanes [Docket No. 99–NM–226–AD; Amendment 39–12092; AD 2001–02–08] (RIN: 2120–AA64) received February 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1034. A letter from the Progam Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214B and 214B–1 Helicopters [Docket No. 2000–SW–56–AD; Amendment 39–12104; AD 2001–03–03] (RIN: 2120–AA64) received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30231; Amdt. No. 427] received February 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. SESSIONS: Committee on Rules. House Resolution 71. Resolution providing for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes (Rept. 107–4). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. THOMAS:

H.R. 3. A bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates; to the Committee on Ways and Means.

By Mr. SMITH of Texas (for himself and Mr. FRANK):

H.R. 768. A bill to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws; to the Committee on the Judiciary.

By Mr. FLETCHER (for himself, Mr. CLEMENT, Mr. JONES of North Carolina, Mr. GOODE, Mr. HAYES, Mr. ETHERIDGE, Mr. BOUCHER, Mr. ROGERS of Kentucky, Mr. LUCAS of Kentucky, Mr. WHITFIELD, Mr. GORDON, Mr. RAHALL, Mr. LEWIS of Kentucky, and Mrs. CLAYTON):

H.R. 769. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments made to tobacco quota and allotment holders and tobacco growers pursuant to Phase I or II of the Master Settlement Agreement between a State and tobacco product manufacturers; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mrs. JOHNSON of Connecticut, Mrs. MORELLA, Mr. BONIOR, Mr. SHAYS, Ms. WOOLSEY, Mr. LEACH, Mr. GEPHARDT, Mr. FRELINGHUYSEN, Mr. WEXLER, Mr. BASS, Mr. HINCHEY, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Mr. SAXTON, Mr. TIERNEY, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. KILPATRICK, Mr. WU, Mr. MENENDEZ, Mr. ENGEL, Mr. BALDACCI, Mr. SERRANO, Mr. DELAHUNT, Mr. BERMAN, Mr. KILDEE, Mr. EVANS, Mr. SANDERS, Mr. WEINER, Mr. INSLEE, Mr. WAXMAN, Mr. BARRETT, Mr. HOEFFEL, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. ROTHMAN, Mr. MCGOVERN, Mr. NADLER, Mrs. MEEK of Florida, Ms. RIVERS, Mr. BOUCHER, Mr. BLAGOJEVICH, Mr. ALLEN, Mr. DEUTSCH, Mr. FRANK, Mr. HALL of Ohio, Mr. DAVIS of Florida, Mr. OLVER, Mr. KLECZKA, Mrs. CAPPS, Ms. DELAURO, Ms. SLAUGHTER, Ms. LEE, Mr. PALLONE, Mr. KUCINICH, Mr. LUTHER, Mr. BROWN of Ohio, Mr. DEFAZIO, Ms. HOOLEY of Oregon, Mr. BRADY of Pennsylvania, Mr. NEAL of Massachusetts, Mr. BISHOP, Mr. COYNE, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. CARDIN, Mr. MORAN of Virginia, Ms. MCKINNEY, Mr. COSTELLO, Mr. STARK, Mrs. LOWEY, Mr. FILNER, Ms. MCCARTHY of Missouri, Mr. MOORE, Mr. PAYNE, Mr. MALONEY of Connecticut, Mr. BAIRD, Mr. MCNULTY, Mr. UDALL of Colorado, Mr. PASTOR, Mr. PRICE of North Carolina, Ms. NORTON, Mr. SABO, Mr. LEVIN, Mr. LANTOS, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MATSUI, Mr. ANDREWS, Mrs. TAUSCHER, Ms. ESHOO, Mr. LANGEVIN, Ms. PELOSI, Mr. OBEY, Mr. MCDERMOTT, Mr. FATTAH, Mr. MEEHAN, Mr. HOLT, Mr. CAPUANO, Mr. FARR of California, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Ms. DEGETTE, Mr. SCOTT, Ms. MCCOLLUM, Mr. SCHIFF, Mr. PASCRELL, Mr. SHERMAN, Mr. ACKERMAN, Mr. CROWLEY, Ms. HARMAN, Mr. RANGEL, Mr. TOWNS, Mr. RUSH, Ms. BROWN of Florida, Mr. PHELPS, Mr. CUMMINGS, Mr. SNYDER, and Mr. JACKSON of Illinois):

H.R. 770. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans; to the Committee on Resources.

By Mr. BLAGOJEVICH:

H.R. 771. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants to States for the construction, repair, renovation, and modernization of public school facilities, to amend the Internal Revenue Code of 1986 to expand the tax incentives for such undertakings, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on 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 Mrs. CAPPS:

H.R. 772. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a program to identify and mentor college eligible high school students and their parents or legal guardians, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARDIN (for himself, Mr. STARK, Mr. LEVIN, and Mr. MCDERMOTT):

H.R. 773. A bill to amend the Internal Revenue Code of 1986 to provide that a part-time worker who otherwise meets the eligibility requirements for unemployment compensation not be precluded from receiving such compensation solely because such individual is seeking only part-time work; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. NEAL of Massachusetts, Mr. PAUL, Mr. HERGER, Mr. ROGERS of Michigan, Mr. TANCREDO, Mr. SOUDER, Mr. BRADY of Texas, Mr. STUPAK, Mr. PETERSON of Pennsylvania, and Mr. WATKINS):

H.R. 774. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. HORN, Mr. PRICE of North Carolina, Mr. FATTAH, Mr. DAVIS of Florida, Mr. FROST, Mr. MENENDEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYES, Mr. DINGELL, Mr. STENHOLM, Mr. LANTOS, Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. LANGEVIN, Mr. BACA, Mr. BAIRD, Mr. BENTSEN, Ms. BROWN of Florida, Mr. BOYD, Mr. CARSON of Oklahoma, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CROWLEY, Mr. DEUTSCH, Mr. DOOLEY of California, Mr. ETHERIDGE, Mr. FORD, Mr. GONZALEZ, Mr. GORDON, Mr. HALL of Ohio, Mr. HASTINGS of Florida, Mr. HILL, Mr. HINOJOSA, Mr. HOLT, Mr. JACKSON of Illinois, Ms. LEE, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. LIPINSKI, Mrs. MALONEY of New York, Mr. MATHESON, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MOORE, Mr. PASTOR, Mr. ROSS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TOWNS, Mr. WATT of North Carolina, Mr. WEXLER, and Mr. WYNN):

H.R. 775. A bill to establish a program to provide funds to State and local governments to replace punch card voting systems, to establish the Election Administration Commission to make grants to State and local governments to assist in the administration of Federal elections, to develop a model election code, and otherwise provide assistance with the administration of certain Federal election laws and programs, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, 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. CRANE (for himself, Mr. PAUL, Mr. TANCREDO, Mr. SOUDER, Mr. BRADY of Texas, Mr. PETERSON of Pennsylvania, and Mr. WATKINS):

H.R. 776. A bill to amend the Internal Revenue Code of 1986 to exempt the deduction for charitable contributions from the phase-out of itemized deductions; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. BARCIA, Mr. PAUL, Mr. HERGER, Mr. TANCREDO, Mr. ROGERS of Michigan, Mr. SOUDER, Mr. NETHERCUTT, Mr. BRADY of Texas, Mr. STUPAK, Mr. PETERSON of Pennsylvania, Mr. HEFLEY, and Mr. WATKINS):

H.R. 777. A bill to amend the Internal Revenue Code of 1986 to allow non-itemizers a deduction for a portion of their charitable contributions; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MARKEY, Mr. LEWIS of California, Mr. HUNTER, Mrs. CAPPS, Mrs. BONO, Mr. FARR of California, Mr. ISSA, Mr. GEORGE MILLER of California, Mr. DREIER, Mr. BALDACCI, Mr. BASS, Mr. FRANK, Mr. HORN, Mr. FILNER, Mr. MALONEY of Connecticut, Mr. PASCRELL, Mr. HINCHEY, Mr. BOEHLERT, Mr. ALLEN, Mr. LEWIS of Georgia, and Ms. DELAURO):

H.R. 778. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MORAN of Virginia, Mr. WHITFIELD, Mr. SKEEN, Mr. WATTS of Oklahoma, Mr. JENKINS, Mr. HANSEN, Mr. COOKSEY, Mr. CHAMBLISS, Mr. DIAZ-BALART, Mr. BOUCHER, and Mr. FILNER):

H.R. 779. A bill to remove certain restrictions on participation in the demonstration project conducted by the Secretary of Defense to provide health care for Medicare-eligible Department of Defense beneficiaries under the Federal Employees Health Benefits program, and to extend the period for carrying out such project; to the Committee on Armed Services, and in addition to the Committee on Government Reform, 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. DELAHUNT (for himself, Mr. WALSH, Mr. FILNER, Mr. SMITH of New Jersey, Mr. OWENS, and Ms. MCKINNEY):

H.R. 780. A bill to authorize and request the President to award the Medal of Honor to James L. Cadigan of Hingham, Massachusetts; to the Committee on Armed Services.

By Ms. DELAURO (for herself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BARRETT, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DEUTSCH, Mr. DICKS, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GEPHARDT, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of Texas, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. HOYER, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KLECZKA, Mr. KUCINICH, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LEVIN, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOORE, Mr. MORAN of Virginia, Ms. NORTON, Mr. OBEY, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. REYES, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. RODRIGUEZ, Mr. RUSH, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Mr. SHOWS, Ms. SLAUGHTER, Mr. STRICKLAND, Mr. STUPAK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of New Mexico, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 781. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ENGLISH:

H.R. 782. A bill to provide for the establishment of an Internet site on Federal financial assistance; to the Committee on Government Reform.

By Mr. ENGLISH:

H.R. 783. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to develop a plan for stockpiling potassium iodide tablets in areas within a 50-mile radius of a nuclear power plant; to the Committee on Transportation and Infrastructure.

By Mr. ENGLISH (for himself, Mr. VISCLOSKY, and Mr. REGULA):

H.R. 784. A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MATSUI, Mr. GONZALEZ, Mr. ROYCE, Mr. TANNER, Mr. MCINNIS, Mr. CRANE, Mr. HERGER, Mr. WATKINS, Mr. ENGLISH, Mr. SAM JOHNSON of Texas, Mr. HAYWORTH, Mr. HOUGHTON, Mr. PORTMAN, Mr. WATTS of Oklahoma, Ms. PRYCE of Ohio, Mr. EHRLICH, Mr. CHAMBLISS, Mr. MILLER of Florida, Mr. JONES of North Carolina, Mr. BONILLA, Mr. BOEHNER, Mr. RADANOVICH, Mr. HINCHEY, Mr. CANNON, Mr. PAUL, Mrs. MEEK of Florida, Mr. CHABOT, Ms. JACKSON-LEE of Texas, Mr. DOOLITTLE, and Mr. CALVERT):

H.R. 785. 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. FRANK (for himself, Mr. GEORGE MILLER of California, Mr. SCOTT, Mr. PAYNE, Mr. HINCHEY, Mr. DEFAZIO, Mr. BALDACCI, Mr. CAPUANO, Mr. TIERNEY, Mr. FARR of California, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. FATTAH, Ms. LEE, Mr. SABO, Ms. NORTON, Mr. OLVER, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mrs. MORELLA, Mrs. CHRISTENSEN, Mr. UNDERWOOD, Mr. STARK, Mr. LANTOS, and Ms. WATERS):

H.R. 786. A bill to amend the Higher Education Act of 1965 to repeal the provisions prohibiting persons convicted of drug offenses from receiving student financial assistance; to the Committee on Education and the Workforce.

By Mr. GRAHAM (for himself, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. FLAKE):

H.R. 787. A bill to amend section 7353 of title V, United States Code, to cover gifts to Members-elect; to the Committee on House Administration.

By Mr. GREEN of Wisconsin:

H.R. 788. A bill to provide for the conveyance of the excess Army Reserve Center in Kewaunee, Wisconsin; to the Committee on Government Reform.

By Mr. GREEN of Wisconsin:

H.R. 789. A bill to require executive agencies to establish expedited review procedures for granting a waiver to a State under a grant program administered by the agency if another State has already been granted a similar waiver by the agency under such program; to the Committee on Government Reform.

By Ms. HOOLEY of Oregon (for herself, Mr. WELDON of Pennsylvania, Ms. MCKINNEY, Mr. WALDEN of Oregon, Mr. HYDE, Mr. BONIOR, Mr. DEFAZIO, Mrs. EMERSON, Ms. KILPATRICK, Mr. HINCHEY, Mr. KUCINICH, Mr. WOLF, Mr. BARRETT, Mr. MCGOVERN, Mr. SESSIONS, Mr. OWENS, and Mr. GEORGE MILLER of California):

H.R. 790. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under that Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. JOHNSON of Illinois:

H.R. 791. A bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois; to the Committee on Resources.

By Mrs. KELLY (for herself, Mr. GANSKE, Mr. MOORE, Mrs. MALONEY of New York, Mr. BACHUS, Mr. HILLIARD, Mr. FROST, Mr. BOUCHER, Mr. KING, Mr. BALDACCI, Mr. MCNULTY, Mr. PRICE of North Carolina, Mr. DOYLE, Mr. COOKSEY, Mr. LUTHER, Mr. WHITFIELD, Mr. FRANK, Mr. ENGLISH, Mr. STRICKLAND, Mr. PALLONE, Mr. MATSUI, Ms. ROYBAL-ALLARD, Mrs. MORELLA, Mr. FOLEY, Mr. COYNE, Ms. DUNN, Mr. ACKERMAN, Mr. OXLEY, Mr. GILMAN, Ms. BERKLEY, Mr. WOLF, Mr. WALSH, Mr. HINCHEY, Mr. MCINTYRE, Mr. PAYNE, Mr. FATTAH, Mrs. CHRISTENSEN, Mr. BONIOR, Mr. WEINER, Mr. OWENS, Mrs. THURMAN, Mrs. ROUKEMA, Mr. VISCLOSKY, Mr. KILDEE, Mr. LEACH, Mr. KUCINICH, Mr. CLEMENT, and Mr. MCGOVERN):

H.R. 792. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO:

H.R. 793. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House located in Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. MOORE (for himself, Mr. MORAN of Kansas, Mr. TANNER, Mr. STENHOLM, Ms. MCCARTHY of Missouri, Mr. SANDLIN, Mr. CONDIT, Mr. LANTOS, Mr. MCGOVERN, Mr. ABERCROMBIE, and Mr. SHOWS):

H.R. 794. A bill to amend the Internal Revenue Code of 1986 to extend the section 29

credit for producing fuel from a nonconventional source; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. WEINER, Mr. CROWLEY, Mr. HINCHEY, Mrs. MALONEY of New York, Mr. SERRANO, Mr. TOWNS, Mr. ENGEL, and Mr. MCNULTY):

H.R. 795. A bill to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ted Weiss Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 796. A bill to normalize trade relations with Cuba, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 797. A bill to make an exception to the United States embargo on trade with Cuba for the export of agricultural commodities, medicines, medical supplies, medical instruments, or medical equipment, and for other purposes; to the Committee on International Relations, and in addition to the Committee on 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. RANGEL (for himself, Mr. JEFFERSON, Mr. NEAL of Massachusetts, and Mr. RAMSTAD):

H.R. 798. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, 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. SCARBOROUGH:

H.R. 799. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and gift tax; to the Committee on Ways and Means.

By Mr. SCARBOROUGH:

H.R. 800. A bill to amend the Internal Revenue Code of 1986 to eliminate taxes on capital gains after December 31, 2004; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. HAYWORTH, and Mr. REYES):

H.R. 801. A bill to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, and Mr. KELLER):

H.R. 802. A bill to authorize the Public Safety Officer Medal of Valor, and for other purposes; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 803. A bill to amend title XVIII of the Social Security Act to make the Medicare Program more competitive and efficient, to extend the solvency of the Medicare Program, to provide for a prescription drug benefit under the Medicare Program, to improve quality of care, to make Medicare supplemental insurance (Medigap) more affordable, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. STEARNS (for himself and Mr. CRANE):

H.R. 804. A bill to amend the Internal Revenue Code of 1986 to repeal the 2 percent excise tax on the net investment income of tax-exempt foundations; to the Committee on Ways and Means.

By Mr. THORNBERRY (for himself, Mr. SKEEN, Mr. SMITH of Texas, Mr. WATTS of Oklahoma, Mr. SESSIONS, Mr. STENHOLM, Mr. WATKINS, Mr. BONILLA, Mr. LUCAS of Oklahoma, Mr. MORAN of Kansas, and Mr. COMBEST):

H.R. 805. A bill to amend the Internal Revenue Code of 1986 to enhance domestic oil and gas production; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. LUTHER, Mr. BALDACCI, Mr. CHAMBLISS, Mr. HOLDEN, Mr. GOODE, Mr. SCHAFFER, Mr. GREENWOOD, Mr. FLAKE, Mr. KOLBE, Mr. GOSS, Mr. SIMMONS, Mr. ROYCE, Mr. PETERSON of Pennsylvania, Mr. STEARNS, Mr. CAMP, and Mr. OXLEY):

H.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States to allow an item veto of appropriation bills; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin:

H. Con. Res. 44. Concurrent resolution recognizing the vital importance of hunting as a legitimate tool of wildlife resource management; to the Committee on Resources.

By Mr. KOLBE (for himself, Mr. HOYER, Mr. GANSKE, Mrs. BONO, Mr. LEWIS of Kentucky, Mrs. ROUKEMA, Mr. BONILLA, Mr. LATOURETTE, Mr. NEAL of Massachusetts, Mr. PITTS, Mr. EHRLICH, Mr. KNOLLENBERG, Mr. BILIRAKIS, Mr. MILLER of Florida, Mr. DOOLEY of California, Mr. DAVIS of Florida, Mrs. NORTHUP, Mr. MCINNIS, Mr. WEXLER, Mr. MICA, Mr. WELLER, Mrs. KELLY, Mr. KLECZKA, Mr. RAMSTAD, Mr. BLUNT, Mr. NUSSLE, Mr. WYNN, Mr. HILL, Mr. LUCAS of Kentucky, Mr. MANZULLO, Mr. MASCARA, Mr. BOEHLERT, Mr. CUNNINGHAM, Mr. LAHOOD, Mr. MATSUI, Mr. GARY MILLER of California, Mrs. JOHNSON of Connecticut, Mr. LEACH, Mr. CUMMINGS, Mr. LAMPSON, Mr. GUTIERREZ, Mr. GONZALEZ, Mr. LATHAM, Mr. PHELPS, Mr. GREENWOOD, Ms. PRYCE of Ohio, Mr. FLETCHER, Mr. SUNUNU, and Mr. BARCIA):

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress regarding housing affordability and ensuring a competitive North American market for softwood lumber; to the Committee on Ways and Means.

By Mr. MENENDEZ:

H. Res. 69. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. FOLEY:

H. Res. 70. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. SESSIONS:

H. Res. 71. A resolution providing for consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes; House Calendar No. 2. House Report. No. 107–4.

By Mr. GEKAS (for himself, Mr. BENTSEN, and Mrs. MORELLA):

H. Res. 72. A resolution to express the sense of the House of Representatives that the Federal investment in biomedical research should be increased by $3,400,000,000 in fiscal year 2002; to the Committee on Energy and Commerce.

By Mr. GRAHAM (for himself, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. FLAKE):

H. Res. 73. A resolution amending the Rules of the House of Representatives to provide that the gift rule covers Members-elect; to the Committee on Rules.

By Mr. NUSSLE:

H. Res. 74. A resolution providing amounts for the expenses of the Committee on the Budget in the One Hundred Seventh Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT:

H.R. 806. A bill for the relief of Michael and Julie Schindler; to the Committee on the Judiciary.

By Mr. MCINTYRE:

H.R. 807. A bill for the relief of Rabon Lowry of Pembroke, North Carolina; 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. 12: Ms. DEGETTE, Mr. CANNON, Mr. REHBERG, Mr. TAYLOR of North Carolina, Mr. ETHERIDGE, Mr. WELDON of Pennsylvania, Mr. GILCHREST, Mr. BURR of North Carolina, Mr. HINOJOSA, and Ms. JACKSON-LEE of Texas.

H.R. 51: Mr. HUTCHINSON, Mr. GREEN of Wisconsin, Mr. OSE, and Mr. DINGELL.

H.R. 85: Ms. MCKINNEY, Mr. CARDIN, Ms. HART, Mr. STUPAK, Mr. ROTHMAN, Mr. GRAHAM, Mr. PETERSON of Pennsylvania, and Mr. NORWOOD.

H.R. 90: Mr. GOODLATTE.

H.R. 129: Mr. FATTAH.

H.R. 138: Mr. GEORGE MILLER of California, Mr. CLAY, and Ms. MCKINNEY.

H.R. 139: Mr. GEORGE MILLER of California, Mr. CLAY, and Ms. MCKINNEY.

H.R. 179: Ms. GRANGER.

H.R. 219: Mr. TANCREDO.

H.R. 232: Mr. CLEMENT.

H.R. 238: Ms. LOFGREN.

H.R. 250: Mrs. NAPOLITANO, Mr. BOEHLERT, Mr. KIND, Mr. ALLEN, Mr. HAYES, Mr. KILDEE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Illinois, Mr. BRADY of Pennsylvania, Mr. SANDLIN, Mr. LATHAM, Mr. LIPINSKI, Mrs. JO ANN DAVIS of Virginia, Mr. BARR of Georgia, Mr. HULSHOF, Mr. BACA, Mrs. CUBIN, Ms. DEGETTE, and Mr. DOOLITTLE.

H.R. 267: Mr. SKEEN, Mr. LARSEN of Washington, Mr. NEAL of Massachusetts, Mr. WATTS of Oklahoma, Mr. GEKAS, Mr. DAVIS of Illinois, Mr. GONZALEZ, Mr. TAYLOR of North Carolina, Mrs. MORELLA, Mrs. TAUSCHER, Ms. MCKINNEY, Mr. BEREUTER, Mr. NEY, Mr. DOOLITTLE, Mr. SIMPSON, Mr. CHAMBLISS, Mr. RUSH, Mr. EAGEL, Mr. MCGOVERN, and Mr. GILLMOR.

H.R. 281: Mr. HINOJOSA.

H.R. 296: Ms. SCHAKOWSKY.

H.R. 303: Mr. LOBIONDO, Mr. GOODLATTE, Mr. MCNULTY, and Mr. WOLF.

H.R. 335: Mr. LEWIS of Kentucky and Mr. SESSIONS.

H.R. 337: Mr. BLUNT, Mr. BUYER, and Mr. WHITFIELD.

H.R. 338: Mr. BLUNT and Mr. WHITFIELD.

H.R. 340: Mr. BARCIA.

H.R. 346: Mr. BACA, Ms. VELAZQUEZ, Mr. FROST, and Mr. SHERMAN.

H.R. 367: Mrs. THURMAN, Mr. GEORGE MILLER of California, and Mr. RUSH.

H.R. 386: Mr. DEAL of Georgia.

H.R. 389: Ms. HOOLEY of Oregon.

H.R. 394: Mr. SAXTON, Mr. SHOWS, Mrs. BONO, Mr. MORAN of Virginia, Mr. CALLAHAN, Mr. WELDON of Florida, Mr. BLUNT, Mr. PITTS, Mr. HALL of Ohio, Mr. PASCRELL, Mr. PAUL, Mr. NORWOOD, Mr. ISAKSON, Mr. ABERCROMBIE, Mr. SHIMKUS, Mr. MOORE, Mr. CLYBURN, Mr. GOODE, Mr. BAIRD, Mr. SPENCE, Mr. CALVERT, Mr. POMEROY, Mr. SOUDER, and Mr. SNYDER.

H.R. 397: Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. MATSUI, Mr. SABO, Mrs. MORELLA, Mr. FARR of California, Mr. MARKEY, Ms. PRYCE of Ohio, Mr. MEEHAN, Mr. VISCLOSKY, Mr. WYNN, and Mr. CLAY.

H.R. 425: Mr. PAYNE, Mr. HINCHEY, Mr. CUMMINGS, Mrs. MEEK of Florida, Mr. RUSH, Ms. ESHOO, Mr. STARK, Ms. MCCOLLUM, and Mrs. CLAYTON.

H.R. 436: Mr. HUTCHINSON, Mr. LARSON of Connecticut, Mr. GEORGE MILLER of California, and Mr. BRADY of Texas.

H.R. 459: Ms. MCKINNEY, Mr. LANTOS, Mr. PASCRELL, Mr. ABERCROMBIE, and Mrs. CAPPS.

H.R. 476: Mr. PETRI, Mr. RAHALL, and Mr. STENHOLM.

H.R. 489: Ms. MCKINNEY, Mr. BACA, Mr. HORN, and Mr. ETHERIDGE.

H.R. 490: Mr. OSE, Mrs. JOHNSON of Connecticut, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Ms. SLAUGHTER, Mr. HORN, Mr. UPTON, Ms. KAPTUR, and Mr. SCHROCK.

H.R. 498: Mrs. DAVIS of California, Mr. DEUTSCH, Mr. SCHAFFER, Mr. LEACH, Mr. MASCARA, Mr. CALVERT, Ms. GRANGER, Ms. DUNN, Ms. DEGETTE, Mr. FATTAH, Mr. GUTIERREZ, Mr. HORN, Ms. PRYCE of Ohio, Mr. KILDEE, Mr. MCGOVERN, Mr. OLVER, Mr. PETERSON of Minnesota, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. YOUNG of Alaska, Mr. TAUZIN, Mr. STEARNS, Mr. SERRANO, Mr. DICKS, Mr. BURR of North Carolina, Mr. DIAZ-BALART, Mr. LEWIS of Calfornia, Mrs. THURMAN, Mr. FILNER, Mr. PENCE, Mr. BLAGOJEVICH, Mr. CLEMENT, Mr. DOYLE, Mr. OBERSTAR, Mr. RILEY, Mr. DEAL of Georgia, Mr. ORTIZ, Mr. JEFFERSON, Ms. MCCARTHY of Missouri, and Mr. AKIN.

H.R. 499: Mr. BARRETT.

H.R. 503: Mr. NORWOOD and Mr. KING.

H.R. 504: Mr. SAWYER, Ms. MCKINNEY, Mr. ENGEL, Mr. DAVIS of Illinois, Mr. RANGEL, Mr. UPTON, Mr. MCINTYRE, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. WYNN, Mr. GEORGE MILLER of Califonria, and Mr. HILLEARY.

H.R. 511: Mr. UPTON.

H.R. 525: Mr. LOBIONDO, Mr. CALVERT, Mr. HUTCHINSON, and Mr. GREENWOOD.

H.R. 527: Mr. SKEEN, Mrs. JONES of Ohio, Mr. SESSIONS, Mr. GORDON, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. BOEHNER, Mr. PETRI, Mr. GOODLATTE, Mr. BONILLA, Mr. SMITH of Texas, Mr. GONZALEZ, and Mr. PENCE.

H.R. 560: Mr. LARSEN of Washington, Ms. PELOSI, Mr. PASCRELL, and Mr. CROWLEY.

H.R. 561: Mr. BACA, Mr. BROWN of Ohio, Mr. MCGOVERN, and Mr. ENGEL.

H.R. 585: Mr. ISTOOK.

H.R. 600: Mr. DEAL of Georgia, Mr. MCHUGH, Mr. MOLLOHAN, Mr. PRICE of North Carolina, Mr. RYUN of Kansas, Mr. RAMSTAD, Mr. LEACH, Mr. DOYLE, Mr. FILNER, Mr. CAMP, Mr. NORWOOD, Mr. KING, Mr. CLEMENT, Mr. BERMAN, Mr. FRANK, Mrs. MINK of Hawaii, Mr. CRAMER, Mr. MCGOVERN, and Mrs. WILSON.

H.R. 602: Mr. ROEMER, Mr. BARRETT, and Mr. JACKSON of Illinois.

H.R. 612: Mr. ETHERIDGE, Mr. BALDACCI, Mr. HINOJOSA, Ms. MCKINNEY, Mrs. KELLY, Mr. GORDON, Mr. STUPAK, Mr. GREEN of Wisconsin, Mr. SCHAFFER, and Mr. PALLONE.

H.R. 622: Mr. VISCLOSKY, Mr. SABO, Mr. FILNER, Ms. KAPTUR, Mr. BONILLA, Mr. TAYLOR of North Carolina, Mr. BERMAN, Mr. CROWLEY, Mr. GALLEGLY, Mr. DEFAZIO, Mr. CLEMENT, Mr. BISHOP, Mr. WU, Mr. BORSKI, Mr. LUCAS of Kentucky, Mr. EHRLICH, and Mr. NORWOOD.

H.R. 637: Mr. TANCREDO.

H.R. 643: Mr. FALEOMAVAEGA.

H.R. 645: Mr. FALEOMAVAEGA.

H.R. 659: Mr. BASS, Mr. HORN, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mrs. MORELLA, and Mr. LARSEN of Washington.

H.R. 661: Mr. LEVIN and Mr. HAYWORTH.

H.R. 683: Mr. CAPUANO, Mr. LIPINSKI, Ms. VELAZQUEZ, Mr. ETHERIDGE, and Mr. FATTAH.

H.R. 686: Mr. PASCRELL, Ms. MCKINNEY, Mr. MCGOVERN, Mr. FROST, and Mr. GEORGE MILLER of California.

H.R. 690: Mr. LANTOS, Mr. HINCHEY, Ms. MCKINNEY, Mr. KOLBE, Mr. SABO, Mr. KUCINICH, Mr. WU, Mr. SERRANO, Mr. PASTOR, Mr. BLUMENAUER, Ms. MCCARTHY of Missouri, and Mr. ENGEL.

H.R. 700: Mr. FALEOMAVAEGA.

H.R. 730: Mrs. DAVIS of California.

H.R. 737: Mr. BARCIA.

H.R. 755: Mr. LARSEN of Washington, Mr. BLUMENAUER, and Mr. MATSUI.

H.J. Res. 11: Mr. BACHUS, Mr. GOODLATTE, Mr. ETHERIDGE, Mr. CALLAHAN, and Mr. LOBIONDO.

H. Con. Res. 4: Mr. ETHERIDGE.

H. Con. Res. 34: Mr. MCINTYRE, Mr. FROST, Mr. PASCRELL, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. HOYER.

H. Con. Res. 36: Mr. BARTON of Texas, Ms. DEGETTE, Mr. GILCHREST, Mr. SAWYER, Mr. NETHERCUTT, Ms. BROWN of Florida, Mr. GIBBONS, Mr. LAMPSON, Mr. LANTOS, Mr. POMEROY, Mr. LAHOOD, Ms. PRYCE of Ohio, Mr. STARK, Mr. BRADY of Pennsylvania, Mr. MEEHAN, Mr. DOYLE, Mr. WEXLER, Mr. NEY, Mr. KILDEE, Mr. BONIOR, and Mr. RAHALL.

H. Con. Res. 41: Mr. BERMAN, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. STARK, Mr. COSTELLO, Ms. SOLIS, and Mrs. MYRICK.

H. Con. Res. 42: Mr. TOWNS, Mr. BRADY of Pennsylvania, Ms. MCCARTHY of Missouri, and Ms. DELAURO.

H. Res. 27: Mr. TIERNEY, Mr. OBERSTAR, Mrs. THURMAN, Mr. SOUDER, Mr. MCHUGH, Mr. VISCLOSKY, and Mr. BONIOR.

H. Res. 48: Mr. LUTHER, Mr. MCGOVERN, Mr. GANSKE, Mrs. MORELLA, Mr. WAXMAN, Mr. BERMAN, and Mr. DOGGETT.

H. Res. 54: Ms. BALDWIN.

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

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Senate

The Senate met at 10:01 a.m. and was called to order by the Honorable JUDD GREGG, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

O God of spiritual fire, set us aflame with true passion. Your presence burning in us gives us empathy for others and enthusiasm for our calling to be servant leaders. Your love in us is like a fire. It sets us ablaze with moral passion and social responsibility. You give us devotion for social justice. Our commitment to fight for what is right consumes us. On fire with patriotism, we love our Nation and serve with radiance. Your fire also burns out the chaff of negativism, divisiveness, and judgmentalism. You purify our motives with Your holy fire.

Lord, Your fire galvanizes us into oneness. Here are our hearts. If they have burned out, relight them; if the flame is low, stoke it with Your Spirit; if our fires are banked, set them ablaze again.

Today, we especially thank You for John W. Euill II, Detective and Crime Specialist for the U.S. Capitol Police, who has recently retired after faithfully serving this body. Bless John and his family. May his retirement years continue to be joyful and purposeful. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JUDD GREGG led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 28, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JUDD GREGG, a Senator from the State of New Hampshire, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. GREGG thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE ACTING MAJORITY LEADER

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

SCHEDULE

Mr. MURKOWSKI. Mr. President, let me take this opportunity to wish you and my good friend, Senator REID, good morning.

I announce on behalf of the leader, today the Senate will be in a period of morning business until 1 p.m., with the time between 11 a.m. and 1 p.m. under the control of Senator DURBIN and Senator THOMAS. Following morning business, the Senate may consider the bankruptcy legislation or any nominations that are available for action. Members should be aware that votes are possible during today's session. Notification will be given to all offices as those votes are scheduled.

I thank my colleagues for their attention.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m. with Senators permitted to speak therein for up to 10 minutes each.

ENERGY POLICY

Mr. MURKOWSKI. Mr. President, I have been given a few moments this morning to share with you a concern I have over legislation that undoubtedly will be introduced at some time in the Senate. It involves the issue of ANWR, which is an area in my State of Alaska that is looked upon by many as a partial solution to our energy crisis and to others as a sacrifice of our environmental character and quality. Let me, just for reference, identify the ANWR area because, again, I think we need to keep things in perspective.

This is ANWR. It is about 19 million acres, the size of the State of South Carolina. You see this area way up in the corner, that is a proportion, the proportion of how it looks in relation to the entire landmass of the State of Alaska. The point I want to bring out to my colleagues is that roughly half, 8.5 million acres, are in wilderness in perpetuity. The other portion is refuge, leaving a coastal plain of about 1.5 million acres about which only Congress can make a determination whether or not it could or should be opened.

As a consequence, in our energy bill which we introduced yesterday, I found there was very little focus on the bill itself. Most of the focus seems to be on the issue of ANWR. I want to make sure everyone understands, as we look at this energy crisis, ANWR is not the answer. It is not intended to be the answer. But it is part of the solution to our energy crisis for specific reasons. A, we are 56-percent dependent on imported oil. B, as a consequence of that, one has to question at what time, at

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

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what point we begin, if you will, to jeopardize our national energy security because of our increased dependence on imported oil.

I was asked the other day: Senator what was our dependence in 1973 when we had the Arab oil embargo; it was 37 percent, it is 56 percent now. The Department of Energy says if we keep going the way we are, we will be over 62 percent or 63 percent by the year 2006 or 2007. At what point do we really compromise our national security by being so dependent on outside sources: Do we rely on Saudi Arabia, Venezuela, Mexico, and other areas?

Let's look back to 1991–1992. We fought a war over oil. We stopped Saddam Hussein from going into Kuwait. He had his eyes on Saudi Arabia as well. He wanted to control the world's supply of oil. So we have already pretty much made the commitment of just how far we will go. Now the question is, As we become more dependent, when does our national security really become jeopardized? I think we are there already.

As a consequence, any effort, in my opinion, by Members to consider introducing legislation that would put ANWR in a wilderness in perpetuity really puts our national security at risk. I ask Members who obviously have a sensitivity concerning the environment—which we all do—to reflect a little bit on the merits of this legislation. At a time when we have an energy crisis in this country, is it appropriate that Members, who obviously are extremely sensitive to the pressures by the environmental community, would yield to those pressures and suggest we put the area where we are most likely to make a major discovery, in North America, off limits at a time when we have an energy crisis? At a time when we have previously fought a war over oil?

Let me share a couple of other observations because I think they reflect meaningfully on the message I would like to deliver briefly today. That is the myth associated with ANWR, that somehow this is the last untouched area in the United States. That is absolutely incorrect.

Let me show a beautiful picture of this 1002 area. This is the million and a half acres that, indeed, are part of ANWR. There are probably 100,000 caribou in that picture. It is a little bit difficult to see it. But it is interesting to reflect the place from which the picture was taken.

I ask unanimous consent that the certification from the photographer, Kenneth Whitten, in a letter to Senator BARBARA BOXER, be printed in the RECORD. It was June 20, 2000, and it identifies specifically where the picture was taken.

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

FAIRBANKS, AK,
June 20, 2000.

Senator BARBARA BOXER,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BOXER: Following are specific answers to questions you asked about photographs I took that were produced as a poster by the Porcupine Caribou Management Board.

1. The photos were taken at Beaufort Lagoon, an abandoned DEW line station on the arctic coast east of Kaktovik, Alaska. Beaufort Langoon lies within the 1002 area, about 6–8 miles from its eastern boundary. The photos were taken July 4, 1991. About 100,000 caribou walked past Beaufort Lagoon that day.

2. The photos were taken from a rooftop, looking south and southwest across the lagoon toward the mainland and the coastal plain. All the flatter terrain in the foreground of the photos and all of the visible caribou are within the 1002 area. The Brooks Range mountains in the distance are south of the 1002 area, but are readily visible from all parts of the 1002 area on clear days. The snowcapped peaks in the photo are the highest peaks in the Brooks Range. In the far western part of the 1002 area, the mountains are even closer to the coast, but the peaks are not as high. East of the 1002 area the mountains are also lower, but closer to the coast.

3. The image is typical of the 1002 coastal plain. However, a person standing at ground level on flat terrain would not have quite as good a view. There are many low hills or bluffs along watercourses in the 1002 area that offer similar overviews of the coastal plain, but the old buildings at Beaufort Lagoon may be the only place right on the coast in the 1002 area where one can get high enough to see so much of the plain at once. Similar or better views are readily available throughout the 1002 area from aircraft.

4. All of the lower, flat terrain in the photo (where the caribou are) is within the 1002 area and potentially available for oil and gas development.

5. The coastal plain within the Arctic Wildlife refuge and the 1002 area is generally narrower than the coastal plain further west on the North Slope. Thus wildlife tends to be more concentrated than elsewhere, with waterfowl and shorebird nesting, other migratory birds, caribou calving, muskoxen, land predators, and marine birds and mammals all in closer proximity and denser concentrations than elsewhere on the North Slope. Some other areas of the North Slope have higher abundances of one or a few species, but the ANWR coastal plain has the greatest variety and concentrations for such relatively small area.

6. I was the Alaska Department of Fish and Game research biologist in charge of Porcupine Caribou Herd research and monitoring from 1978–1997. I spent 2–6 weeks each summer working on the ANWR coastal plain, plus additional time throughout the rest of the year following the caribou elsewhere on their migrations through northern Alaska and Canada. I served on the Porcupine Caribou Technical Committee (now advisory to the International Porcupine Caribou Board) from about 1979–2000 and I represented the State on the International Porcupine Caribou Board at most meetings from about 1993–2000. From 1996–2000 I was the Regional Research Coordinator for the Alaska Department of Fish and Game for interior and northeastern Alaska, but I still maintain an active role in Porcupine Caribou matters. During the late 1970s and most of the 1980s I was also involved in research on the Central Arctic Caribou herd in the Prudhoe Bay area. I retired after 24½ years with the Alaska Department of Fish and Game on May 31, 2000.

If I can be of any further assistance in your efforts to protect the ANWE coastal plain, please don't hesitate to contact me.

Sincerely,

KENNETH R. WHITTEN.

Mr. MURKOWSKI. ''The photos were taken from a rooftop looking south and southwest across the lagoon.'' And it is in the area of the lagoon.

The significance of it is, if it is in wilderness, what is a rooftop doing there?

The reality is that also within this area is the village Kaktovik, which is in the 1002 area, which is often overlooked. This is the same part of the land, and it shows the village of about 227 people. It shows a radar station, an airport, the ocean, and so forth. It is a pretty harsh environment.

Let me show you another contrast, and the contrast is caribou browsing in the Prudhoe Bay area. There is moderate activity. There happens to be a drilling rig in that particular picture. You see a pipeline. The realization is if the caribou are undisturbed and they are not threatened, why do they have a tendency to become used to activity?

The point of these two pictures I think shows the contrast that, indeed, we are talking about two different areas. We are talking about the Coastal Plain. We are talking about two different herds of caribou. But we are still talking about caribou, and we have been able to protect those caribou as a consequence of not allowing any harassment, shooting, or otherwise as opposed to the Porcupine herd which is subject in that area to subsistence hunting, which is traditional among the Native people.

I want to show you the contrast, and I want you to recognize that this picture was taken from a roof in a wilderness and in a wilderness there is not supposed to be any rooftop. Part of that wilderness includes the village where 227 people live. They have children. They have schools and so forth.

Again, I refer to the reality of how Alaskans live in the Arctic. I want to show you pictures of some children. This is the little village of Kaktovik. These are kids going to school in the morning. You notice how they are dressed in their parkas. It is pretty bleak and harsh. The realization of that kind of a lifestyle relates to a friend of mine named Oliver Leavitt, who is with the Arctic Slope Regional Cooperation. The last time I was in Barrow with a group of Senators he took us to the new school in Barrow. He said: I use to come to school to keep warm. He said: I had to pick up driftwood on the beach early in the morning, take it home to our sod home, and then I went to school to keep warm.

I quote a friend of mine by the name of Jacob Adams, who is the president of the Regional Corporation:

I love life in the Arctic. But it is harsh, expensive, and for many, short. My people

want decent homes, electricity, and education. We do not want to be undisturbed. Undisturbed means abandoned. It means sod huts and deprivation.

There is another side to this; that is, the residents who live there, and their attitude and their commitment to their lifestyle that depend on the caribou.

We recently had comments by former President Carter. President Carter signed the Alaska national interest lands bill in 1980. Alaskans assumed at that time that the land issue was resolved. We have put 59 million acres in wilderness in the State of Alaska. These are the areas. I don't expect the President to really reflect on where these are. But when you talk about wilderness and talk about ANWR, you also talk about other areas that are larger than ANWR that are wilderness in Alaska. The question is, How much? Under statehood in 1959, we thought we could get a commitment from the Federal Government as to how much would be enough. In 1980, we signed an agreement basically under the Alaska National Interest Lands Conservation Act. Here is a two-page list. The point I want to make is that the Wrangell-St. Elias wilderness has 87 million acres. We have 8 million in ANWR. Gates of the Arctic has 7 million acres. It goes on and on to total roughly 58 million acres.

I simply point this out to counter those who suggest that we need some area of wilderness in Alaska that is untouched. ANWR is not untouched. Gates of the Arctic, for all practical purposes, is untouched. Wrangell-St. Elias, for all practical purposes, is untouched. Let's keep the arguments in perspective.

I will conclude with the statement from President Carter in signing the Alaska National Interest Lands Conservation Act in 1980.

This act of Congress reaffirms our commitment to the environment. It strikes a balance between protecting areas of great beauty and value and allowing development of Alaska's vital oil and gas and mineral and timber resources.

Mr. President, I quote from the same signing ceremony Mo Udall, the chief sponsor of the legislation.

I'm joyous. I'm glad today for the people of Alaska. They can get on with building a great State. They're a great people. And this matter is settled and put to rest, and the development of Alaska can go forward with balance.

There you have it. That is what Alaskans believed in at the time this was accomplished.

Let me also advise you that in the President's budget, which came out today, on page 69 the President also proposes linking near-term and long-term approaches by encouraging new oil and gas production on Federal lands and using Federal income from that sale to support increased efforts to develop solar, and to develop renewable energy sources. The administration's legislative proposal will include opening a small part of the Arctic National Wildlife Refuge.

Let me show you again that chart because it suggests that we are opening only a sliver. You have to keep these things in perspective. This is 19 million acres—the size of the State of South Carolina. This sliver up here is 1.5 million acres. Industry says that the oil is there and they can develop it in less than 2,000 acres.

The percentage is something that is very hard to communicate to people, but it is very real. It is a sliver we are proposing, and it is not the total answer to our energy crisis, by any means. But what it does is send a very strong signal to OPEC that we mean business about reducing our dependence on imported oil. I am convinced once we come to grips with that, you are going to see OPEC relax a little bit. They are going to increase their production.

I think you will see the price drop. If we don't do this, they are going to get the message. And the message is to reduce production and keep the high prices up.

Again, I encourage my colleagues and the staff listening to recognize the significance of any effort to put this permanently away at a time when we have an energy crisis that would send terrible signals to OPEC and would jeopardize our national energy security. I said this on this floor time and time again.

But as we look at our increasing dependence on imported oil and where that oil is coming from now that we are seeing about 750,000 barrels a day coming from Iraq that we fought a war with in 1991 and 1992, we are forgetting that we lost 147 lives. We are forgetting that as we buy Saddam Hussein's oil we are putting it in our airplanes and going over and bombing it. That may be an overly simplistic statement. But it is factual. We have had over 20,000 sorties where we have enforced the no-fly zone over Iraq.

What is he doing with our money? He is developing a missiles and biological capabilities. And at whom are these weapons aimed? They are aimed at Israel, our greatest ally.

I hope the American people and my colleagues will reflect a little bit on this. Again, this isn't the answer to the energy crisis. This is one small part, but it is, I think, fair to bring this up to my colleagues and recognize that as we look at the comprehensive energy bill that we put in, along with Senator LOTT and a number of other cosponsors, nobody seems to be paying any attention to the merits of this broad, comprehensive bill. It is like you go to a bullfight and you want to see some blood. The media and attention seem to be focusing on one single thing, ANWR.

I think it is appropriate that we respond in some detail. We have letters from organized labor. This isn't a benefits issue for labor; this a job issue for labor. It is estimated there would be about 750,000 jobs in the United States associated with the development of this if, indeed, the oil is there. So it is very real.

Let me show you what this area looks like in wintertime because it is tough, it is harsh. The winter is roughly 10 months of the year. This is a picture of it. There it is. That is the tundra in the wintertime. In the summertime, why, it looks a little different. I will show you a picture with one well to give you some idea of the technology we have because we have been able to use ice roads. I think we have a picture associated with development in the Arctic. This picture shows that is the kind of footprint there is because of technology we have been able to develop.

Let me close with one other observation to my friends from California, Washington, and Oregon specifically. The oil production out of Alaska goes to the west coast of the United States—virtually all of it. We used to export a little of that oil only when it was surplus to what the West coast could use. We have not had an export since April of 2000. If we do not develop a replacement for declining Prudhoe Bay, then California, Washington, and Oregon are going to get their oil overseas—from Saudi Arabia, from Venezuela, from the rain forests of Colombia, these are places where there is no environmental oversight. They are going to get it in foreign tankers.

As a consequence, I think the risk is much higher than getting it here in our own country where we can contribute meaningfully to the balance of payments, keep jobs in the United States, and have the environmental oversight that is appropriate.

One of the things that bothers me is how many people are concerned about developing oil and gas in the United States; yet we have environmental laws, both Federal and State, and the highest technology in the world. But they do not reflect on the oil coming from overseas and what kind of an environmental oversight is associated there. In many cases there is virtually none.

It is manageable. We do have the technology to develop it. And we should listen, I think, to the people who live in the area with regard to their concerns in relation to the opportunities for a choice of a lifestyle, education, and so forth.

Mr. President, I do appreciate the time allotted to me today. Again, I want to emphasize ANWR is not the solution to the energy crisis, but it can make a significant difference because as we commit to reduce our dependence on imported energy to less than 50 percent by opening ANWR alone, if the volume is in the area of a million barrels a day, we would be able to achieve that.

Mr. President, obviously, I will have other opportunities to speak, and there are time commitments this morning. But I think the timeliness of the matter, and some Members contemplating the merits of going to a wilderness bill,

that they consider the merits of the points I have brought up today.

Indeed, we have the capability to open up this sliver—and it is a sliver—it is a very small fraction of a huge area the size of the State of South Carolina. We have 30 years of experience in the Arctic. As a consequence, nothing is risk free, but we have learned how to eliminate the risk dramatically.

I hope Members will visit ANWR when we take our Senate trip up there on March 30, 31, and the first day of April because I think it is necessary to see it, to talk to the people, to look at the old technology, reflect on the new technology, and get an appreciation for a very unique part of our great Nation, but a very, very harsh environment that is blessed with extraordinary resources in the oil and gas reserves that exist in the area.

Mr. President, I conclude my remarks and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

PRESIDENT BUSH'S ADDRESS TO THE NATION

Mr. WELLSTONE. Mr. President, I know there will be other Democrats coming to the floor to respond to President Bush's address last night to the Nation. I thought I might just take a few minutes. First of all, I want to start by congratulating the President. When it comes to delivery and a sincere presentation, he deserves very high marks.

I am more worried about the substance. I am more worried about what the President was not very explicit about; in other words, what was left out of the speech, what were some unpleasant realities that were kind of put in parentheses.

I would like to just make a couple of points—because I think the people in the country ultimately, where this budget debate becomes most important and where the rubber meets the road and how all of these priorities affect people where they work, where they live, where their children go to school—about what wasn't in this speech last night.

In focusing on families and the benefits for families and children, the President neglected to say yesterday that one-third of all children in the United States of America live in homes that will not see one penny of the tax cut; about 56 percent of Spanish children in homes will not receive one penny of relief from the President's tax proposal, to the fact that over 40 percent of the benefits go to the top 1 percent.

That doesn't meet the Minnesota standard of fairness. I don't think it meets the standard of fairness for people in the country.

What the President didn't really focus on was whether or not in his budget proposal he is committed to having the Federal Government live up to its commitment on a very important program called the IDEA program for kids with special needs.

Governors talked about this at the conference. Our Governor from Minnesota talked about it. Every school, on demand, about every 2 weeks people talk about it. This is the program for children with special needs, the IDEA program that Senator HARKIN and others fought so hard on.

We are really supposed to be contributing 40 percent of the costs. I believe Minnesotans and people around the country, when they see the President's budget, are going to see a Robin Hood in reverse; a tax cut of 40 percent-plus of the benefits going to the top 1 percent, and crowding out any money or any investment or any commitment on our part to dramatically expanding our funding for the IDEA program. It is not going to be there. You are going to see no new significant investment of Federal resources in the IDEA program. The President didn't talk about that.

What was left out? The President did not focus on his proposal to drill for oil in the Arctic National Wildlife Refuge.

In just a few minutes, I will be at a press conference with Senator LIEBERMAN and others at which we are all going to support preserving 125 million acres of the Coastal Plain, a very precious area, as a wilderness area. We are going to be proposing that we not drill our way to energy security. Drilling for oil in the Arctic National Wildlife Refuge would be similar to doing it in the Boundary Waters Conservation Area in Minnesota. It really defines the very value that we should have as to preservation and conservation. We are all but strangers, I guess, on this land, and we ought to leave it better for our children and our grandchildren.

The President did not talk about his proposal for oil drilling in the ANWR, and he didn't talk about the cuts that are going to take place. Because if you have huge tax cuts, to be really honest about what it will cost and the surplus, and if you are not willing to raid the Medicare and Social Security trust fund—the President didn't talk about the fact that in order to make his numbers add up, they may very well have to do that—we are going to see some reductions.

There was a piece yesterday in USA Today that the President intends to cut the budget for renewable energy policy by 30 percent. For States such as Minnesota, a cold weather State at the other end of the pipeline, we are interested in the environment. We are not interested in importing more barrels of oil or millions of cubic feet of natural gas. We are interested in biomass, electricity, wind, saving energy, and fuel efficiency standards which are clean technology, and where small business is more respectful of the environment and, indeed, where it would enable our country to be more energy independent. The President didn't focus on that in his speech last night.

There were rumors—only rumors because we don't have the numbers yet—that the SBA is going to take a huge cut. I tell you that small businesses are similar to family farms. We love them in the abstract. But when it comes to actually making the commitment to small businesses, that is where we fall short. The 504 program has leveraged a tremendous amount of money in the State of Minnesota to enable people to start a small business and to grow that business. I feel an outrage in just telling you that when people get a chance to look at the specifics of these numbers, they are going to see a set of priorities that is not going to be pretty. And I don't think they are going to be consistent with what most people believe.

Most people are saying tax cuts for all families. Don't do it disproportionately for the wealthy. Please make sure there is help for people who need help, and let's do it based on the standard of fairness. Most people are saying don't touch the Social Security and Medicare trust fund. Most people are saying we are interested in whether or not for our parents and grandparents we can cover prescription drug costs. We are committed to education and children. We want to see a commitment. What happened with expanded health care coverage?

All of that prioritizing goes out the window when you get rigorous in your analysis. It is the Yiddish proverb, ''You cannot dance at two weddings at the same time.'' You can't have a tax cut over $2 trillion and do what the President says he wants to do and make these investments. It won't happen.

Finally, I was at a joint congressional hearing where the VFW testified. There was a huge delegation of VFW representatives from Minnesota.

I would like to put all Democrats and Republicans on alert. The veterans are already very focused on this budget. They came up with an independent budget proposal. We fell short. Senator Johnson and I had some comments on this. We were only partially successful.

I will tell my colleagues that the veterans community wants us to live up to our commitment to them. This is a community that is getting older, and the issue is long-term care. In my State, it is an issue of whether or not our region gets its fair share of resources. There are too many veterans—about 2 percent of the homeless population in the United States—who are homeless, and many of them are Vietnam vets. That is a national disgrace.

They are interested in the commitment to those veterans. They are interested in making sure we can do good outpatient care. They are interested in

making sure there are not long waits for veterans who need health care. They are interested in whether or not we are going to fund veterans' health care. They are interested in whether or not this budget is going to make any sense.

Frankly, in the context of all these tax cuts mainly going to the wealthy, I am going to go on record today on the floor of the Senate to say that this administration will not be able to follow through on its commitment to veterans, its commitment to children, its commitment to leaving no child behind, its commitment to education, its commitment to covering prescription drug costs for senior citizens.

My mom and dad both had Parkinson's disease. Don't say to a couple: You make $20,000 a year or $21,000 a year; therefore, you make too much money to get any help. You are not making much money when you try to live on $21,000 a year, or whatever it is.

So I simply say, I think ultimately what we have before us could be a grand and important debate. I am absolutely confident as to where people in the country will come down on this matter when they see the specifics and how it affects them, their children, where they live, where they work, where their children go to school. It is a value question. I think it is a spiritual question. We have done well. We have the prosperity.

The question is, What decisions do we make as a nation and as a community? What are our priorities? Is it going to be mainly Robin-Hood-in-reverse tax cuts, with the top 1 percent getting over 40 percent of the benefits or will we be talking about tax cuts that benefit all families? And will we be talking about making sure we protect Social Security and Medicare? And, yes, will we live up to our words, to our commitments for children, for education, for prescription drug costs, for expanded health care coverage? That is what we are about. That is what this debate is about.

I think it is more of a conservative saying, but I like it as a liberal, as a Senator from the State of Minnesota: There is no such thing as a free lunch. We can't do it all. So we need to make our priorities clear. We are going to have to make value choices.

I make a choice, as a Senator, for children and education. I make a choice for affordable prescription drugs. I make a choice for expanded health care coverage. I make a choice for two very important social insurance programs: Social Security and Medicare. And I make a choice for tax cuts that benefit all families, not just having benefits that disproportionately go to the top 1 or 5 percent.

I think that is what this debate is about. I think we are ready for it. I think the outcome of this debate is going to be hugely important to people in Minnesota and all over our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, are we in morning business? That is my understanding.

The PRESIDING OFFICER. The Senator from Illinois controls the time from 11 until 12 o'clock.

Mr. DURBIN. I thank the Chair.

Mr. President, I salute my colleague from Minnesota. I know he is leaving the floor. I came in at the end of his remarks. I know he was responding to the President's State of the Union Address and probably has another meeting to go to, but he captured my sentiment on this completely.

I think what we have to look at now is what is in the best interest of this Nation in terms of the long haul. We have just finished the 20th century which we called the ''American Century.'' Will the 21st century be an American century? I think some of the decisions we are making today will decide that.

I think the Senator from Minnesota put his finger on it: What are the most important things for the future of families in America? I think over and over they tell us: Education, Senator, Congressman, Governor. We want you to do something about education.

I heard the President talk about education last night. I think the Senator from Minnesota believes, as I do, there is a lot we can do to make this a stronger nation in this century, but it means an investment in education. If we decide, instead, that we are going to give a tax cut primarily to the wealthiest people in America instead of investing in education, instead of expanding health care coverage, instead of protecting Social Security and Medicare, then it is very shortsighted.

The President's remarks were well received. I thought he did an excellent job in his first State of the Union Address. But now it is time to step back and reflect. We not only reflect on his remarks, but we reflect on his record in Texas where he tried the same thing—a tax cut that did not work, a State that is now out of money. We do not want to go down that same road.

I thank the Senator from Minnesota for his remarks.

Mr. WELLSTONE. Mr. President, I thank my colleague. I apologize; I am going to be with other Senators at a gathering that will focus on oil drilling in the Arctic National Wildlife Refuge, to which we are opposed. That is the only reason I leave the floor.

One thing I wish to say to my colleague from Illinois, I congratulate the President's delivery, and I think he is sincere in what he said. That is the good part. I think there is one maybe bad part to last night, and I think it is a very important challenge for President Bush, which is, that if you talk about education and children and leaving no child behind and you talk about covering prescription drug costs for elderly people and helping people with that hardship—to use but two examples—then people hear that and they say: You know what, this is going to be a Government that responds to us. The hope builds up, and ultimately, if you are not able to back that with the investment of resources, and it is just symbolic because you basically put it all into a tax cut, mainly going to the wealthy people, the top 1 percent or 5 percent, then that really invites—mutiny is too strong a word—anger.

You can't play around with those issues. You have to back the rhetoric with the resources. If I had to critique the President's speech last night, to me that is the disconnect. I am troubled by that because these issues affect real people and their lives. And why are we here except to do better for people.

I think we have to back up our speeches and our rhetoric with our priorities.

Mr. DURBIN. I thank the Senator from Minnesota.

Really, after the President's speech last night, the question most people in America are asking is, Can we have it all? Frankly, last night the President said: Yes, we can have it all. We can have a tax cut for the wealthiest people in America. They receive 43 percent of the Bush tax cut. Sadly, there are literally millions of families that receive no benefit from the President's tax cut. They are people who pay a payroll tax and not an income tax. They are taxed families. They need relief. They need help with heating bills and paying education and health care expenses. There is no help for them in the President's tax cut package.

We on the Democratic side believe we have to take a sensible, fiscally responsible approach to this. We have been down this road before. It was not that many years ago that we were deep into deficits. We had these deficits that now have accumulated into a national mortgage, a national debt of $5.7 trillion. It is still there. When the President says we are going to pay off $2 trillion on the national debt, the debt is $5.7 trillion.

We on the Democratic side believe that we have a responsibility to continue to bring down that debt even more. We collect $1 billion in taxes a day—every day—to pay interest on the old debt. It does not educate a child, pay for a teacher, or make America's defense stronger. It is money paid to bondholders all over the world who own America's mortgage.

We believe the President, in saying he would spend $2 trillion in paying down the debt, has really broken a promise. If he is going to keep the promise that Congress has made to keep Social Security first, to protect the Social Security and Medicare trust funds, the $2 trillion paydown does not do it. In fact, it requires the President, under his projections, to reach into the Social Security and Medicare trust funds to create his so-called rainy day fund. I do not think that is going to work.

As someone said yesterday, if a businessperson wanted to reach in the pension plan of his employees for some

other purpose, he would find himself in a Federal institution, and it would not be the White House. In this situation, we believe that paying down that debt and protecting the Social Security and Medicare trust funds is really a solemn obligation and a first priority.

We also believe that if there is to be a tax cut, it should not be one that primarily benefits the wealthy and leaves millions of families behind. We believe there should be a tax cut for everyone in this country. And we believe the tax cut should be fair. If you talk about 43 percent of his tax cut going to the top 1 percent in income, these are people who make over $319,000 a year. People who have an income of over $25,000 a month receive the most benefit from President Bush's tax cut.

I would like to see our tax cut be something we can afford, something that is sensible, consistent with debt reduction, consistent with important investments in this country, and one that really focuses on families.

I just did a radio talk show with WLS Radio in Chicago. They asked me: What are you thinking about when you talk about these families? I said: I think about a couple who are Chicago public school teachers, and their combined income might be $100,000 a year. I do not consider them to be a wealthy family. They are the type of family that struggles with mortgage payments and school expenses and all the things that go with bringing up a family.

If we focus our attention on people with family incomes below $100,000 and say these are the folks who need a helping hand, that is a sensible starting point. Yes, there will be a tax break for the wealthiest among us, but why should they take 43 percent of the total tax cut?

People believe they are overtaxed. I think we can help them. In time of surplus, we should help them. We also should help them to understand that we want America's economy to start moving again. We hope this slowdown will come to an end soon, that we will turn away from this downturn, or recession, or whatever it might be, and once again get on the path of prosperity on which we have been for the last 8 or 10 years. If we are going to return to that path, we have to make the right decisions now. The President's tax cut, sadly, is not the right decision.

Unfortunately, he will spend over 90 percent of the projected surplus over the next 10 years on this tax cut and leave little or nothing for prescription drug benefits under Medicare, for investments in education, for expanding health insurance coverage for more American families, or for putting more money in our national defense.

We cannot have it all. Last night the President told us: You can have it all. You can give a tax cut to the wealthiest in America, primarily; you can go ahead and spend all this money I am promising and everything is going to be fine.

Those of us who have studied the history of our Nation know that sometimes the most pleasing and appealing political promises don't pay off for America. I am afraid what the President has proposed is just such a promise.

I understand the President is now going out, touring America, to sell the idea of a tax cut. I can't imagine this political assignment. The President has to convince America we need a tax cut. If the President were going out trying to sell a tax increase, I could understand it. That is a tough job. You have to explain the circumstances and try to convince the American people you are right. Here he is, trying to sell the American people on the idea of a tax cut. They are reluctant; they are not buying it. They want to have some questions answered.

One of the questions they ask is, How do you know we are going to have a surplus? If we are not going to have a surplus next year, 5 years, 10 years from now, why would you change the Tax Code in a permanent way and give a tax cut that gives away a surplus that you are not sure of? That is a valid question.

What it boils down to is that a lot of people think the President is gambling with the economy on budget predictions that are no more reliable than weather forecasts. These people who make these predictions have been wrong in the past, consistently wrong. Many of us believe we should deal with a tax cut and a spending program phased in to make sure there is always enough money for America's priorities, priorities such as Social Security, Medicare, education—to make certain that if we have a surplus, the tax cut is really shared by all Americans and does not go just to the wealthiest among us.

We are facing a balloon payment in Social Security in just a few years. The baby boomers are going to turn up at the Social Security window. When they do, there will be a lot of them, a lot more than we have ever had in our history. If you know that balloon payment is coming, should you not plan ahead?

Remember what the President said last night. He is going to appoint a Social Security commission to look into the future of Social Security.

Time out. He appoints the commission after he has already announced the tax cut. He will have used up the surplus and then said to the commission: How are we going to take care of Social Security? Wouldn't responsible leadership suggest we do it just the opposite, that we have a Social Security evaluation or commission, decide what we are going to need, and make sure the money is there, that if there is a surplus, it will be there for Social Security and for Medicare, and then decide if, with the remaining surplus, we can afford a tax cut? Not so. The President wants the tax cut first. That is the mistake he is making.

It also troubles me that after all of the years or promising that the Social Security and Medicare trust funds would be sacred and inviolate, the President's approach calls for taking out $1 trillion from these trust funds. That is going to be a hard sell. Somebody said: Is the President going to be grabbing the third rail of politics if he does that? I think he will.

Many of us on both sides of the aisle believe you do not play with the Social Security trust fund. This is part of a sacred contract, a promise we made to people, an investment that today's wage earners are making in a trust fund so the money will be there when they need it as well.

Taking money out of the trust fund, as the President's proposal would lead us to, to create a rainy day fund or whatever it is is not going to fly. Congress is going to resist it. We are going to insist that those trust funds be protected.

On Medicare, the President, unfortunately, has not proposed any new spending. These baby boomers and others who retire count on Medicare to pay for their health care bills. If we don't take Medicare seriously, we will find ourselves facing budget shortfalls in that critical program, and 40 million Americans today and even more in the future will wonder whether or not there are adequate funds in Medicare to pay for their medical expenses.

In making this commitment to our future, we have to talk sense to the American people. Maybe we won't say the most popular things on Capitol Hill, maybe we won't hold out the prospect of the big tax cut immediately, but we do believe that a tax cut is something we can support, as Democrats and as Republicans, once we put it all in perspective. The perspective is, what is a realistic projection, a realistic prediction in terms of the surplus we are going to have? What is the safe way each year to decide how much we can afford to put in a tax cut? How can we take care of other priorities such as paying down this national debt in a systematic way, a way that brings us to a point where we can say to our children: We just burned the mortgage. It is your America now, mortgage free. Make your own plans for your own future, and you won't have to compete with the Federal Government when it comes to interest rates, because we are not borrowing money any longer for a $5.7 trillion national debt. We are not competing with you when you want a mortgage for your home or a loan for your car or your credit bills, whatever it is.

These things are good for the future of this country. Although they may not be as popular as the two words ''tax cut,'' they offer things Americans will look forward to.

When it comes to education, people always say: That is our highest priority. If it is our highest priority, are we willing to set goals for this Nation and live up to them? Are we willing to

say that the schoolday our children live through each day should be a complete day that is positive and constructive, that from the moment those children are left at school until they can be returned to a parent, they are going to be in a positive, safe, and learning environment?

That isn't the case today in schools across America. Children are turned loose at 2:30, 3, 3:30 in the afternoon, long before their parents come home. Afterschool programs should be part of a schoolday. Maybe it will not be tutorials for kids who are doing well. It might be enrichment classes or art classes or music classes—even sports, for that matter—but something that is constructive and positive. America's schools should reflect America's families.

When we talk about a vision for the 21st century in education, our schools have to be part of that vision. They ought to be safe buildings, too. In my home State of Illinois, we have many great school districts but a lot of them where the schools are just crumbling around the students. Schools are not what they should be so the students are able to learn in a safe, clean, and healthy environment. The Federal Government should make that investment with the States, with the local school districts, to make those schools safer.

In the classrooms themselves, our teachers are facing a lot of challenges. I think about how little I know about computers, though I tried to learn a little bit more. I wonder if I could ever teach a course in computers even to a youngster. Most kids know a lot more about computers than I do. If our teachers are going to be able to use computers and teach our kids technology that will make their lives more meaningful, teachers need training and opportunities and they need adequate pay. We should treat them as the professionals they are and hold our schools accountable.

I agree with the President on this: Let's make sure our schools are productive. If we have testing, it is a good way to see whether or not the kids are making progress. I believe in tests. The President was right last night: You can overdo it in teaching to a test. However, if you are teaching to a standard of learning so that a child can move to the next grade successfully, I support it. We did it throughout my school career many years ago, and we do it now in the city of Chicago and across the State of Illinois.

It makes sense; I support the President's proposal, but if we are to leave no child behind, if we are going to invest in education as we should, then certainly we have to step back and say, is this tax cut of $1.6 trillion—primarily for the wealthiest people in this country—the first thing America needs in the 21st century?

I don't believe it is. I think the first thing we need to do is carefully look at the books, see what is on hand, and then a tax cut across the board for all families, pay down the national debt, and invest in these priorities—Social Security, Medicare, and education.

Finally, I will mention the issue of health insurance. It is almost disgraceful that at this moment in our history, with our prosperity, over 43 million Americans have no health insurance at all. I can't imagine getting up and going to work as the head of a household with a family without the protection of some type of health insurance. Yet we know that happens day after day.

I was glad to see the National Governors' Association come together in Washington this last week. They are proposing changes in Medicaid—changes that could lead to universal coverage so that every family in America would at least have a primary health insurance plan. I think we ought to move in that direction—not a Government plan or a Government-run program but a program that opens up to private health insurance sources and others so we can allow people to have that basic protection and peace of mind.

That is not the case today. As a consequence, many kids in America go without immunization. People with basic care who can live a long period of time don't have the chance. I am sorry that the President's speech last night really didn't address this. I think if the President, as he moves around and talks to working families, sits down and asks families about their priorities, they will tell him that health care is one of the most important, and that they are worried about the cost and availability of it.

The last point is this. Last night the President brought in from Philadelphia a family who seemed to be two people who were working very hard to make a good living. We stood and applauded them as the President described them as a ''typical American family.'' I am glad they were with us as a reminder of why many of us serve in the Senate and in the House of Representatives. The President said this lower income family is going to need the help of a tax break. I think lower income families do need the help of a tax break.

I remind the President and his party that for the last 6 years they have consistently resisted every effort to raise the minimum wage in America. It has been stuck at $5.15 an hour for 14 million Americans. So if we have sympathy for these families, if we value hard work, if we believe in the dignity that comes with those activities, for goodness' sake, why aren't we increasing the minimum wage? We have waited too long. That wage is continuing to deteriorate because of inflation, and we should be sensitive to it.

I hope as we get into this tax cut discussion we will not forget the basis—that is, that these folks who get up every morning and go to work, to clean off the tables in restaurants, make the beds in hotels, tend to our parents and grandparents in nursing homes, to be there to make sure the workplace is safe for kids in day-care centers, are the people making $5.15 an hour.

The Republican Party has resisted for 5 years now every effort to raise that minimum wage. For that family in Philadelphia, for 350,000 Illinois families that are working for a minimum wage, I implore the President and the Republican Party not only to think of tax cuts but to think about increasing the minimum wage to show that they value work, as we all should in America.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

PRESIDENT BUSH'S BUDGET FOR AMERICA

Mr. SMITH of New Hampshire. Mr. President, last night I had the privilege of personally witnessing President Bush deliver remarks outlining his budget for America and outlining the priorities of that budget. I must say, it was refreshing, for one who has long fought over the past 16 to 17 years in both the House and the Senate, to hear tax cuts being proposed, and not only tax cuts being proposed, but also the opportunity to finally downsize the national debt so we can stop mortgaging our children's future.

The President, in that plan for America's priorities, included tax relief, debt reduction, and some much needed reform for some very important programs. One of the negatives over the past 20 or 30 years is that as our deficits and our debts became larger, many times we neglected a lot of key initiatives, areas where the Federal Government could be helpful to the American people. So it is a pleasure to see the debt diminished and money being returned to the taxpayers at the same time, and, in conjunction with that, we are going to provide dollars in much needed areas. I want to talk about that.

First, in President Bush's budget, we will see the largest debt reduction in American history. Think of that: The largest debt reduction in American history. It is good news and bad news. It is good that it is the largest debt reduction; it is bad that we have debt that large in the first place.

The key thing to understand is that this proposal pays down the national debt by $2 trillion over the next 10 years. That is the largest reduction in debt to the lowest share of the economy since the First World War. With the leadership of the Republican Congress, we have already paid off an enormous portion of the national debt—

nearly $363 billion so far. If you stop to think about it, it costs about $60 million to borrow every billion dollars.

Multiply $60 million times 363 and see how much we save in interest on that debt. That $60 million will go a long way in New Hampshire. It was a lot of money where I grew up. That is just on $1 billion of borrowed money; we have paid $363 billion of it already, and we are proposing to pay off $2 trillion—with a ''t''—in the next 10 years. There is a ripple effect through the economy when taking the American Government out of the borrowing market and putting money back into the taxpayers' pockets.

By the end of this fiscal year, we will pay off another $262 billion. That is $625 billion of debt reduction. Putting it in perspective, in 1997, the first year we balanced the budget, the debt held by the public was $3.7 trillion. By the end of this year, the debt will be $3.1 trillion, still a lot. Over the next 10 years, we will take $2 trillion more off that debt, leaving a little over $1 trillion in debt. Over the next 2 years, our Social Security-Medicare lockbox policy will reduce the national debt by an additional $400 billion.

I was very proud to support President Bush's plan to reduce this enormous national debt which for so long has mortgaged our children's future.

It is important to understand everything else. I will discuss some items, including returning money to the taxpayers, providing dollars for Social Security and Medicare, education, defense. Put the increases in perspective. You will get a tax refund. We will talk about that in a moment. Reduce the debt by $2 trillion, and there is still money to do those things. That is amazing.

That is a great tribute to this President who didn't come into the White House and say, this is the way we did it last year; we will budget the same way we did last year. He sat down with his key advisers and worked through this budget and found out where the needs were. At the same time, he said he will reduce the debt, put money back into the taxpayers' pocketbooks, and fund programs that deserve to be funded.

The tax reduction is fair. It is responsible. It is tax relief for all Americans. It is certainly welcome news to my own State of New Hampshire. Do I think the tax cut could be bigger? Sure. But I plan to work with the President to expand tax relief. The President's tax cut is bold. I support it. I will be with him all the way through this process.

Good men and women of my State—and I am sure it is true all over America—have always been weary of taxes. New Hampshire is one of the only States in the Union that does not have, at this date, a sales or income tax. There are some in our State who want to impose a sales tax. I am very encouraged to see the President provide tax relief to the citizens of my great State and this Nation.

There is some irony. When I came to Washington several years ago, I wanted to bring the New Hampshire example to Washington—less taxes, less spending. Now we are seeing the reverse. President Bush comes in to cut taxes, cut spending, reduce the national debt. Ironically, some officials in New Hampshire are doing just the opposite—raising taxes, trying to find more revenue.

Now more than ever, I believe that hard-working Americans deserve tax relief. If you buy a television set and pay $600, and you get home and the price tag says $450, you were overcharged. So you go back to the store and get your money back.

We hear all the fancy and somewhat bureaucratic terms—surplus; we have a big surplus in the Federal Government. What that means is the taxpayers of America have been overcharged. That is more money than we need to operate our Government. It ought to go back to you. It is that simple. We will hear it today. We have heard it all week. We heard it last night in the response to the President that we don't need this tax cut; it is too big.

I make a suggestion to those who don't need it and don't want a refund: When you send in your tax return, put a little check mark on it that says you don't want the money, and send a check back to the Federal Government. You don't have to take the tax credit if you don't want it. If you don't want the tax cut, send the money back and we will put the money on the debt. I am fascinated by those who say they don't want the tax cut. Fine, you don't have to take it; you can turn it back.

There are a lot of people out there who do want it. For starters, Americans spend more money paying taxes than they do on food, clothing, and shelter combined. That is wrong, pure and simple. We need to change that.

President Bush last night in a bipartisan, nonconfrontational but firm and resolute way said let's do this for the American people. We always hear the debates. That taxes will get cut, and they don't get cut. It seems to be a bunch of words that don't mean anything. The President reached out and said: Let's not get into class warfare; let's just reduce taxes on the American people. It is good for the economy. It is good for the people. It is their money. It is not ours; it is theirs.

Federal taxes alone cost American families $7,238 per year. That is more than any other item in their budget for most people. Taxpayer freedom day, the average day Americans first start working for themselves, was May 10 last year. So from January 1 to May 10, you worked to pay your Federal taxes. Where is the incentive to move forward and to succeed and do better? I say return the money.

Not only are we returning money to the people from whom we took it; we are paying down the debt at the same time. A lot of people say, I don't want tax relief; don't give me tax relief; just pay down the debt. We are saying we are doing both. If you own a Government savings bond, we cannot pay that because we owe that to you. And you may have a 20- or 30-year bond. If we wanted to pay it off in one fell swoop, we couldn't. But a $2 trillion reduction over 10 years is pretty doggone good.

For every 8 hours of work performed, the average taxpayer in America works 3 hours to pay the tax collector. I think that is too much. I know some who hem and haw, saying, I don't know whether I can support this tax cut; it is too big, too small—a thousand different reasons. I think if the average taxpayer has to work until May 10 to pay their Federal taxes, has to work 3 hours of every day to pay the tax collector, it is time the taxpayer got a break.

This is a big break. Today's average taxpayer faces a combined Federal, State, and local tax burden of nearly 50 percent of their income. I am delighted to support this President in providing the typical family of four paying income taxes a full $1,600 in tax relief.

We are in Washington talking about trillions. I don't know what is after trillion. I hope we don't have to deal with it during my tenure in the Senate. We are talking trillions and billions and occasionally millions. Let's talk in hundreds and thousands. That is what the average American deals with—hundreds of dollars and thousands of dollars, not trillions and billions. Let's bring it down. Ask yourself what you could do with $1,600 if you didn't have to give it to the Federal Government. What could you do? There are a lot of things you could do. I am sure you can think of them as well as I can. If you have a child, say, born this year, if you multiply $1,600 times 18 years and add the compounded interest if you put it in a bank account somewhere or a CD, you will find you have a pretty doggone good downpayment on a college education—for the first year anyway—or perhaps a little more money for groceries, a little more money for clothing, perhaps a little bit for that first home mortgage. Add it up. That is real money, as Everett Dirksen used to say.

I think we have to get away from talking about all these trillions and billions of dollars and think about what that means to the average taxpayer of America. I say this in all sincerity: If there are taxpayers out there who do not want that $1,600, send it back. But for the rest of us who might like to have it and the families all across America who struggle really hard to make ends meet who would like that $1,600, why should we take it away from them? But some are proposing we do that.

President Bush is not. President Bush is saying we need to give that back to the taxpayers; nobody ought to spend more than one-third of their paycheck to support the Federal Government. I agree with him. It is refreshing to hear it.

But the President also believes a tax rate of 15 percent is too high for hard-

working men and women who earn low wages. So he has proposed we lower that even to 10 percent, down from 15 percent—I agree with that—and double the child tax credit to $1,000 per child, and eliminate the marriage penalty, penalizing people who get married.

We in the Federal Government should be encouraging the makeup of the family not breakup, and, of course, eliminating the infamous death tax which the President mentioned last night. All your life, you work hard to earn money, pay taxes on that money, and have perhaps a business or home or some asset you want to leave to your children, and they cannot afford to receive it from you upon your death because they cannot pay the taxes on it, so they have to sell it, whether it be a business or home. That is not right. We ought to change it. Yet there are some who still want to fight the President on that—a million-dollar threshold or whatever. When you start talking about a business or what you build up all your life, if you have to sell it to pay all the taxes, what are you going to do?

This is a good plan: Pay down the debt and give money back to the taxpayers who provided the money for us. We—all of us, the taxpayers—funded the cold war. We won the cold war. We funded that national debt, unfortunately, for all those years, and now we are going to defund it. We are going to pay it off, and we are going to give money back to the taxpayers who earned it.

There is one great thing about this budget. I have been around here for a few years, and I have seen many budgets come and go. Most of them are dead on arrival, but I am hopeful this one will not be because this President not only reduces debt and provides tax relief for the American family but he also funds important priorities.

I can remember—and many of my colleagues can, too—year after year, people coming down here saying we were going to lose our money, we were going to lose this and that, we were going to get cut here and there because we were fighting for every single dollar because the interest on the debt was going up $300 billion, $400 billion a year just to fund that debt.

We are changing that now. We are reversing that. It is a new paradigm. It is a new America, a new century, a new President. There is new excitement here in Washington because we are paying off debt, we are paying back taxpayers the money they deserve to get back, and we are funding new initiatives and new priorities, good initiatives and good priorities.

Let's talk about some of them. One is the environment. I chair the Environment and Public Works Committee in the Senate. I commend President Bush's budget. It invests in one of our Nation's most important assets, our environment. Where are we without it? He is proposing to accelerate the cleanup of toxic waste sites called brownfields. It is a reflection of the bill that Senator CHAFEE and I have introduced to clean up brownfields. The administration has endorsed that bill. I am very excited about it because brownfields, these toxic waste sites, are all over America. There are some 400,000 to 500,000 of them, some in New Hampshire.

What is a brownfield? A brownfield is a site that has toxic waste in it. It is not a Superfund site, not as bad as some of them, but for years and years contractors have been afraid to come on these sites and clean them up for fear the Federal Government would come in and say they did not do a good enough job and fine them, and so forth. We have now clarified this in the law so these sites can be cleaned up.

Here is what it accomplishes: No. 1, it cleans up a blight in a community. These are not just large cities. It is also the small town of Bradford, NH. I say to any of my constituents in Bradford, if you are listening, help is coming for you. In the town of Bradford, there is a toxic waste site that needs to be cleaned up. It has not been cleaned up because the law has not allowed it to be cleaned up. They want to make a park there. All they have been trying to do is get the funds to clean up this site to make a park. This is what we can do because the President has laid out a budget that pays down that debt, puts money back in the taxpayers' pockets, and allows us to fund programs such as this for the first time in so many years—truly fund them.

I am excited about it. When you clean up that brownfield, you are going to create jobs because somebody is working to clean it up; No. 2, you are going to eliminate the blighted site in the community; and, No. 3, maybe somebody builds something there, a new business or something that does not go outside of town and bulldoze off 10 acres of green space. It is just a fantastic opportunity, and President Bush came right out of the gate and mentioned it specifically last night in his speech: Brownfields legislation. We are going to help clean up brownfields. That is good news for certainly every large city in America and thousands of small towns all across America.

It is a great opportunity we have not had in the past because we had this debt. Now we are not only putting money back directly in the pockets of the taxpayers, under this budget, but we are also putting money back into the community. So if you are a taxpayer in Bradford, NH, you are going to get a Federal tax cut if you pay taxes and, second, you are going to have your community improved with dollars that are going to come into that community because we have the opportunity to do it now because we are running these surpluses.

This is exciting news. It is not just brownfields. I could go on and on with a number of environmental priorities where we could do this—water infrastructure, sewerage pipes, clean water—all kinds of environmental initiatives now that we will be able to fund.

Another one is the Land and Water Conservation Fund where moneys can be provided to help create parks and trails and so many other positive things—habitats. It is just a great opportunity for us.

Another item is defense. The defense of the United States has been neglected over the past several years. Everybody knows it. The President has proposed a $5.7 billion increase in pay and benefits. I just came back from the Mediterranean, visiting the troops out there, worried about terrorist attacks and so forth, putting their lives on the line every single day. And some of them are on food stamps? Come on, America. We can do better.

The President of the United States, within days of the beginning of his term, went directly to the military aboard ship and on bases and told our sailors, our airmen, our marines, who are defending our interests and values all over the world: We are going to increase your pay and benefits. He lived up to that promise, and he put it in the budget.

It should be there. It absolutely should be there. We take for granted what these men and women do. Believe me, we take it for granted. If you have a young son, or daughter, or husband, or wife, or a dad, or a mom who is out there, you know we take that for granted. They are the best in the world, and they deserve the best we can provide them. Now, finally, with this budget we are able to do that. It will give the military the vital funds to compete with the private sector in order to recruit the best people.

President Bush has correctly realized our increasingly high-tech military requires that special steps be taken in order to attract and retain personnel with computer science and other disciplines. Right now, there is a great opportunity out there in the private sector. A lot of people are pulled to that, but many people want to serve in the military, and if they just have the opportunity to do it, with better pay and better benefits, we can pull more people toward the military.

In addition to the military pay and benefits, the President has pledged to increase pay incentives for highly trained military personnel, and I know that is good news for the military.

Let me discuss a couple of other issues: Education. I am a former teacher. I taught school for 6 years. You are never a former teacher; you are always a teacher. I also served on a school board. I have also been a father for 25-plus years. So I think I know a little bit about education from four or five different perspectives, if you will.

I agree; decisions regarding education are best done at the local level, period. That is where the best decisions are made. You cannot sugar-coat that any other way. The best decisions are made at the local level. We don't need

a national school board running our public schools.

We need the local school boards to run those schools with the parents, with the teachers, with the administrators, and with the students working together.

Some will say there is a lot of money in President Bush's education plan. There is an 11-percent increase in education funding at the Federal level. Look how it is applied. This plan provides the local schools, local districts, and States more freedom in administering the Federal dollars. They are going to have more choices. They are going to combine dozens and dozens of Federal education programs into only five and allow the States and the local communities to spend the money as they see fit in the categories that they see as best.

President Bush said last night: Leave no child behind. I think this is the best opportunity we have had in many years to make that come true. Passing year after year a child who can't read or write doesn't do any good. It puts them at a tremendous disadvantage when they come out into society. It is not necessary. Our schools and teachers should be about kids. If they can't compete, then parents ought to have the opportunity to say, well, I am going to go over here to this school or this school. That is what rich folks do. They send their kids to some private school, if they want to. They borrow money to do it because they don't like the public school.

I am a former public school teacher. I am a strong advocate of public schools. They ought to be competitive and good. And if they are not and won't improve, then parents ought to have the right to choose another school.

The Bush plan provides schools with more freedom in administering these Federal dollars. But it also holds States accountable for improving student achievement, which will be demonstrated through assessments in reading and math. The plan provides reading programs which will be available to States to provide research-based reading programs in the early elementary grades and low-income preschools.

Some think we are going to put all of this taxpayer money on the public debt and not do anything else and that we are going to cut these programs. We are not. That is the beauty of the budget. It is one of the best, if not the best, budgets I have seen since I have been in Washington. It preserves and protects Social Security. It locks away every penny—$2.6 trillion goes right into the lockbox for Social Security. We cannot touch it for anything else. There will be no more Government greedy hands in there borrowing the money and using it for something else.

In addition, the President talks about making those dollars in Social Security go further.

With Medicare, it is the same thing. It spends every dime for Medicare. That is what it is gathered for and collected for, and that is what it should be spent for. It passes it on.

I have spent a year looking at the prescription drug issue. It can be done without hurting the program's solvency. We can provide help for our senior citizens who need prescription drugs. They deserve it and are going to get that help under this budget.

Finally, faith-based initiatives are somewhat of a controversial matter. It is not controversial to me. I think the President made it very clear last night. Faith-based proposals can get the job done. There are so many people out there working in various charitable organizations, whether they be religious or not. They are trying to do a job. We are not picking sides. The President is simply saying why not help all of these good-hearted Americans who are working and doing a wonderful job to restore and heal the lives of men and women in need? They can do it better than any Federal Government program. They can do it better than any bureaucrat in Washington, and they are doing it OK. God bless them. If you have ever been out to see what they do, your heart goes out to them. In spite of everything, they are out there day in and day out begging for more money. We need a chance to provide the dollars to these folks who can get people back on track and be productive again.

Billy Graham once said that our basic problems today are not social problems; it is not a lack of education. The problems are the problems of the human heart, a heart that is not right to God. These organizations recognize that God has the power to change lives and heal wounds and instill an inner drive in people so they have tools to change destructive behavior.

Faith-based organizations provide needed community services. This is a nation under God. We are not supposed to take God out of our Government. We are just not supposed to have a state-sponsored church. Sometimes we forget that. Why not help these people? President Bush does. He took it head on. He knew he was going to get hit for it. But he is doing it anyway. That is leadership. Faith-based organizations are very effective, and they are going to get help. That is why I support President Bush's plan.

Let me close with this point: Under this budget, we pay back $2 trillion of the national debt over the next 10 years. We provide $1.6 trillion to go back into the pockets of the people from whom we took it. And we do all of these things that I mentioned. I haven't even gotten started with the things I could have added to the list. That is a good budget.

I tell you, ladies and gentlemen, that is leadership. When you step up to the plate and take on something such as that, that is leadership. President Bush deserves a lot of credit for coming up here last night and laying that out in a concise and clear way and not being afraid to take on these tough challenges.

I sincerely hope my colleagues will act quickly to pass this budget so the country will be the beneficiary of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I understand we are in morning business.

The PRESIDING OFFICER. That is correct.

DALE EARNHARDT

Mr. FRIST. Mr. President, I rise today to pay tribute to an American legend, a workingman who rose from his roots to the very top of his profession, indeed, to the top of the world, the racing world, that is. And that is why we loved him.

As all legends, he was the best at what he did. He was the greatest race car driver in the history of NASCAR and perhaps the greatest driver who ever lived.

With an uncanny feel for his car in a take-no-prisoners attitude on the track, he brought millions and millions of fans into the sport. That is why we loved him.

He was the people's champ, the last cowboy, iron head, the intimidator, but most of all and most appealing about him was that he was funny and warm. He was like us. He was human. He was accessible. And that is why we loved him.

But Dale Earnhardt was much, much more. When a young fan was dying of cancer, Dale spent 15 minutes on the phone with him and flatly rejected any attempt to publicize it. When a local pastor came around seeking donations to pave the parking lot in his church, Dale wrote out a check for the full amount on the condition that the pastor never reveal that all the money came from one person, and especially not who that person was. He routinely aided high school bands and church groups and once gave John Andretti a motor so he could qualify.

When the wife of the doctor who tended drivers injured at the track had to travel across the country, leaving his pregnant wife behind, Dale called to make sure she was all right, and then sent two men with a pickup to the mountain retreat where they lived just in case she needed a fast trip to the hospital.

His favorite charity, one that is familiar to many of us, was the Make a Wish Foundation—perhaps because he knew what true magic was all about.

Describing the tough racer with the tender heart, one NASCAR publicist said: He'd do nothing for you on the track but anything for you off it. That is why we loved him.

As we all know, Dale Earnhardt died a week from last Sunday on the final lap of the Daytona 500 doing what he did best—racing for victory. Victory alluded him but death did not. After 281 finishes in the top 5, 428 in the top 10, and 76 wins, including 9 at the world's fastest half mile in Bristol, TN, where, by the way, he was also Rookie of the

Year in 1979. Dale Earnhardt passed from living to legend. His death—like his life—transcended his sport.

To the hundreds, indeed, the thousands who knew him—and the millions who did not—he was John Wayne, Humphrey Bogart, and James Dean all rolled into one. He was a husband, a father, a mentor, and a friend. But most of all, he was like America—caring, big-hearted, open, and free. And that is why we loved him.

PRESIDENT BUSH'S ADDRESS TO CONGRESS AND HIS BUDGET

Mr. FRIST. Mr. President, I rise, just for a few minutes, to comment on the President's address last night and the budget that he has sent to the Congress. It, indeed, represents a new beginning, a new start, a cause for hope, a cause for optimism that is reflected in the benefits and the advantages for every family in Tennessee, as well as across the United States of America.

The budget does set a roadmap, a blueprint, as we look to the future, as we look to next year, the next 5 years, and the next 10 years. Very clearly, the President's budget does three things: No. 1, it funds America's priorities, as we have debated in campaigns over the last 6 to 8 months and debated on the floor of the Senate over the past couple years. It funds the largest debt reduction in not just the history of the United States but the history of the world. And it provides fair and responsible tax relief.

First and foremost, I believe it pays off historic amounts of debt. It provides absolutely the fastest and largest debt reduction ever seen in history—$2 trillion over a 10-year period.

Secondly, it funds many programs that we are currently discussing and debating, and programs that we are putting together, investing in individual families, in children, in youth, in health care, and in education. It strengthens education. It allows the opportunity to modernize education. And as has been pointed out on the floor, it offers the largest spending increase of any Federal department—over 11 percent. It triples funding for children's reading programs.

In the field of health care—and the President mentioned it last night in his address—he looks in the direction of the uninsured. There are about 42, 43 million people uninsured. He addresses the uninsured by, on the one hand, saying, yes, we need to further invest in the National Institutes of Health, and continues that doubling, but he also mentioned 1,200 new community health centers that will be there tomorrow for people who are uninsured, who depend on those community health centers for their health care. That makes health care more accessible for all.

He talked about refundable tax credits, again, to lower that barrier which stands between many people, and having the appropriate access to an insurance policy that will be there for acute care and chronic care and preventive care.

Thirdly, the President spoke loudly and clearly when he said now is the time we can take advantage of a surplus that has been generated by hard-working men and women and families out there, a surplus that reflects their dollars, their hard work.

Now is the time for responsible tax relief—using roughly one-fourth of the budget surplus—to provide the typical family of four paying income taxes as much as $1,600 of tax relief, a 50-percent tax cut for that typical family of four making $50,000.

I thought last night was a time when we had the opportunity to talk about the hopes and dreams in an optimistic way, with a new beginning for every family. I do want to underscore the privilege and opportunity I have of working on the Budget Committee of the Senate, where we will go into further detail over the next several days as this budget is laid out before us. It is a new beginning with the President of the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Tennessee for talking about the President's budget plan. I, too, am very pleased that President Bush is keeping the promises he made to the American people when he was elected President of the United States. Congress is going to work with the President to make sure we have the balanced and responsible approach he has requested of Congress to work with him.

Let's talk about the balance that is in this plan. We have a $5.6 trillion surplus. The first and foremost responsibility we have with this surplus is to protect Social Security. That is exactly what we do. We will protect Social Security by keeping all of the Social Security part of the surplus in the Social Security fund.

Secondly, we are going to spend more money for high-priority items. The President has outlined the high-priority items he considers are No. 1 issues facing America today—No. 1, No. 2, and No. 3: Public education, national defense, and prescription drug benefits for our senior citizens.

There is no question that many people believe they cannot afford the drugs they have to take to stay healthy. That is not a choice people should have to make. We want to make sure they do have the fundamental prescription drugs they need at a price they can afford. So we will have to spend more money in that area.

National security is the major responsibility of the U.S. Government. States and individuals cannot protect themselves from wars or from an incoming ballistic missile. We must do that with all of the States contributing to our country and our Federal Army, Navy, Air Force, and Marines.

So we have to make sure our men and women in the military have the health care, the educational benefits for themselves and their children, and the pay they deserve. These are the people on the front line. These are the people stepping up to the plate to protect our freedom—our freedom to talk on the floor today, our freedom to go to a playground and have safety on that playground. These are the people on the front line doing it. We are going to treat them well.

Of course, we must have a public education system that allows every child to reach his or her full potential with a public education. We want no child in our country to be left behind. If we can get the resources to these children at the earliest levels, where they have basic reading skills in the third grade, where they have the ability to do simple basic math in the fourth grade, then we will give them the tools they need to be able to learn algebra and calculus and the more complicated math and science and reading opportunities they must be able to address. So we are going to fund those priorities at a higher level.

We are going to pay down the debt at the greatest rate we can. We cannot pay down the debt fully because people would not be able to invest in Treasurys. We want that very safe investment for our people. And we want to invest for the United States. We want our Government money to earn interest. We don't want it to sit there. We will have some debt, but all of the outside-owned debt is going to be paid down, $2 trillion over the next 10 years.

Last, but certainly not least, we are going to give tax relief to every American. Every American who is working will get tax relief under the plan put forward last night by President Bush. We are going to simplify the tax system. We have a five-rate structure today: a 15-percent bracket, a 28-percent bracket, a 31-percent bracket, a 36-percent bracket, and a 39.6-percent bracket. We want to lower all of those rates and only have four: a 10, 15, 25, and a 33.

I thought the President said it very well last night. He thinks anyone in the 15-percent bracket should pay no more than 10 percent of his or her income to the Federal Government. As well, we don't think any American should pay more than one-third of what they make to the Federal Government, so the top bracket would be 33 percent.

What does that mean in real terms? It means that one in five taxpaying families with children will no longer pay any income tax at all. It will completely remove 6 million American families from the tax rolls. A family of four making $35,000 would get a 100-percent Federal income tax cut—off the rolls. A family of four that makes $50,000 would receive a 50-percent tax cut, receiving approximately $1,600 in relief. A family of four making $75,000 will receive a 25-percent tax cut. We are going to give real relief to every working American.

We are also going to increase the earned-income tax credit to make sure people who are coming off welfare know that it is better to work and there is a reward for working rather than being on welfare. These are the effects that tax relief can make for every American.

We will also double the child tax credit to make sure every family with children will have a $1,000-per-child tax credit rather than the $500-per-child tax credit they now have. We want to make sure that you can deduct your charitable contributions, even if you don't itemize deductions. We want to eliminate the death tax because we don't think someone in America should have to sell their family-owned business or their farm just to pay taxes to the Federal Government. This is not money that has never been taxed. It is money that was taxed when it was earned and taxed when it was invested. There is no need to tax it again. We have a projected $5.6 trillion surplus, and we do not think people should have to pay taxes and sell a small business and take away all the jobs in that small business just to pay taxes to the Federal Government.

We do want to lower the Federal tax burden on the families of our country at the same time that we are paying down the debt so it will be the very minimum amount of debt required to have Government securities. We do want to prioritize spending so we are covering the costs that we know are a priority—public education, a strong national defense, prescription drug options under Medicare. These are the things where we will increase money, and we will flat line expenses that we don't need to increase.

Some people say: You mean you are actually going to not spend more in a Government program? Well, doesn't every family budget that way? Does a family spend the same amount every year on the same items? No. Maybe your children need more in clothes this year or maybe they don't need more in clothes. Maybe they are OK on clothes, and so you can buy the new computer. You make choices in a family. That is what we need to do in the Federal Government as well.

It is time we had a balanced approach. Every time I hear somebody criticizing the tax cut plan, it is because they want to spend more money. We are making Social Security secure. We are going to give more benefits under Medicare. My goodness, why would we want to spend more and more money when we have a surplus and when we are prioritizing the needs of the Government and when the taxpayer dollars don't belong to Government.

That is the real difference. A lot of people around here think tax dollars belong to them. Tax dollars belong to the people who earn it, and they should have the choices to spend it the way they see fit for their families. This is not money I worked to earn, and I shouldn't make the decisions on how to spend it except for the overall national good. The overall national good should not take more than 33 percent of anyone's salary, and it should take the lowest amount that is absolutely necessary because this is money people work very hard to bring home for their families.

I applaud the President for a balanced approach, for giving tax relief to every American who is working, for paying down the debt at the greatest rate that we have ever seen, for prioritizing our spending to increase national defense, public education, and Medicare prescription drug benefits, and to make sure all of our programs are sound and solid. We can do these things if we are responsible stewards of the taxpayer dollars and if we remember that the taxpayer dollars do not belong to the Federal Government except to the extent absolutely necessary. They belong to the people who earned them.

We are going to make sure we are responsible stewards of those dollars that people have worked so hard to support their family.

I will work with the President of the United States to be a responsible leader with the very important duty we have to the people who elected us to the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, we have a few minutes remaining on the time allocated for us in morning business. I thank my friend from Texas. I certainly agree with her analysis of where these surplus dollars belong. That is the bottom line.

Obviously, we have a responsibility to fund the programs that are there, programs that are important, the programs that genuinely belong as a responsibility of the Federal Government. We have a responsibility to ensure that Medicare and Social Security are there for people when they need it. We have a responsibility to pay down the debt. Those of us in my generation have spent the money, and we are going to let the younger generation pick up the bill. That is not what we want to do. We clearly have that responsibility.

Not everyone agrees, of course, on how to do that. That is the purpose of this body, to debate the various options. Generally, the debate centers on the amount of expenditures in the Federal Government, the size of the Federal Government.

There are those who believe the Federal Government has a responsibility to do most everything for everybody, to be the governance of the whole country. Others believe there is a constitutional limit on the kinds of things the Federal Government should involve itself in, that in fact the real issue ought to be to support local and State governments, the governments closest to the people, to do most of those things.

So that debate goes on and will, I suppose, go on for a very long time. I was very impressed with the President's talk last night. Apparently, most people in the country were, according to the kinds of polling and questions that were asked in terms of his command of the issues. I think everyone was impressed with that. I don't think there is any question but that the President has strengthened his presentations as opposed to when he was a candidate. Somebody wrote that when he stepped into the Oval Office, he kind of transformed. That may be so.

More important, of course, was the message that was sent, the things the President put out as priorities. Again, I was impressed that he is now seeking to implement those things he talked about and ran on in the election. That is neat. That is what you are supposed to do—put out the issues you are going to be for, and when you are elected, you do it. I think that is excellent.

I also believe one of the refreshing things about this speech last evening was that it was a little different direction from what we have been talking about over the last 8 years—a little different direction in putting some priorities on things and funding things even more than perhaps they have been funded. At the same time, we are seeking to control the size of Government and put a 4-percent growth rate on discretionary spending. It was as high as 8 percent last year, and it was 16 percent in some agencies. That is too high. Again, that depends on your point of view.

I was very impressed with the President's presentation. Obviously, it will be debated and discussed. We have already had a good deal of discussion about the size of it. That seems kind of interesting. We will talk about it some more.

The size of the Bush tax cut is fairly modest, as a matter of fact, by historical standards. Going back to President Kennedy, he recommended a tax reduction that was 2 percent of the gross national product. President Reagan had a tax reduction that chose 3.3 percent of the gross national product. President Bush's proposal is 1.2 percent. That is less than either of the others in terms of the gross national product. All this stuff we hear about it being so out of size—apparently, comparatively it is not.

Also, I think it is kind of interesting to look at the next 10-year projection of total income, which is about $28 trillion. The tax relief over that same 10-year period is about $1.6 trillion. I never thought I would say $1.6 trillion isn't a lot because it is; but compared to the total, it is a small, or relatively small, percentage. I think that is something to keep in mind.

Also, as you look at what happened in terms of having surpluses, in relation to spending here, there is a substantial difference. Average discretionary spending, during the time when

we were without a surplus, was about 2 percent over the last couple years. With the surplus, it has been 6 to 8 percent.

Now I don't argue the fact that some of the spending is the kind of spending we want to make. I am persuaded—and I have seen this in my own State legislature and here certainly—when there is a surplus, the growth of government goes up substantially. It goes up almost uncontrollably. So I think the idea of doing the three or four basic things the President set out last night is substantially right. One is to provide the money for those things that are key priorities in our Government activities. Two is to pay off the national debt under the proposition that it would be paid off in 10 years—all that can be paid off under the economic circumstances. And then we will have a tax return to the people who have paid the dollars.

We are all interested, of course, in those issues, in those activities that are out there, such as education. I was home this weekend, and we talked a little about how we see our State, our communities, our public lands, and our families in Wyoming in 10, 15 years. Interestingly enough, the most common thing, actually, was education and the economy—jobs. Of course, we all want our kids to have the best education but there is quite a little interest in having job training and education. Everywhere you go, education is always there.

This proposal has the Education Department at an 11.5-percent increase—which is the most in a very long time—to go for young people in preschool and reading and those things.

Of course, Social Security is to be protected; $1.6 trillion out of the surplus would be preserved there.

Medicare, of course, comes out of the 2.5 percent on top of the Social Security. It would be there for a priority for doing some things. Pharmaceuticals: That is going to be a difficult thing, but it is something we are all dedicated to doing.

Strengthening defense, of course. It is interesting. I have had a couple opportunities to go on bases. One is in my home State. It is a missile base, Warren Air Force Base. I asked: What are your highest priorities? First was housing, particularly enlisted and NCO housing. Some of it had been there 30, 40 years. I went down to Quantico, VA, where I served in the Marine Corps. The first priority was base housing.

In this budget is a substantial amount of money for pay and housing for the military and also for health care. Then we will properly take a look at the military in general, the strategic aspects of it and weapons aspects of it. Times have changed, and the whole challenge of the military has changed. We used to go in with five divisions and tanks and artillery. Now we are more likely to have to move about a group by air and ship, and they have to sustain themselves for weeks. It is a totally different kind of thing.

I think we have a great opportunity here to meet our obligations as the Federal Government, to meet our fairness obligations with the taxpayers and return the surplus to them, and to meet our obligations to young people by paying off the debt we have incurred.

I am excited about the opportunities. If you want to look down the road, what do you see? How do you see the Federal Government? How do you see our country in 15 years? These are the kinds of things that will be important to us—to strengthen the economy with an energy policy and do these kinds of things.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURNS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. BURNS. Madam President, I ask unanimous consent that the Senate continue morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DAYTON. Mr. President, I ask unanimous consent that I now be recognized to speak for up to 10 minutes as in morning business.

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

KEEPING PROMISES ON PRESCRIPTION DRUG COVERAGE

Mr. DAYTON. Mr. President, I rise today to give my first speech on the Senate floor, mindful of what a great privilege it is to stand here and also what a tremendous opportunity it is to be of service to others.

I am also mindful that I was elected last fall for special reasons. I made some very important promises to Minnesotans, promises that I intend to keep. Foremost among them was my promise to Minnesota senior citizens to help design and pass prescription drug coverage that would be available to everyone who is presently receiving Medicare.

Far too many times last year, I saw the suffering and the fear which our elderly were experiencing. I saw it in their weary faces, in their eyes filled with tears, and in their trembling hands. For them, the promises of Social Security and Medicare were unraveling, promises of retirement years with reliable economic security, free at least from the financial uncertainties and emergencies. But in their lives, higher and higher prescription drug prices destroyed their financial health and ravaged their emotional well-being.

So last spring I began my ''Rx Express'' bus trips to Canada. Borrowing this idea from others, I took busloads of Minnesota senior citizens to Canada where they could buy the same prescription medicines at far lower prices—often for half the cost in the United States, or less, for the same medicine, produced by exactly the same manufacturer.

I rode the first bus myself, leaving St. Cloud, MN, at 7 a.m. with 42 senior citizens and returning almost 18 hours later. This was no pleasure cruise. In fact, we spent the entire time crowded together on a compact bus, stopping only for customs, a Canadian doctor's office, a pharmacist, and for dinner. As we traveled those long hours, I was struck by the awful absurdity of our trip, because we in Minnesota pride ourselves on having world-class medical care facilities. In fact, people come from all over the world to Minnesota for the best possible health care—places such as the Mayo Clinic, the University of Minnesota Hospital, and Children's Hospital. Yet here we were, enduring a miserable travel marathon so that our senior citizens—the most elderly, frail, and vulnerable among us—could save precious dollars on the costs of their life-saving medicines.

Believe me, their cost savings were very substantial. We took a dozen of these bus trips to Canada last year, and the average savings per senior was $350. One gentlemen saved over $1,400 on the cost of his U.S. drugs for the 6 months. Another woman said to me that her life had been saved twice—once when her medicine became available, and the second time when she could actually afford them.

I will continue the Rx Express buses by donating my Senate paychecks to the Minnesota Senior Federation or some other organization that will use my contributions to continue them. However, the solution to prescription drug affordability is not to bus every Minnesotan to Canada. Rather, it is to provide prescription drug coverage to every senior citizen across America.

When I was home last week, many elderly Minnesotans asked me, when will this kind of program become a reality? For them, the need is immediate and acute. So their need for us to act is immediate and acute. Unfortunately, today Congress shows little sign of reacting with urgency to this emergency. Last year, Members deadlocked over the form this coverage should take. Some favored adding prescription drug

coverage as a direct benefit under Medicare. Others wanted to assist seniors in purchasing private insurance policies to provide such coverage. Other proposals were introduced, but none gained enough support to pass into law.

So here we are again, and here again are the elderly in Minnesota and in 49 other States waiting for us to do what almost all of us say we want to do. As the President said last night, no senior in America should have to choose between buying food and buying prescriptions. The President is absolutely right. Yet today, across our country, retired Americans are being forced to make that same terrible choice: Don't eat, turn off the heat, or stop taking life-enhancing or even life-preserving medicines.

The President also said last night that Medicare must be modernized and we must make sure every senior on Medicare can choose a health care plan that offers prescription drugs. Again, the President is right. His words offer hope to millions of seniors who do not have and cannot afford such coverage. But as my mother used to say to me when I was growing up, actions speak louder than words. She usually said that when my actions or inactions were contradicting my words. For this Congress, that test begins today.

Were all the commitments I made just words? Were all the promises I made and heard others make just words? Were the President's assurances last night just words? I know I meant what I said, and I truly believe President Bush meant what he said last night. But now we must act. Now we must act.

The same proposals that were made last year can be considered again. I strongly prefer providing direct coverage under Medicare. I believe it best meets the essential requirements for any good plan—that the program would provide an immediate benefit; the plan would have universal coverage, the benefit being available to all eligible beneficiaries; the plan would negotiate discounts, allowing both seniors and the Government to get the lowest prices, negotiating price reductions just as every large business with self-insurers or every large HMO regularly does on behalf of its clients; the plan would provide catastrophic coverage for beneficiaries who have the highest drug costs.

However, I also know that these are some of the very reasons the pharmaceutical industry and others will fiercely oppose this particular program. I don't want to participate in another deadlock that prevented Congress from acting last year, nor do I want to participate in creating new excuses for why Congress has not passed universal drug coverage which the President can sign this year. I prefer it to be this month, but certainly no less than this year.

That timetable surely means designing and enacting a prescription drug program that is separate from and passes before so-called comprehensive Medicare reform. If that lengthy review and reform points to modifications or improvements in our previously enacted prescription drug coverage, then so be it. If we can design a better, less costly, more efficient program, then terrific, but as Franklin Delano Roosevelt said to his Cabinet when he took office in 1933: Try something. If it doesn't work, try something else, but for God's sake, try something.

We can adopt one of the programs that has already been proposed or, in the President's spirit of bipartisanship, we can merge two of last year's competing proposals providing, for example, direct Medicare coverage for seniors earning up to 175 percent of the poverty level and for seniors earning over that amount, private insurance policies. Then we can see which one works better. What is important is to get something working now.

President Dwight Eisenhower once said: I think the people want peace so much that one of these days governments better get out of their way and let them have it. In the same way, I believe America's senior citizens want prescription drug coverage so much that our Government had better let them have it. The sooner the better. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

SENATOR EDWARD KENNEDY'S BIRTHDAY

Mr. BYRD. Mr. President, this is the last day of February. I believe it was Percy Bysshe Shelley who said, ''O Wind, if Winter comes, can Spring be far behind?''

Spring is just around the corner.

Mr. President, while the Senate was in recess, the senior Senator from Massachusetts became a little bit more senior. On February 22, Senator EDWARD KENNEDY celebrated his 69th birthday.

Oh, to be 69 again.

In recognition of that occasion, I wish to say today what an enjoyable privilege it has been to work in the Senate with TED KENNEDY. History will be fair to Senator KENNEDY, and I have no doubt that history will judge him as one of the most effective Senators on that roll of 1,864 Senators as of now.

He is one of those rare workhorses. In the Senate we have show horses and we have workhorses. The show horses, you see them on TV quite often for the most part. Of course, we expect our elected leaders to be on TV often, but the workhorses, you don't see them on TV quite as often.

TED KENNEDY is one of those rare workhorse Senators in the truest meaning of that word. We will say it is one word, ''workhorse.''

Nearly every piece of progressive legislation since 1977 bears, if not TED KENNEDY's name, at least his imprint. That may be a bit of an exaggeration, so let me put it this way. I was first elected majority leader in the Senate in 1977. I was majority leader through the years of the Carter administration, 1977 through 1980. During that time, I was very familiar with the committee work, the legislation that I called up, the legislation that was amended, and the legislation that was adopted here and went to conference, the legislation that eventually became law. Many pieces of progressive legislation, beginning at the time of my tenure as majority leader the first time, carried TED KENNEDY's imprint.

He is a Senator who does his homework; he knows his subject. When he calls up an amendment, when he manages a bill, when he is the ranking member on a bill that has been called up, TED KENNEDY knows what he is talking about. We may not always agree with him, but we listen because we know he has mastered that subject matter.

Although blessed with wealth, he has always been a powerful and eloquent voice for the poor and oppressed, not just in the United States but also around the world. And he has also been a powerful and eloquent voice for the Democratic Party, its traditions, its causes.

We will long remember his soaring voice, his speeches to Democratic conventions, as well as his passionate struggle for the rights of the working people, for health care reform, for the strengthening of the Social Security net for America's less fortunate.

In the Senate, he has shown that public service is the place where, to paraphrase his late brother, John F. Kennedy, Americans can stop asking what their country can do for them but what they can do for their country.

Though we were out of session on TED KENNEDY's birthday, I say belatedly that I will always remember the support that Senator KENNEDY gave me during the years it was my privilege to serve as the Senate Democratic leader. When times got tough, as they occasionally do for a Senate leader, I knew I could always count on Senator KENNEDY's assistance. It may have been needed for an additional vote; it may have been for his assistance in building approval for a legislative proposal, but whatever was needed, Senator KENNEDY was there, and I was thankful.

Senator KENNEDY is a true friend, not only to me but also to the people of West Virginia, and when I make this personal reference the following two happenings will illustrate what I mean.

When I reached my 80th birthday—the Psalmist doesn't promise 80 years; the Psalmist promises only 70, but goes on to say:

And if by reason of strength they be fourscore years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away.

On my 80th birthday, I was in Charleston, WV, and the then-Governor of the State, Gov. Cecil Underwood, had invited me over to the Governor's mansion. I was enjoying a luncheon there, given by Cecil Underwood in my honor. During the luncheon, I was called to the telephone. On the telephone was my chief of staff, Barbara Videnieks, who said to me, ''Senator, we have a visitor in the office,'' meaning here in Washington. She said, ''Senator TED KENNEDY is here, and he has with him 80 roses.''

TED KENNEDY brought the roses to my office himself, 80 roses. I never had that to happen to me before, and I am not sure that many Senators in this Chamber, if any other than I, can recount such a beautiful experience as that was for me. There was TED KENNEDY in my office—I was in Charleston, at the Governor's mansion—with 80 roses on my 80th birthday. You can bet before he was able to get out of my office and down to the subway car I was on the telephone calling him and thanking him for being such a real friend.

You would think we vote together just like that all the time. We don't. But we never argue about it; we never have any falling out about it, when we have little differences of viewpoints with respect to legislation. There is this underlying bond of friendship between Senator KENNEDY and me.

Last year, I was at the Greenbriar with my wife of 63 years on our anniversary. And, lo and behold, here came to our room at the Greenbriar 63 red roses. From whom? TED KENNEDY. I was surprised. That is TED KENNEDY. Our friendship will always be strong. He thought of me on our wedding anniversary, and he thought of Erma. He is just like that. But who else sent me 63 roses on our wedding anniversary? Nobody.

I think it is remarkable that there has grown up that kind of bond of affection and friendship between these two Senators.

Most people probably remember President John F. Kennedy introducing himself to the people of France by saying he was the person who accompanied Jaqueline Kennedy to Paris. A year before that, President Kennedy, upon a return visit to the Appalachian coal fields in West Virginia, introduced himself saying—here is President Kennedy saying—''I will introduce myself—Teddy Kennedy's brother.''

During the last election, I saw for myself a tremendous display of this continued affection for Senator KENNEDY among my people, the people of West Virginia. When Senator KENNEDY and I appeared at a political rally in the heart of the State's southern coal fields where I grew up, we were promptly swamped by swarms of people—swarms of West Virginians, mountain people—seeking TED KENNEDY's autograph and wanting to shake hands with him or simply to see him.

I will always be pleased to introduce myself as Senator TED KENNEDY's friend, and I will always be glad that I have had the opportunity to serve with him in the Senate.

I say belatedly to TED KENNEDY, with his birthday of a few days ago, Senator KENNEDY, because of you, many people in this country are much better off. Because of you, millions of our citizens have a voice that is heard in these Halls. So happy birthday, Senator KENNEDY, and may God bless you.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SENATOR DAYTON'S MAIDEN SPEECH

Mr. WELLSTONE. Mr. President, I was at a conference dealing with health care policy when my colleague, Senator DAYTON, spoke. I come to the floor to congratulate Senator DAYTON for his words.

When he campaigned for the U.S. Senate seat, he spoke on cost of prescription drugs, especially for the elderly. I think it applies to many other families as well. Over and over again, he said this was his No. 1 priority. He said our country could do better. He said this was a matter of elementary justice. He talked about older people in Minnesota—senior citizens—two-thirds of whom have no prescription drug coverage. He talked about, for example, seniors cutting pills in half because they could not afford them or people running out of food or their homes being cold.

I think it is very significant that when Senator DAYTON came to the floor of the Senate today to give his first speech, his maiden speech, he talked about prescription drug costs and his commitment to introducing responsible legislation that will make a real difference in the lives of people.

The reason I think it is significant is not only because he spoke on an issue that is very important to people's lives, but it is all the more important because he said something about MARK DAYTON in very personal terms. He campaigned on this issue. He listened to many people in Minnesota, and many elderly people talk about these costs.

He came to the Senate after winning the election, and he basically stayed true to the commitment he made to people in his State. Senator DAYTON has been my friend for many years. I think he will be a great Senator.

I always said—and I said to Senator Rod Grams after the election—that no one can ever say to Senator Rod Grams that he did not vote for what he believed in; that he did not say what he believed. I think he deserves an awful lot of credit for that.

I never like it when anyone loses. I don't like to see people lose. I like to see people win. It is because of my Jewish roots.

I think MARK DAYTON is going to be a great Senator for the State of Minnesota and for this country, and I am very honored to serve in the Senate with him. As the senior Senator, I hope he will consider my views over and over again. I doubt that he will. And it will probably make him an even better Senator if he doesn't.

He spoke powerful words. I am sorry I was not on the floor with him. But I thank him for his commitment to the people. I thank him for his passion. I thank him for caring about public service, and I thank Senator DAYTON for caring about senior citizens and other citizens in the country. I thank him for his commitment to Minnesota.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are in a period of morning business, with Members allowed to speak for up to 10 minutes.

U.S. SUPREME COURT

Mr. LEAHY. Mr. President, I have become increasingly concerned about some of the recent actions of the U.S. Supreme Court. As a member of the bar of the Court, as a U.S. Senator, as an American, I, of course, respect the decisions of the Supreme Court as being the ultimate decisions of law for our country. As an American, I accept any of its decisions as the ultimate interpretation of our Constitution, whether I agree or disagree. I have probably supported the Supreme Court and our judicial system more than anybody else on this floor.

Having said that, I think we can at least still have in this country a discussion of some of the things the Court has done. Recently, we have seen another assault by the Court on the legislative powers of Congress.

My concern may be more in sadness than in anger over what has happened. It is very easy to give talks about activist Supreme Courts, but it is hard to think of a time, certainly in my lifetime, with a more activist Supreme Court than the current one. Last week, the Court held that State employees are not protected by the Federal law banning discrimination against the disabled. The case was decided by the same 5–4 majority that brought us

Bush v. Gore and other examples of judicial activism, the so-called ''conservative'' wing of the Rehnquist Court.

I accept they are indeed ''conservative'' in the sense that they greatly restrict the role of the Federal Government in protecting the individual rights and liberties of ordinary Americans. They are very conservative in the sense they have decided that the unelected five-member majority can go against the overwhelming bipartisan position of the elected Members of the House and the Senate, Republican and Democrat.

The case I speak of involved two Alabama State employees. Patricia Garrett sued the University of Alabama for demoting her when she returned to work after undergoing treatment for breast cancer. Milton Ash sued the State Department of Youth Services for refusing to modify his duties and work environment to accommodate his medical problems, which included chronic asthma.

These are precisely the sorts of grievances Congress set out to remedy when it passed a landmark civil rights law called the Americans with Disabilities Act, commonly known as the ADA. I was proud to be part of the overwhelming bipartisan consensus that passed the ADA—proud because of the principles the ADA stands for. It stands for the principle that America does not tolerate discrimination against those in our society who suffer misfortune and illness. It stands for the principle that every disabled person in America is entitled to be treated fairly in the workplace. And it stands for the principle that all employers, whether government or private employers, should be held accountable in a court of law when they violate the rights of the disabled.

Nondiscrimination, fairness in employment, and government accountability are each important core values in our society. They are principles that the American people know well and hold dear. They are the values that the first President Bush upheld when he signed the ADA into law. I remember it very well, that day at the White House when he signed the law. He reminded the Supreme Court of these principles when he took the unusual step of writing an eloquent brief to the Supreme Court in support of the ADA and in support of Patricia Garrett and Milton Ash's right to their day in court. I applaud him for that.

Sadly, last week the activist wing of the Supreme Court paid little heed to the view of either democratic branch of our government—the Congress that enacted the ADA or former President Bush who signed it into law. These five activist Justices gave short shrift to the core values of the American people that the ADA embodies.

Instead of protecting the disabled from discrimination, they denied the disabled their day in court. Instead of requiring fair treatment for all American workers, they created a special exception limiting the rights of government workers. Instead of promoting government accountability, they championed, above all else, the obscure doctrine of State sovereign immunity. That is legalese for saying the government gets a special exemption, preventing it from being held accountable in a court of law.

We hear a lot of rhetoric, complaining about so-called ''activist'' judges. I have heard it used by my friends on the other side of the aisle to describe Democratic judicial appointees who say they will uphold settled law, such as Roe v. Wade, or those who have been associated with public interest organizations that have fought to defend individual civil liberties. It is sometimes applied even to conservative Republican appointees such as Justices O'Connor and Kennedy, when it is felt that they are not being conservative enough.

When he served on the Judiciary Committee in the Senate, our new Attorney General gave a speech on what he called ''judicial despotism.'' He complained about ''the alarming increase in activism'' on the Supreme Court. He referred to the majority of the Court, including Justice Kennedy, as ''ruffians in robes.''

I do not use such language. That kind of name calling does no good for the mutually respectful relationship among the three branches of government, the relationship that our Constitution and the American people call for. I have refrained from using such language, even when I strongly disagree with a decision, such as the 5–4 decision in Bush v. Gore, when the Supreme Court, in effect, decided a Presidential election.

But I mention the question of activism because the American people should know that activism does not come in just one flavor. Some would say judicial activism and liberal activism are one and the same. Of course they are not. Judicial activism can work both ways. It can work to expand protections for all our rights or it can be used to limit our rights.

As one of the Nation's leading constitutional scholars, Professor Cass Sunstein, pointed out in an article last month, history teaches that for most of the 20th century, judicial activism was predominantly conservative, and the unelected judicial branch was far to the right of the democratic branches of our Government.

Actually, that is where we are today at the start of the 21st century. The reality today in courts such as the U.S. Supreme Court and Fourth Circuit that are dominated by ideologically conservative Republican appointees is that the dominant flavor of judicial activism is right wing. In fact, I do not think we have seen such right-wing activism in the courts since the ultra conservative Supreme Court of the 1920s and the 1930s.

There is also, as some commentators have pointed out, an almost arrogant disregard of the Congress by the Supreme Court. There is a feeling that the Congress is somehow unable, even in those cases where Republicans and Democrats join hands in an overwhelming majority—that somehow we are unable to express the will of the people or uphold the Constitution.

In statements that the Court has made, it acts as though the Congress is almost unnecessary; that we are not competent to do anything; that we are irrelevant. Well, not totally irrelevant. I have heard from the Justices that they do want a pay raise. Last year, of course, they were asking for permission to give high-paying speeches to special interest groups. I am glad the Court believes we are good for something.

Last week's ruling is really just the latest in a long and ever growing line of 5–4 decisions that second-guess congressional policy judgment to strike down Federal statutes and generally treat Congress as a least favored administrative agency rather than a coequal branch of the Federal Government.

Last year the Court took aim at the Age Discrimination in Employment Act and the Violence Against Women Act. Before that, it was our laws on intellectual property and workplace standards. Before that, it was our gun control laws.

Now the Court's ''federalism'' crusade adds workers with disabilities to its growing list of victims: older workers, children in gun-infested schools, intellectual property owners, and victims of violence motivated by gender, to name just a few.

If you accept the common theme of this 5–4 majority in the U.S. Supreme Court, the Congress ought to just close up shop and leave town because they will do everything for the American people. The elected representatives of the American people are unnecessary with, as I said, the possible exception of voting for the pay raise that the courts have asked for.

Now it is up to another President Bush and another Congress to seek new ways to protect the rights of disabled Americans and the rights of the other groups sacrificed on the Court's altar of federalism. I believe Congress needs to reassert its Democratic prerogatives—respectfully but firmly. Congress needs to reassert, in fact remind, the Supreme Court of the Constitution, that we are a coequal branch of government whose policy determinations deserve respect just as they ask respect for their legal determinations. It is time for the people's elected representatives, Democratic and Republican, to reengage the bipartisan consensus of principle that produced the ADA, and to work together to restore the rights of ordinary Americans that have been taken away by an increasingly activist U.S. Supreme Court.

Again, as I have said, I have stood on the floor of the Senate defending the Supreme Court as much or more than

anybody I know in my 26 years here. I have defended the Supreme Court on decisions even when I disagreed with the Court. I did that even with respect to the 5–4 decision on the Florida election—actually the national election. While I felt the Court was wrong, I stated that its decision was the law and that we must all abide by it.

But I am disturbed by this increasingly dismissive tone of the Court, in which it acts as though the Congress, Republicans and Democrats together, do not have the ability to represent the American people. The fact that we were elected by people all over this great Nation is almost irrelevant. In the ADA case, the fact that we had spent years on this, and that a Republican President had strongly supported our position, was irrelevant.

I think it is a dangerous path, just as it would be a dangerous path for us to be dismissive of the U.S. Supreme Court. It is equally dangerous for the Court to be dismissive of the Congress because ultimately the American people suffer. We as a Nation have maintained our democracy and fostered our wonderful growth because of our separation of powers—because of the way we have sustained the three equal branches of Government. What a shame it would be if one branch, the only unelected branch, continued to be so dismissive of the other two branches, both elected.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ASH WEDNESDAY

Mr. BROWNBACK. Mr. President, I rise to speak for a few minutes as if in morning business. It is on a broad topic. It is about this day and what this is.

It seems kind of interesting when we start to celebrate things like St. Patrick's Day or Valentine's Day. What is the basis? Why do we do these things? There is always this kind of digging into it to find a very interesting story.

For St. Valentine's Day, we celebrate it recognizing a priest who married people in Rome when it was forbidden. The Emperor at the time was not given enough soldiers to sign up for the military because they wanted to get married, have families, and stay home with their families. So the Emperor decreed that nobody could get married. The priest said: I don't agree with that. So he quietly and secretly married a number of people and was then later arrested, incarcerated, and beheaded for having done this nice, wonderful thing. It is a great reminder of what Valentine's Day is about when we send cards.

Today we celebrate Ash Wednesday. A number of people of different faiths celebrate Ash Wednesday.

What is Ash Wednesday about? It comes from a number of references in the Bible, particularly in Genesis where it says, ''Dust thou art, and into dust thou shalt return''.

It is a recognition of the symbolism of what we physically are, and how the physical body ends up.

This comes from the Web page of EWTN about Ash Wednesday: ''The liturgical use of ashes originated in the Old Testament times. Ashes symbolized mourning, mortality, and penance. In the Book of Esther, Mordecai put on sackcloth and ashes when he heard of the decree of the King to kill all of the Jewish people in the Persian Empire. (Esther 4:1). Job repented in sackcloth and ashes. (Job 42:6). Prophesying the Babylonian captivity of Jerusalem, Daniel wrote, ''I turned to the Lord God, pleading in earnest prayer, with fasting, sackcloth, and ashes.'' (Daniel 9:3). Jesus made reference to ashes, ''If the miracles worked in you had taken place in Tyre and Sidon, they would have reformed in sackcloth and ashes long ago.'' (Matthew 11:21).

In the Middle Ages, the priest would bless the dying person with holy water, saying, ''Remember that thou art dust and to dust thou shalt return.'' The Church adapted the use of ashes to mark the beginning of the penitential season of Lent, when we remember our mortality and mourn for our sins. In the present liturgy for Ash Wednesday, it remembers that as well.

I simply rise to remind us of what the symbolism is, if we go around the hallways and see people with ashes on their foreheads. The symbolism there is about the mortality of each of us, that from dust we came and to dust we return. And it is a symbolism and a day of reflecting on our own sins and our own needs. I think maybe that is a useful thing for us to do as a nation, to reflect on what we have done right, and what we have done wrong, and see what we can do better as we move forward.

So this day of Ash Wednesday seems to be a good day for us to reflect on our own mortality, our own sinfulness, and what we can do to be better both individually and as a nation.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PRESIDENT BUSH'S TAX CUT PROPOSAL

Mr. NICKLES. Mr. President, last night President Bush spoke before a joint session of Congress and outlined his agenda in many areas—certainly in education, in preserving and saving Social Security, and Medicare. He challenged Congress. He also made a very strong case for reducing our taxes. He said: We can pay down the debt, we can fund our priorities, pay down the debt to the maximum amount practical—in other words, retire every bond that would mature between now and the year 2010—pay down the debt as much as possible, and we can still give significant tax relief.

Some people said that is not enough. Some people said it is too much. The President said it is about right. I happen to agree with him.

To my colleagues on the Democrat side who responded and said: We would agree to a $900 billion tax cut but we can't go for the $1.6 trillion tax cut—when we talk figures, I think it is important we talk policy and not just figures.

The policy—and the bulk and the essence of what President Bush is pushing for—is reductions in marginal rates, reducing tax rates for taxpayers. Some have said: Wait a minute. This is a greater dollar benefit for higher income people. But the fact is the Presidents proposal cuts the rates more for lower income people than it does for those people with a higher income level.

Unfortunately, some people, when taxes are discussed, want to play class warfare. They want to rob Peter to pay Paul. They want to use the Tax Code as a method of income redistribution. I do not think we should do that.

If we are going to have a tax cut, I think we should cut taxes for the people who pay the taxes. We have programs where we spend money for the general population, most of that focused on lower income populations. But if you are going to have a tax cut, you should cut taxes for taxpayers. President Bush's proposal does just that.

He has greater percentage tax reductions for those on the lower income scale than he does for those on the higher income scale. Let me just talk about that a little bit.

He takes the 15-percent bracket and moves it to 10 percent for many individuals. That is a 33-percent rate reduction. He reduces other rates. He moves the 28-percent rate to 25 percent. That is 3 percentage points, but that is about a 10- or 11-percent rate reduction. Yes, he moves the maximum rate from 39.6 percent to 33 percent, and that is an 11-percent rate reduction.

Some have said that is too much for the upper income. I point out that that rate, even if we enacted all of President Bush's income tax rate reduction, is still much higher than it was when President Clinton was elected because he raised the maximum rates substantially.

Let me just give a little historical background on what has happened to the maximum rate since I have been in the Senate.

When I was elected to the Senate in 1980, the maximum personal income tax rate was 70 percent. Ronald Reagan and 8 years later, it was 28 percent—a

very significant reduction. Some people said that caused enormous deficits. That was not because the rates were cut because, frankly, revenues to the Federal Government doubled in that period of time. So revenues increased dramatically, though we reduced income tax rates from 70 percent to 28 percent.

President Bush, in 1990, agreed with the Democratic-controlled Congress—reluctantly, I believe—but raised the maximum rate from 28 percent to 31 percent, raised it 3 points, about 11 percent.

President Clinton, in 1993, raised the maximum rate from 31 percent to 39.6 percent—its current maximum rate—but he also did a couple of other things that a lot of people tend to forget about. He said: There will be no cap on the amount of Medicare tax that you pay on your income.

At one time, Medicare was taxed on the same basis as Social Security—about $75,000. Now there is no cap. So you pay 2.9 percent. Actually, the employee pays 1.45 percent and the employer matches that. It totals 2.9 percent on all income. If you have a salary like Tiger Woods or Michael Jordan, you pay a lot of Medicare tax—2.9 percent. So you can actually add that 2.9 percent to the maximum tax rate, the 39.6 percent. So that increases to a total of about 42.3 percent.

Then President Clinton did something else. He phased out the deductions and exemptions for people who have incomes above $100,000. We can add another 1 or 2 percentage points on as a result. So President Clinton, in the tax act that passed in 1993 by one vote in both the House and Senate—Vice President Gore broke the tie in the Senate—raised the maximum rate from 31 percent to about 44 percent.

President Bush today is saying, let's reduce the income tax rate down to 33 percent. He didn't take off the increase in the Medicare tax and didn't change the deduction limitation, so actually the net max tax, under the Bush proposal, is about 37.5 percent. Keep in mind, it was 31 percent when Bill Clinton was elected. So after all these reductions that President Bush is talking about, the maximum rate is still about 20 percent higher than it was when President Clinton was elected.

Yes, he has a tax reduction, but he is reducing taxes less than President Clinton increased them. That is the point. Certainly, for upper incomes that is the case. Let me repeat that. President Bush has a tax cut. Some people say it is too much, his tax cut for upper income people. I have heard so much demagoguery and class warfare concerning people who make higher incomes. Their tax rates are much higher today. Assuming we pass all of President Bush's tax cut on income taxes, it is much higher than it was when President Clinton was elected, about 20 percent higher.

You might remember President Clinton, when he had a moment of truthfulness in Texas, admitted that. He said: You might think I raised taxes too much. I agree with you. I did raise taxes too much.

President Bush is saying we need some tax relief. We have enormous surpluses, and we have to decide who is going to spend the surpluses. Are we going to come up with new ways within the Government to spend them? We can. There are unlimited demands on spending public money, somebody else's money, unlimited. That is not too hard for people to figure out. If you ask your kids: Could you spend more money? You bet. You ask your friends: Could you spend more money? You bet. You ask your spouse: Could you spend more money? You bet. If we leave a lot of money on the table here, can we find more ways in Government to spend it? You bet. There are unlimited demands on spending somebody else's money.

We have to do what is fair, what is right. How much is reasonable? We actually have taxation, as a percentage of GNP, at an all-time high. We are taking in a lot more right now than we need to fund the Government. If we leave it on the table, we will find ways to gobble it up. That is what we have done in the last couple years.

Last year nondefense discretionary spending budget authority grew at 14 percent, far in excess of the budget. We didn't abide by the budget last year. Congress was spending money. We will do it again, Heaven help us.

I don't think we will because I believe we are going to have discipline in the budget process this year. Unlike what we have had for the last 8 years, a President who pushed us to spend more—we now have a President who says: Let's show discipline. Instead of having somebody in the White House who is going to be threatening to veto a bill unless we spend more money, we have a person in the White House saying he is going to veto a bill if we don't show some fiscal discipline.

President Bush, instead of saying let's rescind money that is a 14-percent increase, he said, we will even build upon it. We will increase spending with inflation, spending increases of about 4 percent, which is in excess of inflation. He is being pretty generous. He enumerated a lot of ways where he can spend money. He said: We can do all those things. We can pay down the maximum amount of debt allowable, and then we should give some tax relief.

The core of his tax relief is rate reduction. Rate reductions are necessary. I mentioned this because a lot of people aren't aware of how much the Government is taking from them. They should be. If they are in the process of doing their income tax returns, as millions of Americans are this month and next, they will find out. There is a big difference between the gross amount they are paid and the net they receive. The difference, in many cases, is what goes to the Federal Government. It goes to the Federal Government in the form of income taxes, in the form of Social Security taxes and Medicare taxes. The net in many cases is much smaller.

We can get some relief. We should get some relief. We must get some relief. The President's proposal of across-the-board rate reductions is the only fair and the best way to do it.

Some have said we need ''targeted'' tax cuts. Targeted means we are going to define who benefits and who does not. If you spend your money the way we think you should spend it, you will get a tax cut. If you don't, you don't get one. So if you do Government-approved, designed, adopted, favored behavior, we will give you a tax cut. If you don't, you are out of luck. In other words, that is another way of saying we think we can spend your money better than you can. You spend it the way we want you to and we will give you some relief. But if you don't, we are going to spend it.

I happen to disagree with that wholeheartedly. If we are going to give a tax cut, let's not have members of the Finance Committee and the Ways and Means Committee and Members on the floor of the House and Senate saying: We are going to design and direct where the money should go. We should allow individuals to make those decisions. That is what President Bush calls for.

Let me touch on one other issue that has been demagogued unmercifully, and that is the issue of the death tax. Last year we passed a bill to eliminate the death tax. It was slightly different than what President Bush has called for. The President's proposal doesn't cost as much, according to the bean counters in Joint Tax. It costs about $100 billion, $104 billion over 10 years, according to their estimates. Let me talk about that.

A lot of people have said this only goes to the wealthiest people. I disagree. People who make that comment don't understand what makes America run. They don't know there are millions of businesses out there today that are trying to build and grow, and yet they are suffocated with this overall idea that if they pass on, if they die, the Government is going to come in and take half of their business. So they don't grow their business, or else they come up with all kinds of schemes to avoid this tax. There is a tax, a Federal tax called a death tax, an inheritance tax, an estate tax where the Government comes and if you have a taxable estate above $3 million, the Federal Government wants 55 percent, over half.

How in the world can it be fair in this day and age for the Federal Government to come in and say they want half of anybody's property that they worked their entire life on and their kids want to keep the business going and they say you have to sell that business because we want half? That is present law. That needs to be changed. It will be changed, in my opinion.

President Clinton vetoed the bill last year. We put it on his desk. We had

overwhelming bipartisan support in the House, and we had a lot of Democrats who supported it in the Senate. We passed it. President Clinton vetoed it. I regret that decision. We have a new President, one who will sign it.

I used to manage a business. We thought about growing it—and we grew it a lot, and we could have done a lot more—but this idea of working really hard with the idea of building it up and making it successful, maybe making it worth more and then having the Government come in and take over half of it was a suffocating proposition. Did we suffer? No. Who really suffered? Our employees who could have had a new business. Maybe the kids who would work for those employees would have had a better income. They might have had more educational opportunities. There would have been growth and opportunity for more people. This tax hurts in so many ways that people just can't even calculate.

Let me touch on what the proposal that we passed last year would do. We replaced the taxable event of death and said: The taxable event should be when the property is sold. Present law is, when somebody dies, they pass the property on to the kids. There is a taxable event. If you have a taxable estate above the deductible amount—right now $675,000—you are at a taxable rate of 37 percent. Anything above that, Uncle Sam wants over a third. At $3 million, the rate is 55 percent. If you have a taxable estate of $10 million, it is 60 percent. Between $10 million and $17 million, it is 60 percent. How could we have a rate at 60 percent? Why is the Government entitled to take 60 percent of something somebody has worked their entire life for? I can't imagine. That is on the law books today. One of the reasons is because people said: Let's just increase the exemption and leave the rates high. We made that mistake. We will not make it again. I hope we don't make it again.

I have heard some people say that as an alternative let's just increase the exemption another million or two. We will exempt people and put more in the zero bracket. If you are still a taxpayer, bingo, you are going to have to pay 55 percent. I disagree. I think that is wrong, unconscionable. Why would you take half of somebody's property because they happen to pass on? Our proposal—what we passed last year—replaced the taxable event of somebody's death and made it a taxable event when the property is sold. So the person who dies doesn't benefit because they are going to Heaven—I hope they are—and they can't take the money with them. But their kids, the beneficiaries, right now have to pay a tax.

Under present law, they may have to sell the farm, the ranch, the business, or the property and assets—they may have to sell half of it just to pay the tax. What we are saying is there is no taxable event when somebody dies. The taxable event would be when they sell the property. If they inherit an ongoing business, a farm, or a ranch, or property, if they keep it, there is no taxable event. When they sell it, guess what? They have the assets to pay the tax, and the tax will be for capital gains. But the tax rate will be 20 percent, not 55 percent or 60 percent. That is fair. It is income that hasn't been taxed before because it is capital gains.

To me, that makes the system work. You tax the property once. You tax a gain that hasn't been taxed before, unlike a death tax. You might pay income on these properties you are building up in a business year after year, and you have paid income tax on it and you put money into it, it appreciates, and right now you get a little stepped-up basis, but, bingo, you have to pay a big tax. Why? Because you die. Sorry, second generation; if you want to keep the company going, if you want to keep the employees, you may have to pay a tax of 55 percent because this business is worth $3 million. That may sound like a lot, but it is not. In some places in Colorado, and others, it might be a development. You may have to sell it just to pay the tax so that Uncle Sam can take half. I think that is wrong. Our proposal is that you don't have a taxable event when somebody dies; it is when the property is sold—when it is sold. That would be on a voluntary sale, when whoever inherited it wanted to sell it, and they would pay a capital gains tax of 20 percent.

We leave the step-up basis alone, or at a lower level. They pay 20 percent on the gain of the property. If the property has been in the family for decades, you may have a significant capital gain. That is only fair because that property hasn't been taxed. I think this system makes sense. I think it would save so much.

I can't imagine the money that has been spent in this country trying to create schemes and, in some cases, scams, and other ways of trying to avoid this unfair tax. So now we would say you would not have to have foundations, you would not have to come up with irrevocable trusts and different games and try to give property around to avoid this tax. You can say, wait a minute, there will be a taxable event when they sell the property. They will then have the liquid resources to be able to pay the tax, and it will be 20 percent. People won't have to go through tax avoidance, and planners, and lawyers, and so on, who are working this system trying to help people avoid this unfair tax.

I mention that, Mr. President, because I think a lot of people have tried to demagog the issue. They have tried to unfairly characterize President Bush's proposal to eliminate this tax. I think what we passed last year was eminently fair. We had the votes last year, and I believe we have the votes this year. I think we will pass it and do a good thing for the economy, the American people, for free enterprise, and for families by eliminating this so-called unfair death tax. We will replace it with a capital gains tax when the property is voluntarily sold.

I am excited about President Bush's economic package. I am excited about his tax proposal. I think at long last taxpayers have a friend in the White House. They haven't had one for the last 8 years. We now have a friend who will give them long overdue relief. I am excited about that, and I expect we will be successful in passing substantial tax relief this year. I look forward to that happening, and I compliment President Bush on his package and his presentation. I tell taxpayers that help is on the way, and hopefully we can make it the law of the land.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. NICKLES. Mr. President, for the information of our colleagues, we expect a rollcall vote shortly on one or more nominations to the Treasury Department. One will be John Duncan to be Deputy Under Secretary of the Treasury. There may be additional nominations as well. There will be a rollcall vote ordered in the very near future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF JOHN M. DUNCAN TO BE DEPUTY UNDER SECRETARY OF THE TREASURY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination reported by the Finance Committee today: John M. Duncan to be Deputy Under Secretary of Treasury.

I further ask unanimous consent that the Senate immediately proceed to a vote on the nomination and that, following the vote, the President be immediately notified of the Senate's action and the Senate then return to legislative session.

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

The assistant legislative clerk read the nomination of John M. Duncan, of the District of Columbia, to be Deputy Under Secretary of the Treasury.

Mr. NICKLES. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of John M. Duncan to be Deputy Under Secretary of the Treasury? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Nebraska (Mr. HAGEL) and the Senator from Arkansas (Mr. HUTCHINSON) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. CARPER), the Senator from South Dakota (Mr. JOHNSON), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. CARPER) would vote ''aye.''

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 14 Ex.]

YEAS—94

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

NOT VOTING—6

Carper	Hutchinson	Lincoln
Hagel	Johnson	Nelson

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SESSIONS). The President will be notified.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

The majority leader.

UNANIMOUS CONSENT REQUEST—BANKRUPTCY

Mr. LOTT. Mr. President, as most Members know, the Senate has been waiting for the Judiciary Committee to complete action on the very important bankruptcy bill for some time now. There is a long history behind it. As you recall, we passed the bankruptcy bill last year by a very wide margin, 70–28. The bill was eventually vetoed, even though, when I talked to the President personally about it, I had the impression that he had some hesitancy in vetoing it, but he did. And in view of the lateness of the hour, it was not overridden—an effort was not made to override it.

So at the beginning of this session, it seemed to me this was a bill that had been worked through the meat grinder very aggressively and that we should move it very quickly. So my thought was we should file it and, under rule XIV, bring it directly to the floor of the Senate. I did not make any effort to do that in a surprising way. There seemed to be pretty broad agreement that that would be a reasonable way to approach it.

However, there was some feeling by the ranking member on the Judiciary Committee that the committee should have a chance to have a look at the legislation. I discussed it with the chairman of the Judiciary Committee, Senator HATCH. While he would have preferred that it go straight to the floor, he thought that was a reasonable request and that that would make the Members feel it was being done in a fairer way. So be it; that would be fine.

All along, of course, I was talking to Senator DASCHLE, and we were talking about the best way to proceed, never wanting to surprise him at all. So it went to the Judiciary Committee. At that point then, there was an objection which delayed it for another week. And I thought the next week we would get it out. For a variety of reasons, without pointing fingers at anybody, it did not come out the week before the President's Day work period. Then I thought that this week we would get to it.

I think the committee needs to be congratulated because the committee worked yesterday, it worked again today, and it completed its work. I do not know how many amendments actually were considered, but they dealt in some way with as many as 30 amendments and I guess voted on a whole lot of them. They reported out the bill today, so we are ready to go. I hope we can get to the substance of the bill and have a full and free debate—amendments will be offered, considered, and voted on—and then we will bring this legislation to conclusion.

This is a part of my extraordinary, good-faith effort, I say to the distinguished Senator from Minnesota, to make sure we go by regular order—let the committees do their job, be considerate of other Senators' wishes, be considerate of the chairman of the Judiciary Committee, be considerate of the ranking Democrat on the committee, and confer with my colleague, Senator DASCHLE, the leader of the Democrats here in the Senate, to make sure he is aware of what I am thinking, and ask for his help. And he has given it.

So I really bent over backward. It is part of this atmosphere we are trying to create—bipartisanship, working together. As we look toward bringing education to the floor, and campaign finance reform to the floor, and the budget resolution, I am doing everything I can to set a tone where everybody can make their case. Everybody will have that opportunity. But I must say, I am really getting frustrated. However, I am ever hopeful that my gentle nature and my plaintive plea will appeal to the Senators who might have some reservations about us moving to consider this bill.

So, Mr. President, I ask unanimous consent that the Senate begin consideration of the bankruptcy bill, reported out of the Judiciary Committee today, at 10 a.m. on Thursday.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Will the Senator yield?

Mr. LOTT. I am glad to yield to the distinguished assistant minority leader.

Mr. REID. Mr. President, I say to the majority leader, we know the strong feelings the Senator from Minnesota has, and we respect that wholeheartedly.

I had one problem with the bill that dealt with something that was offered on the floor by Senator SCHUMER and me dealing with clinic violence. It went to conference. They stripped it, even though it passed here by an extremely wide margin.

The Judiciary Committee put that in yesterday. It is in the bill that will come before the Senate. I am very grateful to Senator LEAHY, who worked so hard on this matter, and the entire Judiciary Committee for allowing it to be part of this bill.

I believe it is a much better bill with this provision in it. It was not in the bill when it came to the floor out of conference. I voted against it. I am appreciative of what the Judiciary Committee has done in this regard.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I will be glad to yield to the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will follow our minority leader. I wanted to respond to what the majority leader said, but I will follow the leader.

Mr. DASCHLE. I would prefer to follow the senior Senator from the State of Minnesota.

Mr. LOTT. To help with all this, why don't I yield the floor. I will stay to participate because I have a feeling the Senator from Minnesota is going to be persuaded by the generous nature of his leader and my persuasive abilities to let us get to the substance of the bill. I know with this Senator from Minnesota, I have heard him time and time again say: I have a right as a Senator to make my case and offer my amendments. I believe he will remember on occasion I have supported his right to be able to do that. He will have his right. But to delay this bill another week, what does it accomplish? We could begin to make progress, and we could have a vote on amendments.

I wish he would reconsider. This is on the motion to proceed. I think the American people look at us and say: Excuse me? You are going to have a cloture vote to cut off a filibuster on the motion to proceed to the bill; then you are on the bill and you have to do it again?

I hope the Senator will relent. I yield the floor to see what the Senator has to say.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I won't be long. I thank the majority leader for his graciousness, even though we are in disagreement. I appreciate not only what he said but the way he said it.

It is extremely important that to the maximum extent possible we work together. This bill is going to come to the floor of the Senate; there is no question about it. There are going to be votes. As a Senator from Minnesota, I will use this occasion. Perhaps we will have discussion tomorrow and can reach some agreement about how to move forward. Let me say that to the majority leader.

This is an opportunity for me to say to other Senators and, more importantly, to the people of Minnesota, this bill is harsh and one sided. I cannot believe that we make it so difficult for people who find themselves in such difficult circumstances. Fifty percent of the people of the country who declare bankruptcy do it because of a major medical expense. Almost all the rest of the cases are because of someone losing a job or because of a divorce.

I will not speak long, but I want the majority leader to know how heartfelt my objection is. It is not just a question of procedure or inside baseball in the Senate. I don't want to miss an opportunity to talk about how harsh and mistaken this piece of legislation is.

We just had 1,300 LTV workers laid off work in northeast Minnesota. The way this bill reads, in terms of what they can file for chapter 7, they are supposed to look at the average of their income over the last 5 months. That doesn't help them. Many of them just lost their jobs. I don't want them to go under. I want them to be able to rebuild their lives.

In my not so humble opinion, this is a classic example of a financial services industry with enormous clout putting on a full court press. I am proud, working with other Senators, to have held them off and held them off. This bill may pass. It doesn't ask these credit card companies to be accountable at all. It does not deal with some of the worst circumstances that affect families that are going to go under. It has an onerous means test. It is extremely one sided.

The first piece of legislation we are going to pass in the Senate, as the economy begins to go down and people are worried about losing their jobs and are feeling the economic squeeze, is a piece of legislation that is going to make it practically impossible for many families that are going under, through no fault of their own, to file for chapter 7 and rebuild their lives. What a start.

I come to the floor to object because I believe this is an egregious piece of legislation. The majority leader has been gracious to me. He knows I have the right, as does the minority leader, to object.

I say to the majority leader: This is tonight. Because he has been gracious, we can talk tomorrow and maybe we can figure out a way that we can proceed. However, I am not going to give up my opportunity to talk about how harsh this legislation is, and I am not going to give up my opportunity, in every way I can, to point out the weaknesses. There will be plenty of opportunity next week as well.

I hope when we do move forward—and this is something I want to discuss with the leader—there will be the opportunity for amendments, and we will have a full-scale debate; we will operate as a Senate, which is what the majority leader and minority leader want us to do. For tonight, I have to object, and I object for those reasons.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, once again, we hear the eloquent passion of a Senator who cares deeply about an issue. I applaud him for that passion and his compassion for those who are now out of work as a result of layoffs in Minnesota. I understand how deeply felt his views are.

He has expressed, in his own eloquent way, that it is within his right to object tonight. Each Senator has enormous power to stop things. Each Senator has enormous power to change the legislative process.

The majority leader, on several occasions, could have thwarted this process, avoided regular order, prevented Senators from the opportunity that I believe we will have next week to offer amendments. He could have done a number of things using his rights, first as a Senator and, secondly, as a leader, to undermine what we have delicately constructed here in this new bipartisan environment. He could have done that. Senator LOTT chose not to do that.

The majority leader said, in keeping with the spirit we are trying to maintain, as much as I wanted to go to this bill 3 weeks ago, last week, the week before, as many times as we have talked about this, every time I have asked him, he has said: Look, I am going to try to maintain the kind of spirit that we have been able to create so far where we can have a win-win; Senators who are passionately opposed to this bill ought to have the right to express themselves, ought to have the right to offer amendments, ought to have the right to have a good debate; Senators who want to move this process along ought to be able to use the tools available to them to do that as well.

What we are trying to do is to strike a delicate balance because there is passion on both sides. There is a depth of feeling on both sides. I, frankly, have been on both sides because I am so ambivalent about the importance of the arguments raised by the Senator from Minnesota as well as the concern that I have for the abuse we find in the system.

I appreciate very much the Senator from Minnesota expressing himself and at least giving us the possibility that we could revisit this issue tomorrow, and I recognize, once again, that if every Senator exercised all of their rights, we probably wouldn't get much done in this body.

But because everybody uses common sense, attempts to strike a balance between exercising those rights and moving along the legislative process, generally, we have worked out things in a way that has accommodated the needs of most people. It is in keeping with that spirit that I hope we can talk to the issue again tomorrow. I thank the Senator from Minnesota, and I thank the majority leader.

I yield the floor.

Mr. LOTT. Mr. President, I appreciate the comments of the Senator from South Dakota. He has been working with me in good faith. We communicate regularly. We have to keep trying to do that. That is why I sense that he feels the same frustration that I do, that we both try to bend over backward to accommodate everybody, and it is still very tough. We are facing further delays.

I am encouraged. The Senator from Minnesota has indicated we can talk tomorrow, and we will look for a way to move this legislation forward in a way that is acceptable hopefully to him and everybody else. I will look for him tomorrow.

There are two points I want to make. The first bill we pass in the Senate this year is not going to be the bankruptcy bill. I think the first one we passed was pipeline safety. It is good legislation, broadly supported. We passed one other bill that week. I think pipeline safety was the first one.

The other thing is that I understand how the Senator feels, and you have to have some emotions and compassion for people who get into difficult straits. There needs to be a way for them to

come out of them and get a job or have a job and get back into business. Also, this is personal with me, too. My mother and father tried to be small business owners. My dad was a pipefitter in the shipyard. It was hot, tough work. He decided they could get into the furniture business at one point. He would go pick up the furniture in his pickup truck and bring it back to the store. It was Market Street Furniture Company. I will never forget it. He would do the selling and delivering, and they sold a lot of items on credit. My mother was the bookkeeper in the back of the store. One of the reasons why they could not make it was that many of those people to whom they sold the furniture on credit just would not pay their bills.

So there is another side. There are small business men and women who wind up holding the bag, and when you are a small business man or woman, that profit margin is pretty tiny. It is 5 percent, 10 percent maybe. But I remember it was very small in that furniture store.

There were other factors involved, but eventually it ran them out of business. My dad went back to the shipyard, and he got to work in the pipe department. But that is the other side of the coin.

What about the small business men and women who are out there trying to create jobs to help their family and people say, ''We don't want to pay''? A lot of them hide behind bankruptcy.

I have supported bankruptcy laws and reform of bankruptcy laws. I supported the bankruptcy judges system. But we have made it too easy now for people to use bankruptcy as an excuse to hide and get out of paying what they owe. There is broad, bipartisan support on this. I think we ought to get it done as soon as we can. I will work with the Senator to make sure he believes his voice was heard. I know how he feels about it personally. I do, too. There is another side of that coin. It is kind of a family thing with me. We will find a way to get it done.

I thank Senator DASCHLE and Senator REID for staying on the floor and working through this.

I yield the floor.

Mr. WELLSTONE. Mr. President, I don't want to debate the majority leader tonight. I want him to know that one of the good things about the very important debate we are going to have is that I will be able—the Presiding Officer is involved in this debate as well—to cite independent study after independent study showing that the abuse, when it comes to bankruptcy, is a very small percentage. I think the majority leader will be pleased to hear that given the comment he made. We will have the debate. I thank the majority leader.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate enter into a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

BLACK HISTORY MONTH

Mr. DASCHLE. Mr. President, I rise today to recognize the celebration of Black History month. It began in the 1920's when Dr. Carter G. Woodson, a historian and educator, proposed the idea of creating ''Negro History Week'' during the second week of February to commemorate the history and achievements of the black community. He chose this week to honor the birthdays of Abraham Lincoln and Frederick Douglass, both of whom had a great impact on the lives of African Americans across the country. Since 1976, we have dedicated the entire month of February to celebrating the contributions of African Americans throughout our Nation's history.

Today, African Americans represent about 13 percent of our total population, and they greatly contribute to the increasingly dynamic cultural tapestry of America. Over the years, they have actively shaped the future of our country in the roles of teachers, parents, judges, doctors, lawyers, religious leaders, and factory workers.

Although the African American population of my home State is smaller than most, the cultural heritage of South Dakota has been enriched by our African American community.

I am proud to tell you about Oscar Micheaux, the first African American to produce a feature-length film, as well as the first African American to break the ''sound barrier'' with a ''talkie'' motion picture, the earliest form of film with sound. Born to freed slaves in 1884, Micheaux grew up in Illinois as one of 11 children, before he moved to South Dakota to become a farmer. It was on the South Dakota prairie that he began to write, publish, and sell his first novels.

At a time when blacks were not welcome in the film industry, Micheaux started his own company, where he wrote, directed, and produced at least 43 movies during the course of his life. He dealt with such controversial subjects as white-on-black crime, intra-racial discrimination, and lynching. In 1919, he released ''The Homesteader,'' a movie based on his autobiographical book that describes his experiences on the South Dakota plains. This became the first feature length film produced by an African American.

Because Hollywood discriminated against blacks, Micheaux was forced to do all of the work for his films independently. He was responsible for not only producing, but distributing his films which were only viewed in segregated black theaters. Some of his films that addressed issues like real estate discrimination and inter-racial relationships were censored and confiscated for being too ''controversial.'' Despite facing discrimination, Micheaux paved the way for blacks in the film industry.

Micheaux is revered by such entertainment industry figures as Spike Lee, Robert Townsend, Tim Reid, and Carl Franklin. South Dakota holds an annual film festival in Micheaux's honor. A true pioneer in every sense, he is a hero to all Americans who have a dream.

I salute this accomplished, self-made man. His achievements serve as a wonderful example of how barriers can be overcome and how dreams can be attained. Micheaux and other figures in the African American community remind us of the difference an individual can make to the Nation, and that dreams can still be attained, even in the face of adversity. Micheaux's life encompasses Dr. King's vision when he said that he had a dream that ''. . . children will one day live in a Nation where they will not be judged by the color of their skin, but by the content of their character.''

We are still working today to realize this dream. Black History Month not only celebrates the individual achievements of the African American community, but reminds us all that we need to come together as a greater community to ensure that everyone has equal rights, freedoms, and the resources to achieve their dreams.

Mr. DURBIN. Mr. President, I rise today in recognition, honor and celebration of Black History Month. This year's theme is ''Creating and Defining the African-American Community: Family, Church, Politics and Culture.'' We should use the forum this month to educate all Americans that African-American history is American history. African-Americans have played a key role in shaping America by their known and untold contributions to science, art, education, politics, commerce and culture.

Dr. Carter G. Woodson is the founder of Black History Week which has expanded to Black History Month. Dr. Woodson, the son of slaves, realized that the rich and detailed history of African-Americans was in danger of fading to obscurity, so he became an impassioned teacher and advocate of African-American history, and created some of the first courses and textbooks devoted to this topic. He also founded what is now known as the Association for the Study of African-American Life and History. A firm believer in the importance of education, he studied at Harvard, the Sorbonne in Paris and the University of Chicago. Dr. Woodson was also Dean at Howard University in Washington DC.

Black History Month gives Americans an opportunity not only to learn of great African-American leaders like Dr. Martin Luther King, Jr., but also to learn of lesser known African-Americans who have played key roles in molding our great country. For instance, most Americans do not know that Jean Baptist Pointe DuSable

founded the city of Chicago. Mr. DuSable was born in 1745 in Haiti to a white French sea captain and a black former slave. After his mother's death, Mr. DuSable went to France with his father to be educated and at the age of 20 sailed to America. Eventually, Mr. DuSable settled in what would become the great State of Illinois and became a fur trader. In 1779, Mr. DuSable built a trading post in a location that the Indians called Eschikcago or ''place of smelly waters.'' The trading post eventually developed into the settlement now know as Chicago.

Similarly, Lewis Howard Latimer made great contributions to society. Mr. Latimer perfected Thomas Edison's invention of the electric light bulb by creating the carbon filament light bulb. Mr. Latimer was the sole African-American member of Edison's team of inventors. His 1881 creation of the carbon filament light bulb alleviated the electric light bulb's design flaws of a short life span and a tendency to shatter when becoming too hot.

In addition, African-Americans like Daniel Hale Williams have accomplished astounding breakthroughs in the medical field. One night a deliveryman, who had been stabbed in the heart, was rushed into the emergency room at Chicago's Provident Hospital. Dr. Williams decided to open the man's chest and operate. He successfully repaired the torn tissue in the man's heart and completed the operation. Dr. Williams made history that night as the first doctor to perform open-heart surgery. His patient went on to live for another 20 years.

Dr. Charles Richard Drew also made contributions that revolutionized the medical field. Dr. Drew was a world-renowned surgeon, medical assistant and educator. He transformed the practice of medicine by creating a way to preserve blood. Dr. Drew also created the first blood bank and developed a way to efficiently store blood plasma.

While most American know of the courageous story of Rosa Parks, not as many are aware of the bravery of her predecessor, Ida B. Wells-Barnett. Ms. Wells-Barnett was a school teacher who refused to give up her seat on a Memphis-bound train. After being physically forced out of her seat, Ms. Wells-Barnett brought a suit against the railroad for their actions, and won. Later, however, the State court overruled the decision of the circuit court. Ida Wells went on to become an influential journalist. She moved to Chicago at the turn of the century and worked tirelessly to fight against the horrible scourge of lynching, and to fight for fair treatment of African-Americans. The Chicago Housing Authority named one of its first housing developments the Ida B. Wells Homes, and in 1990, the U.S. Postal Service honored her life's work by issuing the Ida B. Wells stamp.

I am pleased to be able to speak today about the accomplishments of these great Americans. Black History Month can help us look back and recognize the great obstacles African-Americans have overcome. It can also help us look ahead and recognize the great obstacles that still hinder African-Americans today.

The disenfranchisement of thousands of African-American citizens in Florida this past election year clearly illustrates this point. Instead of being proud that they participated in the democratic process, many African-Americans were outraged because their voices were silenced. Their votes did not count. A disproportionate number of the invalidated votes cast for President in South Florida were from African-American and Caribbean communities. In all, an astounding one third, 22,807, of the rejected ballots were cast in predominantly black areas.

Many African-Americans rightfully believe their disenfranchisement resulted from the use of antiquated voting equipment. Analysis of the Florida election plainly shows that Americans who voted in areas that utilized punch card ballots had a much greater chance that their vote would be invalidated than those who voted in areas that utilized more modern equipment. In this great democracy, it is unacceptable that thousands of legally qualified voters were disenfranchised because of obsolete voting machinery.

Unfortunately, this problem was not limited to Florida. In Fulton County, GA, a community with a large African-American population, punch-card voting equipment was used which resulted in one out of every 16 votes cast for President being invalidated. However, Fulton's neighbors, two largely white counties, utilized more modern equipment which resulted in only one in every 200 votes cast for President being invalidated.

Even my home State of Illinois was plagued with problems stemming from outdated voting equipment, especially in largely African-American communities. For instance, in Chicago, one out of every six votes cast for President was invalidated while almost none of the votes in some of the city's outer suburbs were rejected. This indefensible disparity is one of the reasons that I am proud to cosponsor the Federal Election Modernization Act of 2001. This Act will supply funding to States to help replace obsolete voting equipment. I personally believe the price to equip every voting precinct in the country with user-friendly and reliable mechanism to cast and count ballots is well worth it. The millions of dollars in estimated costs to ensure accuracy pale when compared to the value of protecting each individual's right to vote and the price paid by those who fought and gave their lives to secure this right.

As Americans, we must realize that even though discrimination is legally eradicated from American society, vestiges of the decades of discrimination still remain today. We need only look at the voting difficulties that plagued African-Americans in the 2000 election to demonstrate this point. If America is ever to achieve its full potential, we must acknowledge, address and eliminate the obstacles that African-Americans face not only during Black History Month, but every day.

Mrs. CARNAHAN. Mr. President, every February, our Nation pauses to recognize the tremendous contributions of African-Americans to the history of our Nation. In 1926, Dr. Carter G. Woodson established Negro History Week because he saw that most of the contributions African-Americans had made to American culture and industry were being ignored by historians.

We have come a long way since 1926. More and more of our history books acknowledge the contributions of African-Americans. Our schools have made it part of their curriculum, libraries and museums create exhibits, and our celebration of African-American history has been expanded to an entire month.

But we still have a long way to go.

We need African-American History Month because many people don't know about African-American heroes like Crispus Attucks, who led the Boston uprising in 1770 and became the first casualty of the American Revolution. Equally forgotten are African-American inventors like Garrett Morgan, who developed the traffic light and gas mask.

These Americans have added to the richness and greatness of our country. It is appropriate that as we stand in our Nation's Capitol, a structure which was built by the back-breaking labor of both free and slave African-Americans, we talk about the contributions African-Americans have made to this country's history and to its future.

I want to take a moment to focus on the contributions of Missourians.

Any Missourian can name George Washington Carver's most famous invention, peanut butter, but few realize the role Carver played in the agricultural revolution that occurred in the South in the early 1900's. Carver's work to wean the South from its single-crop cultivation of cotton and his development of commercial uses for alternate crops like peanuts and sweet potatoes helped modernize Southern agriculture, paving the way for a better life for the entire South.

Scott Joplin led a revolution of a different kind. While living in Sedalia, MO he created a blend of classical and folk music that took America by storm. Ragtime, as his style came to be called, has become America's unique contribution to classical music and is a driving force behind jazz and blues.

In literature, Missourians are proud of the heritage of Langston Hughes of Joplin, Missouri. One of the major American writers of the 20th century, Hughes was a poet, novelist, editor, playwright, and journalist.

Another African-American Missourian became famous not only as an inventor but also as the most outstanding jockey of his time. Tom Bass, of Mexico, MO trained some of the finest race and show horses of his day. At the peak of his career he rode in the Inauguration of President Grover Cleveland and gave a command performance before Queen Victoria. In addition to being a famous jockey, he invented the ''Bass bit'' which is still used today.

Missouri has borne some notable civil rights leaders as well. Perhaps the most prominent of them is Roy Wilkins. Wilkins served as executive director of the National Association for the Advancement of Colored People from 1955–1977. Appointed during the most turbulent era in the civil rights movement, Wilkins kept the NAACP on the path of nonviolence and rejected racism in all forms. His leadership and devotion to the principle of nonviolence earned him the reputation of a senior statesman in the Civil Rights Movement.

All of these great Missourians, and others too numerous to mention, struggled against bigotry and violence, but each showed, through their natural talents, that racism was not just wrong, but un-American. So it is fitting that we take this month to learn more about the history of African-Americans in this country, and recognize the contributions of African-Americans to our great Nation.

Mr. LEAHY. Mr. President, February is Black History Month. For the last several years I have worked with other Senators and the Administration to help make history by breaking down the remaining vestiges of barriers to African-Americans and other minorities and women on the Federal courts around the country. We have had a number of successes in that regard over the last few years. I recall, in particular, the confirmations of Judge Sonia Sotomayor to the Second Circuit, Judge Julio Fuentes to the Third Circuit, Judge Eric Clay to the Sixth Circuit, Judge Ann Williams to the Seventh Circuit, Judges Richard Paez, Marsha Berzon, Johnnie Rawlinson, Kim Wardlaw and Margaret McKeown to the Ninth Circuit, Judge Charles Wilson to the Eleventh Circuit and a number of others.

Many took too long. Many were delayed by anonymous holds. Many other outstanding nominees were never accorded a hearing, a Committee vote or a vote by the United States Senate. One of my greatest regrets during my service in the Senate was the Republican caucus vote against Judge Ronnie White in 1999. I was glad to be able to provide him with the opportunity to testify and correct the record and clear his reputation and good name in the course of confirmation hearings on the Attorney General nomination in January.

As important as it is to remember our history, it is also important to make progress and add to that history. We continue to have the opportunity to do that here in the United States Senate. On January 3, 2001, President Clinton renominated Roger Gregory to serve on the United States Court of Appeals for the Fourth Circuit. Even though the Fourth Circuit, covering Maryland, North Carolina, South Carolina, Virginia, and West Virginia, contains the largest African-American population of any circuit in this country, it had never had an African-American appellate judge.

Last December, during an extended congressional recess, the President exercised his constitutional power to make recess appointments and appointed Roger Gregory to the Fourth Circuit.

In early January, when the Senate convened to begin this new season, the President resubmitted Judge Gregory's nomination to us.

In the ensuing weeks, the new President has seen fit to leave that nomination before the Senate for our consideration and action. Both Senator WARNER and Senator ALLEN support this nomination. Last year Senator Robb also strongly supported it.

Senator WARNER, Senator ALLEN, Senator Robb and Senator EDWARDS and others have all spoken in the last several months in support of the confirmation of Roger Gregory. Now it is time for the Senate to step up to the challenge and act on Judge Gregory's nomination to a full, lifetime appointment to that important judicial position.

Mr. Gregory was not the first African-American nominated to the Fourth Circuit. President Clinton nominated four qualified African-Americans to the Fourth Circuit: Judge James Beatty, of North Carolina was nominated in December 1995, and re-nominated in January 1997; Judge James Wynn, of North Carolina, was nominated in August 1999; Roger Gregory was nominated in June 2000; and Judge Andre Davis was nominated in October 2000. None of these exceptional candidates ever received a Judiciary Committee hearing, let alone a vote on the Senate floor.

Senator ALLEN, in one of his first speeches on the Senate floor, came here to talk about Roger Gregory's qualifications, and the importance of acting in a bipartisan way to confirm him. Here is what Senator ALLEN said:

> [I]t is my belief that in Roger Gregory, the Fourth Circuit—and, indeed, America—has a well-respected and honorable jurist who will administer justice with integrity and dignity. He will, in my judgment, decide cases based upon and in adherence to duly adopted laws and the Constitution. I respectfully urge my colleagues and the administration to join me in supporting Judge Gregory.

Senator JOHN WARNER joined the discussion, rising to say that he agreed with what Senator ALLEN had said on the need to confirm Roger Gregory. As reflected in letters that Senator WARNER shared with the Senate, he and Senator ALLEN have written to Senator HATCH and to President Bush urging that Judge Gregory receive a hearing and be confirmed. I commend them for their commitment to this nomination.

Roger Gregory was an outstanding lawyer, and he will be an exceptionally good judge on the Fourth Circuit. From Richmond, Virginia, Judge Gregory was the first in his family to finish high school. After college and law school, he returned to be a professor at a school where his mother had worked as a maid. He entered private practice, and later founded his own, highly-respected law firm in Richmond, where he handled a wide variety of complex litigation matters in State and Federal court for individual and corporate clients. Roger Gregory built a reputation as a seasoned litigator and widely respected member of his community.

Judge Gregory's recess appointment as the first African-American judge on the Fourth Circuit also places him firmly in a tradition of using such appointments to bring diversity to the federal bench. Four of the five first African-American appellate judges were recess appointed to their first positions as Federal judges. That includes the appointment of William Henry Hastie as the first African-American on the Federal bench by President Harry Truman in 1949. Not long after that appointment, a little over 51 years ago, the Senate confirmed Judge Hastie, showing itself to be, as I have said many times, the conscience of the Nation.

The roster of trailblazing African-American recess-appointees also includes President John Kennedy's 1961 appointment of Thurgood Marshall to the Second Circuit Court of Appeals; Spottswood Robinson to the D.C. Circuit; and President Lyndon Johnson's 1964 appointment of Leon Higginbotham to the Third Circuit. Other well-known and well-respected judges to be appointed during a recess are: Judge David Bazelon to the D.C. Circuit; Judge Augustus N. Hand to the Second Circuit; Judge Griffin Bell of the Fifth Circuit; and Supreme Court Justices William Brennan and Earl Warren.

Today, during the month of February, Black History Month, I come to the Senate floor to call on my colleagues to once again shine as the conscience of the nation, and move quickly toward making Roger Gregory's lifetime appointment to the Fourth Circuit. He is eminently qualified to sit on the court, he has received praise for his integrity and legal talent, and he has been strongly endorsed by both of his home state Senators.

Roger Gregory should be given a hearing before the Judiciary Committee without further delay. In deference to the position that President Bush took during the campaign, the Senate should act on this nomination in the next couple of weeks. The excuse from last year, that his nomination in June came too late in the year for Senate action, is inapplicable now. Let his be the first judicial nomination to

come before the Committee and the Senate this year. His papers have long since been submitted to the Committee—we have had them in hand for eight months now. There can be no reason not to commit today, during this month when we honor the achievements and contributions of African-Americans, to move Roger Gregory swiftly to a hearing, through the Committee and then on to the Senate floor for a full Senate vote.

After all of the delays meted out to the previous African-American nominees to the Fourth Circuit, the Senate has another chance to make history. As history has been made in so many other occasions for African-American judges, let us not squander this opportunity to make Roger Gregory the first African-American to be confirmed by the United States Senate to the Fourth Circuit Court of Appeals.

Mr. LEVIN. Mr. President, I am very pleased to commemorate African American History Month. Each year, doing the month of February, we remember and reflect on the rich and extraordinary achievements of African Americans. We also remember and reflect on the suffering, degradation and brutality of slavery, which cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

We remember and celebrate the brave and determined African American conductors of the Underground Railroad, like Harriet Tubman. In 1849, Tubman escaped from the Eastern Shore of Maryland and became known as ''Moses'' to her people when she made 19 trips to the South and helped deliver at least 300 fellow captives to liberation. We remember and celebrate John Parker of Ripley, Ohio who frequently ventured to Kentucky and Virginia to help transport by boat hundreds of runaway slaves across the Ohio River; and William Still, Robert Purvis and David Ruggles who in the 1830s organized and stationed vigilance committees throughout the North to help guide slaves to freedom destinations. And we remember and celebrate James Fairfield, who went into the deep South and rescued enslaved African Americans by posing as a slave trader, risking his life and property. We remember and celebrate the City of Detroit in my home state of Michigan where the Underground Railroad assisted over 40,000 slaves in reaching freedom in Canada.

Let us not forget, that we celebrate African American History Month because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of the Negro and recognizing the enormous contributions of a people of great strength, dignity, faith and conviction, a people who rendered their achievements for the betterment and advancement of a Nation once lacking in humanity towards them. Throughout the Nation, we celebrate the many important contributions African Americans have made in all facets of American life.

Lerone Bennett, editor, writer and lecturer recently reflected on the life and times of Dr. Woodson. In an article he wrote for Johnson's Publications, Bennett tells us that one of the most inspiring and instructive stories in African American history is the story of Woodson's struggle and rise from the coal mines of West Virginia to the summit of academic achievement:

> At 17, the young man who was called by history to reveal Black history was an untutored coal miner. At 19, after teaching himself the fundamentals of English and arithmetic, he entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College, in Kentucky, he returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received bachelor's and master's degrees, and Harvard University, where he became the second Black to receive a doctorate in history. The rest is history—Black history.

In keeping with the spirit and the vision of Dr. Carter G. Woodson, I would like to pay tribute to two courageous women, claimed by my home state of Michigan, who played significant roles in addressing American injustice and inequality. These are two women of different times who would change the course of history.

Sojourner Truth, who helped lead our country out of the dark days of slavery, and Rosa Parks, whose dignified leadership sparked the Montgomery Bus Boycott and the start of the Civil Rights movement are indelibly etched in the chronicle of not only the history of this Nation, but are viewed with distinction and admiration throughout the world.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day on the inhumanity and immorality of slavery. She was a leader in the abolitionist movement, and a ground breaking speaker on behalf of equality for women. Michigan recently honored her with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, Michigan on September 25, 1999. I commend Dr. Velma Laws-Clay who headed the Monument Steering Committee and Sculptor Tina Allen for making their dream, a true monument to Sojourner Truth, a reality.

Sojourner Truth had an extraordinary life. She was born Isabella Baumfree in 1797, served as a slave under several different masters, and was eventually freed in 1828 when New York state outlawed slavery. Truth continued to live in New York and became strongly involved in religion. In 1843, in an act of religious faith, she changed her name to Sojourner Truth and dedicated her life to traveling and lecturing. She began her migration West in 1850, where she shared the stage with other abolitionist leaders such as Frederick Douglass.

In 1851, Sojourner Truth delivered her famous ''Ain't I a Woman?'' speech at the Women's Convention in Akron, Ohio. In the speech, Truth attacked both racism and sexism. Truth made her case for equality in plain-spoken English when she said, ''Then that little man in black there, he says women can't have as much rights as men, cause Christ wasn't a woman? Where did your Christ come from? Where did your Christ come from? From God and a woman! Man had nothing to do with Him.''

By the mid-1850s, Truth had settled in Battle Creek, MI. She continued to travel and speak out for equality. During the Civil War, Truth traveled throughout Michigan, gathering food and clothing for Negro volunteer regiments. Truth's travels during the war eventually led her to a meeting with President Abraham Lincoln in 1864, at which she presented her ideas on assisting freed slaves. Truth remained in Washington, D.C. for several years, helping slaves who had fled from the South and appearing at women's suffrage gatherings. Due to bad health, Sojourner Truth returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

On May 4, 1999 legislation was enacted which authorized the President of the United States to award the Congressional Gold Medal to Rosa Parks. The Congressional Gold Medal was presented to Rosa Parks on June 15, 1999 during an elaborate ceremony in the U.S. Capitol Rotunda. I was pleased to cosponsor this fitting tribute to Rosa Parks, the gentle warrior who decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. Her personal bravery and self-sacrifice are remembered with reverence and respect by us all.

Forty five years ago in Montgomery, AL the modern civil rights movement began when Rosa Parks refused to give up her seat and move to the back of the bus. The strength and spirit of this courageous woman captured the consciousness of not only the American people but the entire world.

My home state of Michigan proudly claims Rosa Parks as one of our own. Prompted by unceasing threats on their lives and persistent harassment, Rosa Parks' and her husband moved to Detroit in 1957 where Parks' brother resided.

Rosa Parks' arrest in Alabama for violating the city's segregation laws was the catalyst for the Montgomery bus boycott. Her stand on that December day in 1955 was not an isolated incident but part of a lifetime of struggle for equality and justice. For instance, twelve years earlier, in 1943, Rosa Parks had been arrested for violating another one of the city's bus related segregation laws, which required African Americans to pay their fares at the front of the bus then get off of the bus and re-board from the rear of the bus.

The driver of that bus was the same driver with whom Rosa Parks would have her confrontation 12 years later.

The rest is history, the boycott which Rosa Parks began was the beginning of an American revolution that elevated the status of African Americans nationwide and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King Jr.

We have come a long way toward achieving justice and equality for all. But we still have work to do. In the names of Rosa Parks, Sojourner Truth, Dr. Carter G. Woodson, Dr. Martin Luther King, Jr, and many others, let us rededicate ourselves to continuing the struggle on Civil Rights and to human rights.

TRIBUTE TO SENATOR ALAN CRANSTON

Mr. DASCHLE. Mr. President, on the morning of the last day of the 20th century, as he was preparing his breakfast, Alan Cranston died at his home in Los Altos. After 86 years, his great huge heart just stopped.

There can never be a good time to lose someone like Alan Cranston. Such leaders are too rare. Still, there is something fitting about Alan Cranston leaving us just as the century came to a close. It was almost as if, having spent his life working to protecting us the darker possibilities of the 20th century, he held on until the last day in order to see us safely to the new century.

I first came to know Senator Cranston from a distance. He was four years into his second Senate term, and had just been elected Democratic Whip, when I was first elected to the House. That was back in 1978.

Studying Senator Cranston from the other chamber, I realized early on that he possessed a rare balance. He was a standard bearer for great public causes—and he was as good a behind-the-scenes organizer and vote counter as I have ever seen. He was a pragmatic idealist.

I also noticed something else about Alan Cranston back then. I noticed that he listened respectfully to all kinds of people and very often, just by listening, was able to bring people together. In this practice, and in many others, I have tried since then to follow his example.

Another thing I admired about Alan Cranston was his tremendous running ability. From the time he was in high school, he was a champion sprinter. In college, he was a member of the nation's fastest one-mile sprint relay team in America, and he remained a competitive runner most of his life. At one point, I understand, he held the world record for the 100-yard dash among 55-year-olds. As a 53-year-old runner who is not likely to break any speed records soon, I find that amazing. I also find it a little ironic—because in politics, Alan Cranston was no sprinter. He was a marathon runner.

When Alan Cranston signed on to a cause, it was for life. As a reporter in Europe in 1936, he was among the first to recognize the evil of fascism for what it was. He chronicled the rise of Hitler and Mussolini. When he discovered that Hitler had authorized the export of a sanitized copy of Mein Kampf to America, he acquired a copy of the German text and had it translated accurately, with all its hideous lies restored. He sold copies for 10 cents—thus giving America some of its true glimpses into the real Hitler.

A copyright infringement lawsuit brought by Hitler himself eventually forced Alan Cranston to stop selling copies of Mein Kampf in America. But nothing could ever stop him from speaking out against oppressors of freedom and human dignity.

In 1946, Alan Cranston met Albert Einstein, who persuaded him that nuclear weapons must be banned or they will destroy the human race. From that day until he died, Alan Cranston was a tireless champion in the effort to monitor nuclear arms and reduce their use.

During his years here in the Senate, he also championed an array of other noble causes—from the environment, to civil rights, to the men and women who serve in our nation's military.

Literally and figuratively, Alan Cranston was a towering figure in this Senate for nearly a quarter of a century. He was an example to many of us and to me personally. I am proud to say he was also a friend.

With some sadness, and with gratitude for his lifetime of service to our nation, I join my colleagues in honoring the memory of Alan Cranston and conveying our deep regrets to his family—especially his sister Ruth, his son Kim, and his granddaughter—as well as his many friends across this country and around the world. Alan Cranston was loved in this Senate, and he will be deeply missed.

TRIBUTE TO CHERYL FLETCHER

Mr. NICKLES. Mr. President, today I rise to recognize the efforts of Cheryl Fletcher for her outstanding service. Today, Cheryl is retiring after more than 21 years of service to me, the U.S. Senate and the people of Oklahoma.

Cheryl has been with me since the beginning of my U.S. Senate career.

She joined my first U.S. Senate campaign in 1980. After winning, I asked her to establish an office in my hometown—Ponca City. Before joining my staff, she worked as director of the Ponca City United Way.

During the last 21 years, Cheryl has served as the Sate Director, coordinating my schedule in Oklahoma and working as my liaison for northern Oklahoma. She has worked diligently for the people of Alfalfa, Grant, Kay, Washington, Osage, Pawnee, Payne, Noble, Major and Garfield counties. She's been Ponca City's Outstanding Citizen of the Year and an active member of the Chamber of Commerce.

My colleagues can appreciate the tight time schedules we keep, and Cheryl is one of the best when it comes to keeping me on time. I remember late one night, we were gong back to Ponca from a meeting in Woodward. Cheryl was driving and flew right past a stop sign. Needless to say, my heart skipped a beat. Rain storms, snow storms, even perfect weather, Cheryl was determined to get us there on time.

Her service, dedication and hard work have always been an asset to me and all Oklahomans. I and the entire State of Oklahoma will miss her knowledge and experience. It has been my privilege and pleasure to work with her these years.

Few believed a young businessman from Ponca City could be a U.S. Senator. Cheryl believed and worked tirelessly to convince them, and occasionally me, that they were wrong.

Today, in Ponca City, Pioneer Bank, Home National Bank, Conoco, and Evans and Associates is hosting a reception in her honor. I know the place will be packed and I'm sorry I can't be there to personally recognize her on this special day.

I want to congratulate Cheryl, who is a loyal friend and employee, and thank her for 21 years of hard work. I wish her all the best.

PRESIDENT BUSH'S BUDGET

Mr. KENNEDY. Mr. President, last night I listened with great interest as President Bush outlined his budget proposal. It was a strong speech, and I commend the President for his encouraging comments on education, as well as his kind words for our good friend Congressman JOE MOAKLEY. But our challenge now is to produce a realistic budget. As the President describes it, the surplus is so big that the American people can now have it all—huge tax cuts for everyone, increased spending on national priorities, and elimination of the national debt.

I fully agree with President Bush that budgets are fundamentally about our values and priorities, but I strongly disagree with him on what those priorities should be. While President Bush made the benefits of his plan appear real and the costs painless, I think the American people correctly suspect that his words sound too good to be true. Just as there's no such thing as a free lunch, there's no such thing as a free $2 trillion tax cut.

I support a substantial tax cut, but not one that is so large that it crowds out continued debt reduction and investment in national priorities like education, health care, and worker training and protection efforts. Not one that is so large that it jeopardizes Medicare and Social Security.

This budget claims to provide massive tax cuts and maximize reduction of the national debt and keep our commitments under Social Security and Medicare and make the investments needed to keep the nation strong. It makes five claims that are arithmetically impossible. The numbers simply do not add up.

First, this budget argues that the nation can afford a $2 trillion tax cut right now. The White House claims that its proposed $1.6 trillion tax cut ''uses only one fourth of the budget surplus.'' This is highly misleading. Make no mistake about it—President Bush's tax cut really consumes about 90% of the available budget surplus.

The tax cut now sought by the Administration would consume well over $2 trillion of the budget surplus. When President Bush cites the $1.6 trillion figure, he neglects the increased cost of interest on the larger national debt caused by the tax cut, and he ignores the added cost of his plan to make the tax cut retroactive.

We must be clear about the real size of the surplus. While the Congressional Budget Office projects that the federal government will collect $5.6 trillion more than it spends over the next ten years, only $2.7 trillion of this amount can properly be called a ''surplus.'' The other $2.9 trillion is money that workers deposit with the government so they'll be protected by Social Security and Medicare when they retire. Workers pay this $2.9 trillion in payroll taxes for specific retirement and medical benefits. It is wrong to include money from workers' Social Security and Medicare payroll taxes in the same pot used to finance the Administration's income tax and estate tax cuts.

Thus, at most $2.7 trillion in available surplus is projected over the next ten years. Even the Congressional Budget Office acknowledges the great uncertainty of its own surplus estimate. CBO itself recognizes that a small reduction in economy's growth would reduce its surplus estimates by trillions of dollars. Any responsible budget would reserve a significant share of the projected surplus in case the projections prove too optimistic. Without such a reserve, any shortfall could return the nation to large deficits and raids on the Social Security Trust Fund. Yet the Administration's budget commits every last dollar of the projected on-budget surplus and more, sacrificing the fiscal caution that uncertainty in the surplus projection demands.

President Bush's tax cuts would consume well over $2 trillion of the $2.7 trillion available surplus, leaving precious little over the next ten years—to strengthen Social Security and Medicare before the baby boomers retire, to begin the quality prescription drug benefit that seniors desperately need, to provide the education increases that the nation's children deserve, to train and protect the American workers whose increased productivity has proved essential to our strong economy, to advance scientific research, to improve the nation's military readiness, to improve the security of family farmers, and to avoid burdening our children with the debt that we have accumulated.

After the Bush tax cut, we will simply not have the resources to meet these urgent challenges.

All American workers deserve a tax cut, but its total size must be reduced far below the $2 trillion Bush proposal so that we can address our legitimate national needs.

Second, this budget pretends to protect Social Security and Medicare. More than half of what President Bush terms the ''surplus'' is actually money that workers deposit with the government through the payroll tax to pay for their future Social Security and Medicare benefits. Just because the government does not pay those dollars out this year does not make us free to spend them. Over the next ten years, Social Security will take in $2.5 trillion more dollars than it will pay out and Medicare will take in $400 billion more dollars than it will pay out. But every penny of this will be needed to provide Social Security and Medicare benefits when the baby boomers retire.

If we use that money for other purposes now, we would be increasing the long term deficits in the Social Security and Medicare programs, accelerating the date on which each of those programs will not have sufficient revenue to pay the full cost of the benefits provided under current law. The only fiscally responsible use for the so-called Social Security and Medicare ''surpluses'' is to set those funds aside to pay future retirement and medical benefits owed under current law.

The Administration's budget fails to set the entire $2.9 trillion aside to cover the cost of future Social Security and Medicare benefits. It only protects $2 trillion of that amount. The remaining $900 billion is used for other purposes. This seriously threatens the retirement benefits of current workers. While the Bush budget is vague on just how this money will be used, it appears that more than $500 billion of it will be used to finance the Administration's scheme to create private retirement accounts. Money is diverted from the Social Security Trust Fund to finance those accounts. I believe it would be terribly wrong to take money out of Social Security to finance private accounts. Without the guarantee of Social Security's monthly benefit check, one half the nation's elderly would be living in poverty. Taking money out of the Social Security Trust Fund will weaken the program's ability to meet its legal obligations to the senior citizens it serves.

The President also plans to use current payroll taxes to finance prescription drug assistance for some seniors. But these dollars already belong to Social Security and Medicare, and they are needed to pay current benefits. The Bush plan really just tells Medicare to offer a prescription drug benefit without providing one new dollar to fund that benefit. His plan spends the same dollars twice. It is a cruel hoax.

The Bush budget also allows part of this $900 billion in payroll tax revenue to be used for purposes ranging from military preparedness to farm aid, flagrantly violating what I have taken to be broad bipartisan agreement to protect payroll taxes for Social Security and Medicare.

The threat posed by the Bush budget to Social Security and Medicare is very real. Not only does it fail to reserve any of the on-budget surplus to financially strengthen Social Security and Medicare by paying down the debt; it invades the Social Security and Medicare Trust Funds by removing $900 billion that already belong to these essential programs.

Democrats are committed to keeping Social Security and Medicare strong. We do this by reserving all payroll taxes to pay for the retirement and medical benefits that are now promised to seniors under current law. No qualifications, no exceptions. This commitment means that workers' payroll taxes are not available to fund income tax and estate tax cuts, private retirement accounts, or new spending.

Third, this budget alleges that it meets the nation's core health needs. America's seniors desperately need access to prescription drugs, but this budget provides only a placebo. President Bush said the right things about how high a priority prescription drugs are for America's seniors, but the numbers in his budget show that his words can't pass the truth in advertising test.

While the Administration's budget lavishes new tax breaks on the wealthy, it leaves little for the elderly whose lives often depend on prescription drugs. The budget gives five times more money to the wealthiest one percent of taxpayers than it allows for the Medicare drug benefits that 39 million senior and disabled citizens need.

There can be no question about the urgent need for a Medicare prescription drug benefit. A third of senior citizens—12 million people—have no prescription drug coverage at all. Only half of all senior citizens have prescription drug coverage throughout the year. Meanwhile, last year alone prescription drug costs increased an average 17 percent.

President Bush's budget responds with baby steps toward prescription drug coverage. After adjusting for inflation, President Bush's budget actually proposes one-third less than the inadequate amount he proposed in his campaign. His ''immediate helping hand'' program for the lowest income senior citizens virtually exhausts the resources that he allocates, leaving the majority of seniors with nothing. This plan is even less generous than the Republican bill passed by the House last year. And the Congressional Budget Office said that the House Republican

plan was so underfunded that over half of all senior citizens with no coverage today would not be able to participate under it. Yet this budget allocates less money than the House Republican plan.

Medicare is a solemn promise to senior citizens.. It says, ''Work hard, pay into the trust fund during your working years, and you will have health security in your retirement years.'' But this promise is being broken each and every day, because Medicare does not cover prescription drugs. The sad reality is that the Bush budget does not mend that broken promise—and it is now the responsibility of the Congress to keep faith with senior citizens.

The Administration's budget also fails to address the needs of the nation's uninsured. An uninsured family is exposed to financial disaster in the event of serious illness. Unpaid medical bills account for 200,000 bankruptcies annually. Over 9 million families spend more than one fifth of their total income on medical costs.

The health consequences of being uninsured are even more devastating. In any given year, one-third of the uninsured go without needed medical care. Eight million uninsured Americans fail to take medication their doctors prescribe because they cannot afford to fill the prescription. Four hundred thousand children suffering from asthma never see a doctor. Five hundred thousand children with recurrent earaches never see a doctor. Thirty-two thousand Americans with heart disease go without life-saving and life-enhancing bypass surgery or angioplasty—because they are uninsured. Twenty-seven thousand uninsured women are diagnosed with breast cancer each year. They are twice as likely as insured women not to receive medical treatment until their cancer has already spread in their bodies.

The chilling bottom line is that eighty-three thousand Americans die every year because they have no insurance. Being uninsured is the seventh leading cause of death in America. Our failure to provide health insurance for every citizen kills more people than kidney disease, liver disease, and AIDS combined.

The Administration's budget provides only a small amount for refundable tax credits to purchase health insurance policies—an amount too small to help the vast majority of the uninsured. In this time of unprecedented budget surpluses, isn't it more important to assure that children and their parents can see a doctor when they fall ill than it is to provide new tax breaks for millionaires?

Fourth, this budget does not meet the education needs of school children. The claim that this budget increases education funding by $4.6 billion or 11.5 percent is just plain wrong. This budget contains little more than a cost of living increase for our nation's schools, and few new investments to improve them.

The Administration's budget counts $2.1 billion that President Clinton and Congress approved last year as part of this year's increase. If President Bush did nothing on education, almost half of his ''increase'' would happen anyway. The real increase that he proposes is $2.4 billion only 5.7 percent above current levels. The reality is that President Bush proposes only $1.8 billion in new money for education next year, a mere 4 percent above inflation.

We need strong new investments to turn around our failing schools. But this budget does not even keep up with the average 13 percent annual increase Congress has provided for education over the last 5 years, and it will not enable communities and families across the country to meet their education needs.

I applaud President Bush for trying to make education a top priority. I applaud him for challenging the nation to ''leave no child behind.'' But I am disappointed that this budget fails to provide the resources needed to produce the action that we all agree is necessary.

President Bush says that he will increase funding for ESEA programs by $1.6 billion, including $600 million more for the Reading First program. I support the Reading First increase, but it leaves only $1 billion for new investments in all other elementary and secondary education priorities.

This year, schools confront record enrollments of 53 million elementary and secondary school students, and that number will continue to rise steadily, reaching an average six percent increase in student enrollment each year. The Administration's budget fails to keep pace with population growth in schools, and it is possible that under the budget he proposes, federal education support per student will decrease over the next ten years.

Schools and communities will have to educate millions more children and help them meet higher standards of learning while addressing overcrowded classrooms, a shortage of qualified teachers, increased safety concerns, and a lack of adequate after-school programs. Schools simply cannot face these challenges alone. They need the help of their communities, their states, and the federal government to provide the best opportunities for all children.

I am prepared to work with the President to enact his proposal for annual testing. But communities will need resources to develop and implement the tests, and ensure that they are of the highest quality. If overall education funding per student does not increase significantly, the nation cannot expect to achieve the right balance between investing in strategies that work and increasing accountability for results.

Parents across the country will give President Bush and Congress a test at the end of the year. If our education investments do not help communities turn around every failing school, help all qualified students afford to go to college, and ensure that workers have the training they need, this Republican Congress and this Republican White House will deserve a failing grade on education.

I hope we will work together to make the improvements in President Bush's budget that will be needed to earn an A+ from the nation's parents.

Finally, this budget claims that its tax cut is fair to working families. In reality, the wealthiest 1 percent of taxpayers, who pay 20 percent of all federal taxes, would receive 43 percent of the tax benefits from Bush's plan. Their average annual tax cut would be more than $46,000, more than a majority of American workers earn in a year.

The contrast is stark. Eighty percent of American families have annual incomes below $65,000. They would receive less than 30 percent of the tax benefits under Bush's plan. The average tax cut those families would receive each year is less than $400. Twelve million low-income families who work and pay taxes would get no tax cut at all under Bush's plan. If we are going to return a share of the surplus to the people, that certainly is not a fair way to do it.

Because the Bush tax cut is slanted so heavily to the wealthy, it is possible to enact a tax cut that costs less than half of President Bush's proposal, yet actually provides more tax relief for working families. That is what Congress should accomplish this year.

A close look at the Administration's budget only confirms that indeed we cannot have it all. There is no way to eliminate the national debt, provide massive tax cuts, and meet all of the nation's legitimate needs.

President Bush's budget asks working families to sacrifice while the wealthiest families in America collect far more than their fair share. Overall, this budget threatens our prosperity and ignores the most fundamental national needs.

Governing is all about choices. And I believe that this budget makes the wrong choices for working families in America.

HONORING MRS. MATILDA TSCHETTER OF HURON, SOUTH DAKOTA

Mr. DASCHLE. Mr. President, a few weeks ago, South Dakota, and the country, lost a friend. Mrs. Matilda Tschetter of Huron, South Dakota was laid to rest on February 3rd in Freeman, SD.

This chamber is no stranger to great men and women, and the RECORD is replete with recognition of their accomplishments. From Presidents to civil rights leaders, we often come to the floor to recognize Americans who have made a difference in our country. Matilda Tschetter may not have been featured on the front page of the newspaper, but she was certainly a great South Dakotan, and a great American.

And she, too, made a difference in this world.

Matilda Tschetter represents all that is great about our people. Strong, smart, and committed to her family, she spent much of her life serving others. Matilda and her late husband Henry were both educators. They raised a family, and Matilda remained active in Democratic politics throughout her life. I got to know Matilda when she served as a Senior Intern in my office. I was impressed by both her kindness and her informed thoughts on the issues confronting our country and the world. I understand that in the last election, Matilda voted absentee and made a point to remind everyone in her family to vote on election day. Matilda certainly understood the responsibility that comes with the privilege of living in a democracy.

In South Dakota, and throughout the country, people like Matilda Tschetter quietly make our country a better place. They are committed to their families, to their communities and to their country. They persevered through the Great Depression and are the reason our country is as strong as it is. Matilda Tschetter will certainly be missed.

Today the Senate joins me in paying tribute to an admirable woman. My sincere condolences go out to Matilda Tschetter's surviving family: her daughter, Dianne Sandvick, and her son-in-law, Dr. Roger Sandvick. In this difficult time, my thoughts and prayers are with them, and with Matilda's many friends.

RULES OF THE COMMITTEE ON ENVIRONMENT

Mr. SMITH of New Hampshire. Mr. President, in accordance with the rule XXVI (2) of the Senate. I ask unanimous consent that the rules of the Committee on Environmental and Public Works, adopted by the committee February 28, 2001, be printed in the RECORD.

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

SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) REGULAR MEETING DAYS: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 A.M. If there is no business before the committee, the regular meeting shall be omitted.

(b) ADDITIONAL MEETINGS: The chair may call additional meetings, after consulting with the ranking member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking members of the subcommittee and the committee.

(c) PRESIDING OFFICER:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking member shall preside. If neither the chair nor the ranking member is present, the responsibility for presiding shall alternate between the parties for the members present, beginning with the chair's party and based on seniority.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking member of the subcommittee shall preside. If neither the chair nor the ranking member is present, the responsibility for presiding shall alternate between the parties, beginning with the chair's party and based on seniority.

(3) At the request of the ranking member, the ranking member or his or her designee may chair a hearing of the full committee or a subcommittee, with the concurrence of the chair of the full committee or subcommittee.

(4) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) OPEN MEETINGS: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) BROADCASTING:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

RULE 2. QUORUMS

(a) BUSINESS MEETINGS: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, six members, including at least three members of each party, constitute a quorum, except as provided in subsection (d).

(b) SUBCOMMITTEE MEETINGS: At subcommittee business meetings, a majority of the subcommittee members, including at least two members of each party, constitutes a quorum for conducting business.

(c) CONTINUING QUORUM: Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) REPORTING: No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) HEARINGS: One member constitutes a quorum for conducting a hearing.

RULE 3. HEARINGS

(a) ANNOUNCEMENTS: Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall, after consultation with the ranking member, make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing. The chair and ranking member shall seek to attain an equal balance of the interests of the two parties when selecting subjects for and scheduling hearings.

(b) STATEMENTS OF WITNESSES:

(1) A witness who is scheduled to testify at a hearing of the committee or a subcommittee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) For any hearing, both the chair and the ranking member are entitled to an equal number of non-federal government witnesses.

(5) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a federal agency, an Inspector General, or a nongovernmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) NOTICE: The chair of the committee or the subcommittee shall, after consultation with the ranking member of the committee or the subcommittee, provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday. The chair and ranking member shall seek to attain an equal balance of the interests of the two parties when setting the agenda of business meetings.

(b) AMENDMENTS: First-degree amendments must be filed with the chair of the committee or the subcommittee and the ranking member of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) MODIFICATIONS: The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

RULE 5. BUSINESS MEETINGS: VOTING

(a) PROXY VOTING:

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) Subsequent Voting: Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) PUBLIC ANNOUNCEMENT:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

RULE 6. SUBCOMMITTEES

(a) REGULARLY ESTABLISHED SUBCOMMITTEES: The committee has four subcommittees: Clean Air, Wetlands, Private Property, and Nuclear Safety; Transportation and Infrastructure; Fisheries, Wildlife, and Water; and Superfund, Waste Control, and Risk Assessment.

(b) MEMBERSHIP: The committee chair and the ranking member shall select members of the subcommittees.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) ENVIRONMENTAL IMPACT STATEMENTS: No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) PROJECT APPROVALS

(1) Whenever the committee authorizes a project under Public Law 89–298, the Rivers and Harbors Act of 1965; Public Law 83–566, the Watershed Protection and Flood Prevention Act; or Public Law 86–249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the Congressional Record, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) BUILDING PROSPECTUSES

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted. A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the GSA and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) NAMING PUBLIC FACILITIES: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, or former Justices of the United States Supreme Court over 70 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

RULES AND SUBCOMMITTEE ASSIGNMENTS FOR THE AGRICULTURE COMMITTEE

Mr. LUGAR. Mr. President, today the Committee on Agriculture, Nutrition, and Forestry conducted a business meeting where the committee funding resolution, committee rules and subcommittee assignments were considered favorably and passed out of the Committee. I ask unanimous consent that a copy of the rules of the committee and a memorandum of understanding be printed in the RECORD.

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

JURISDICTION OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

(a)(1) Committee on Agriculture, Nutrition, and Forestry, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating primarily to the following subjects:

1. Agricultural economics and research.
2. Agricultural extension services and experiment stations.
3. Agricultural production, marketing, and stabilization of prices.
4. Agriculture and agricultural commodities.
5. Animal industry and diseases.
6. Crop insurance and soil conservation.
7. Farm credit and farm security.
8. Food from fresh waters.
9. Food stamp programs.
10. Forestry, and forest reserves and wilderness areas other than those created from the public domain.
11. Home economics.
12. Human nutrition.
13. Inspection of livestock, meat, and agricultural products.
14. Pests and pesticides.
15. Plant industry, soils, and agricultural engineering.
16. Rural development, rural electrification, and watersheds.
17. School nutrition programs.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to food, nutrition, and hunger, both in the United States and in foreign countries, and rural affairs, and report thereon from time to time.

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Rule 1—Meetings

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

Rule 2—Meetings and Hearings in General

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

Rule 3—Hearing Procedures

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that

special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 Swearing in of Witnesses.—Witnesses in committee or subcommittee hearings may be required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 Limitation.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

Rule 4—Nominations

4.1 Assignment.—All nominations shall be considered by the full committee.

4.2 Standards.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 Information.—Each nominee shall submit in response to questions prepared by the committee the following information:

(1) A detailed biographical resumé which contains information relating to education, employment, and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and

(3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 Hearings.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 Action on Confirmation.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

Rule 5—Quorums

5.1 Testimony—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 Business.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

5.3 Reporting.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

Rule 6—Voting

6.1 Rollcalls.—A roll call vote of the members shall be taken upon the request of any member.

6.2 Proxies.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 Polling.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

Rule 7—Subcommittees

7.1 Assignments.—To assure the equitable assignment of members to subcommittees, no member of the committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 Attendance.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 Ex Officio Members.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 Scheduling.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee business meeting may be held at the same time.

7.5 Discharge.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition. The full committee may at any time, by majority vote of those members present, discharge a subcommittee from further consideration of a specific piece of legislation.

7.6 Application of Committee Rules to Subcommittees.—The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

Rule 8—Investigations, subpoenas and depositions

8.1 Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

Rule 9—Amending the rules

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CHAIRMAN AND RANKING DEMOCRATIC MEMBER, U.S. SENATE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

This Memorandum of Understanding (MOU) between Chairman Richard Lugar and Ranking Democratic Member Tom Harkin addresses Senate Agriculture Committee operational details and budget issues for the duration of the 107th Congress.

HEARINGS AND BUSINESS SESSIONS

We agree that all hearings and business sessions will be called by Chairman Lugar. The Chairman agrees to also schedule hearings and business meetings requested by Senator Harkin. Business sessions will only be

held at the full Committee level. All hearings and business sessions in Washington, D.C. will be Chaired by Chairman Lugar. Field Hearings will be chaired by Chairman Lugar or by Senator Harkin at the election of Chairman Lugar. With respect to any investigation authorized by the Committee, Chairman Lugar and Senator Harkin will resolve issues related to subpoenas and depositions consistent with the foregoing understanding.

HEARING WITNESSES

We agree that Republican and Democratic Committee staff will work together in planning hearings and in the selection of witnesses. Staff shall work to develop an agreed upon list of specific witnesses for hearings. To the extent there is disagreement concerning the naming of a specific witness or witnesses, accommodation will be reached between the Committee staff directors. We agree that to the maximum extent possible, the list of witnesses should be evenly divided between Republican and Democratic choices.

SUBCOMMITTEES

Subcommittee Chairmen and Democratic Ranking Members are encouraged to carefully review hearing and hearing witness agreements between Chairman Lugar and Senator Harkin at the full Committee level when considering and selecting witnesses for subcommittee-level hearings.

10% ADMINISTRATIVE FUNDS

S. Res. 8 states that up to an additional 10% of the committee budget shall be allocated for administrative expenses. We agree these funds shall be evenly divided between the majority and minority budgets with each having discretion on the use of such funds, pending Rules Committee authorization.

ADMINISTRATIVE AND OFFICE MAIL FUNDS

Funds for official mail and administrative expenses shall be utilized between Chairman Lugar and Senator Harkin in a manner that is equitable in light of the evenly divided membership of the Committee and consistent with accomplishing the necessary work of the Committee.

NON-DESIGNATED STAFF

The Republican and Democratic Staff Directors will consult on hiring non-designated staff, with the understanding that there will be parity in the availability of non-designated staff to assist both Republican and Democratic Committee members and staff in the performance of the Committee's work.

OFFICE SPACE

It is understood that Agriculture Committee office space will be evenly divided between Republican and Democratic staff.

RICHARD G. LUGAR,
Chairman.
TOM HARKIN,
Ranking Democratic Member.

RULES OF THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a copy of the rules of procedure adopted today by the Committee on Rules and Administration for the 107th Congress be printed in the RECORD.

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

RULES OF PROCEDURE OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION

(Adopted Feb. 28, 2001)

TITLE I—MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the committee shall be the second and fourth Wednesdays of each month, at 9:30 a.m., in room SR–301, Russell Senate Office Building. Additional meetings may be called by the chairman as he may deem necessary or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings——

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members of the committee at least a week in advance. In addition, the committee staff will telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of legislative business and committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the Chairman and the Ranking Minority Member waive such requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority of the members of the committee shall constitute a quorum for the reporting of legislative measures.

2. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the members of the committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

3. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony under oath and 1 member of the committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one member can continue to take such testimony.

4. Under no circumstances may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a record vote will be taken on any question by roll call.

3. The results of roll call votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN

1. The Chairman is authorized to sign himself or by delegation all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf all routine business.

2. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The Chairman is authorized to issue, in behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

TITLE V—DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

The Chairman and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the committee any rule or regulation for which the committee's approval is required, provided advance notice of their intention to do so is given to members of the committee.

RULES OF THE SPECIAL COMMITTEE ON AGING

Mr. CRAIG. Mr. President, in accordance with rule XXVI, paragraph 2, of

the Standing Rules of the Senate, I ask unanimous consent that a copy of the rules of the Special Committee on Aging be printed in the RECORD.

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

RULES OF THE SPECIAL COMMITTEE ON AGING—RULES OF PROCEDURE

I. CONVENING OF MEETINGS AND HEARINGS

1. Meetings. The Committee shall meet to conduct Committee business at the call of the Chairman.

2. Special Meetings. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI(3).

3. Notice and Agenda:

(a) Hearings. The Committee shall make public announcement of the date, place, and subject matter of any hearing at least one week before its commencement.

(b) Meetings. The Chairman shall give the Members written notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(c) Shortened Notice. A hearing or meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing or meeting on shortened notice. An agenda will be furnished prior to such a meeting.

4. Presiding Officer. The Chairman shall preside when present. If the Chairman is not present at any meeting or hearing, the Ranking Majority Member present shall preside. Any Member of the Committee may preside over the conduct of a hearing.

II. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. Procedure. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern the matters enumerated in Rule II.3. Immediately after such discussion, the meeting or hearing may be closed by a vote in open session of a majority of the Members of the Committee present.

2. Witness Request. Any witness called for a hearing may submit a written request to the Chairman no later than twenty-four hours in advance for his examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. Closed Session Subjects. A meeting or hearing or portion thereof may be closed if the matters to be discussed concern: (1) national security; (2) Committee staff personnel or internal staff management or procedure; (3) matters tending to reflect adversely on the character or reputation or to invade the privacy of the individuals; (4) Committee investigations; (5) other matters enumerated in Senate Rule XXVI (5)(b).

4. Confidential Matter. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

5. Broadcasting:

(a) Control. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

(b) Request. A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his testimony cameras, media microphones, and lights shall not be directed at him.

III. QUORUMS AND VOTING

1. Reporting. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. Committee Business. A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

3. Polling:

(a) Subjects. The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) other Committee business which has been designated for polling at a meeting.

(b) Procedure. The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls, if the Chairman determines that the polled matter is one of the areas enumerated in Rule II.3, the record of the poll shall be confidential. Any Member may move at the Committee meeting following a poll for a vote on the polled decision.

IV. INVESTIGATIONS

1. Authorization for Investigations. All investigations shall be conducted on a bipartisan basis by Committee staff. Investigations may be initiated by the Committee staff upon the approval of the Chairman and the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge.

2. Subpoenas. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

3. Investigative Reports. All reports containing findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

V. HEARINGS

1. Notice. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least forty-eight hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

2. Oath. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any member, may request and administer the oath.

3. Statement. Witnesses are required to make an introductory statement and shall file 150 copies of such statement with the Chairman or clerk of the Committee at least 72 hours in advance of their appearance, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than ten minutes to orally summarize their prepared statement.

4. Counsel:

(a) A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from government, corporation, or association.

(b) A witness is unable for economic reasons to obtain counsel may inform the Committee at least 48 hours prior to the witness's appearance, and it will endeavor to obtain volunteer counsel for the witness. Such counsel shall be subject solely to the control of the witness and not the Committee Failure to obtain counsel will not excuse the witness from appearing and testifying.

5. Transcript. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious errors of fact, the Chairman or a staff officer designated by him shall rule on such request.

6. Impugned Persons. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his character or adversely affect his reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record;

(b) request the opportunity to appear personally before the Committee to testify in his own behalf; and

(c) submit questions in writing which he requests be used for the cross-examination of other-witnesses called by the Committee. The chairman shall inform the Committee of such requests for appearance or cross-examination. If the committee so decides; the requested questions, or paraphrased versions or portions of them, shall be put to the other witness by a Member or by staff.

7. Minority Witnesses. Whenever any hearing is conducted by the Committee, the minority on the Committee shall be entitled, upon request made by a majority of the minority Members to the Chairman, to call witnesses selected by the minority to testify or produce documents with respect to the measure or matter under consideration during at least one day of the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the completion of the hearing.

8. Conduct of Witnesses, Counsel and Members of the Audience. If, during public or executive sessions, a witness, his counsel, or any spectator conducts himself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

VI. DEPOSITIONS AND COMMISSIONS

1. Notice. Notices for the taking of depositions in an investigation authorized by the committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of rule V.4.

3. Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he may refer the matter to the Committee or he may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he has been ordered and directed to answer by a Member of the Committee.

4. Filing. The Committee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review. No later than five days thereafter, the witness shall return a signed copy, and the staff shall enter the changes if any, requested by the witness in accordance with Rule V.6. If the witness fails to return a signed copy, the staff shall note on the transcript the date a copy was provided and the failure to return it. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record to the testimony, and the transcript shall then be filed with the Committee clerk. Committee staff may stipulate with the witness to changes in this procedure; deviations from the procedure which do not substantially impair the reliability of the record shall not relieve the witness from his obligation to testify truthfully.

5. Commissions. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VII. SUBCOMMITTEES

1. Establishment. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. Jurisdiction. Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. Rules. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

VIII. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: ''Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.''

IX. AMENDMENT OF RULES

The Rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed.

RULES OF THE COMMITTEE ON THE BUDGET

Mr. DOMENICI. Mr. President, pursuant to paragraph 2 of rule XXVI of the Standing Rules of the Senate, I ask unanimous consent that a copy of the Rules of the Committee on the Budget for the 107th Congress as adopted by the Committee be printed in the RECORD.

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

RULES OF THE COMMITTEE ON THE BUDGET—ONE-HUNDRED-SEVENTH CONGRESS

I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the Committee on the Budget of the Senate, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 48 hours prior to such meeting or markup.

II. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4)(a) The Committee may poll—

(i) internal Committee matters including those concerning the Committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other Committee business that the Committee has designated for polling at a meeting, except that the Committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the Chair shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule I(2)(a)–(e), then the record of the poll shall be confidential. Any Member may move at the Committee meeting following a poll for a vote on the polled decision.

III. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions.

IV. HEARINGS AND HEARING PROCEDURES

(1) The Committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) In the event that the membership of the Senate is equally divided between the two

parties, the ranking member is authorized to call witnesses to testify at any hearing in an amount equal to the number called by the chair. The previous sentence shall not apply in the case of a hearing at which the Committee intends to call an official of the Federal government as the sole witness.

(3) A witness appearing before the committee shall file a written statement of proposed testimony at least 1 day prior to appearance, unless the requirement is waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

V. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest time.

(2) A number of the committee who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

VI. USE OF DISPLAY MATERIALS IN COMMITTEE

(1) Graphic displays used during any meetings or hearing of the committee are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the Senator's seat or at the rear of the committee room.

When: only at the time the Senator is speaking.

Number: no more than two may be displayed at a time.

RULES OF THE COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, consistent with standing rule XXVI, I ask unanimous consent that a copy of the Rules of the Senate Committee on Small Business be printed in the RECORD.

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

RULES OF THE COMMITTEE ON SMALL BUSINESS FOR THE 107TH CONGRESS

(Note: Changes are in italic)

1. GENERAL

All applicable provisions of the Standing Rules of the Senate, and of the Legislative Reorganization Act of 1946, as amended, shall govern the Committee.

2. MEETING AND QUORUMS

(a) The regular meeting day of the Committee shall be the first Wednesday of each month unless otherwise directed by the Chairman. All other meetings may be called by the Chairman as he deems necessary, on *5 business* days notice where practicable. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the Office of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the Clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chairman is not present at any regular, additional or special meeting, *such member of the Committee as the Chairman shall designate* shall preside.

(b)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term ''routine business'' includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments. 132 Congressional Record §3231 (daily edition March 21, 1986)

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(c) Proxies will be permitted in voting upon the business of the Committee by Members who are unable to be present. To be valid, proxies must be signed and assign the right to vote *on the date of the meeting* to one of the Members who will be present. Proxies shall in no case be counted for establishing a quorum.

(d) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless thirty written copies of such amendment have been delivered to the *Offices of the Chairman and the Ranking Member* at least *2 business days* prior to the meeting. This subsection may be waived by *agreement of* the Chairman *and Ranking Member* or by a majority vote of the members of the Committee.

3. HEARINGS

(a)(1) The Chairman of the Committee may initiate a hearing of the Committee on his authority or upon his approved of a request by any Member of the Committee. *If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days.* Written notice of all hearings, *including the title, a description of the hearing, and a tentative witness list* shall be given *at least 5 business days in* advance, *where* practicable, to Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chairman and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, *but must be in writing.*

(b)(1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact if a quorum be present as specified in Rule 2(b).

(2) *The Chairman and Ranking Member shall be empowered to call an equal number of witnesses to a Committee hearing. Such number shall exclude any Administration witness unless such witness would be the sole hearing witness, in which case the Ranking Member shall be entitled to invite one witness.* Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chairman or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chairman and the Ranking Minority Member.

(c) Witnesses may be subpoenaed by the Chairman with the agreement of the Ranking Minority Member or by consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, *but must be in writing.* Subpoenas shall be issued by the Chairman or by any Member of the Committee designated by him. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents and records shall identify the papers required to be produced with as much particularity as is practicable.

(d) Any witness summoned to a public or closed hearing may be accompanied by counsel of his own choosing, who shall be permitted while the witness is testifying to advise him of his legal rights.

(e) No confidential testimony taken, or confidential material spending to the Committee, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted voluntarily or pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members of the Committee.

4. SUBCOMMITTEES

The Committee shall not have standing subcommittees.

5. AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

RULES OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask unanimous consent the rules of the Committee on Health, Education, Labor, and Pensions for the 107th Congress adopted by the committee on February 28, 2001 be printed in the RECORD.

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

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD–430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings. The chairman may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in

subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is actually present at the time such action is taken.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrent of a majority of the members who are actually present at the time such actions is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a ''yea and nay'' vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing it intends to hold at least one week prior to the commencement of such hearing.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. The president officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the committee or a subcommittee for final consideration, the clerk shall place before each member of the committee or a subcommittee a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and in italics, the matter proposed to be added, if a member makes a timely request for such print.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chairman and ranking minority member agree on a shorter prior of time, the minority shall have no fewer than three business days to prepare supplemental, minority or additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of (a) candidates for appointment and promotion in the Public Health Service Corps; and (b) nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term ''majority'' as used in the committees' rules and guidelines shall refer to the party of the chairman for purposes of party identification. Numerical requirements for quorums, votes and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chairman at least 24 hours before an executive session. The chairman shall promptly distribute all filed amendments to the members of the committee. The chairman may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

[Excerpts from the Standing Rules of the Senate]

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

(m)(1) Committee on Health, Education, Labor, and Pensions, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, health, and public welfare.
2. Aging.
3. Agricultural colleges.
4. Arts and humanities.
5. Biomedical research and development.
6. Child labor.
7. Convict labor and the entry of goods made by convicts into interstate commerce.
8. Domestic activities of the American National Red Cross.
9. Equal employment opportunity.
10. Gallaudet College, Howard University, and Saint Elizabeths Hospital.
11. Individuals with disabilities.
12. Labor standards and labor statistics.
13. Mediation and arbitration of labor disputes.
14. Occupational safety and health, including the welfare of miners.
15. Private pension plans.
16. Public health.
17. Railway labor and retirement.
18. Regulation of foreign laborers.
19. Student loans.
20. Wages and hours of labor.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to health, education and training, and public welfare, and report thereon from time to time.

RULE XXVI

COMMITTEE PROCEDURE

1. Each standing committee, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures out of the contingent fund of the Senate as may be authorized by resolutions of the Senate. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding the amount prescribed by the Committee on Rules and Administration. The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

* * * * *

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock postmeridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by an person in attendance of any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

* * * * *

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A(a) of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A(a) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.
2. At least seven days prior to public notice of each committee or subcommittee hearing, the majority should provide notice to the minority of the time, place and specific subject matter of such hearing.
3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.
4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed.

1. Seven days prior to the proposed data for an executive session for the purpose of marking up bills the committee or subcommittee

(as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) two copies of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) two copies of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session; and

2. Three days prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or subcommittee (as appropriate) should deliver to each of its members two copies of a cordon print or an equivalent explanation of changes of existing law proposed to be made by each bill, joint resolution, or other legislative matter to be considered at such executive session.

3. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

ADDITIONAL STATEMENTS

TRIBUTE TO MR. ROBERT C. McWILLIAMS III

• Mr. HUTCHINSON. Mr. President, I rise today to pay tribute to a man who through his service and dedication made a significant difference in the lives of those who work at the Pine Bluff Arsenal in my home State of Arkansas. Mr. Robert C. McWilliams passed away recently, and the State will mourn his loss.

Robert McWilliams, was commissioned into the Army in 1964 as a second lieutenant of armor. He served two tours in Vietnam as an Army aviator and was awarded the Distinguished Flying Cross, Air Medal, Bronze Star Medal, Army Commendation Medal, National Defense Service Medal and was decorated with Senior Aviator Wings. After his service in Vietnam, he was stationed at Pine Bluff Arsenal, where he served as Provost Marshal, Chief of Security, and finally president of the local chapter of the American Federation of Government Employees.

It was in that last position that Bob truly emerged as a tireless advocate for the hundreds of men and women who work at the Pine Bluff Arsenal, toiling on behalf of our nation's security. I enjoyed the many conversations I had with Bob, for he never wasted an opportunity to argue for higher wages and more job security for those he represented. I knew that whenever I needed a candid opinion of how decisions made in Washington, D.C., would affect life in Jefferson County, I could call on him. Now that he is gone, I will miss him.

Robert C. McWilliams served his nation with dignity and honor. To those who knew him, he is remembered with fondness. I wish to extent my deepest sympathies for his passing to his family and loved ones.•

NIST CENTENNIAL

• Mr. LIEBERMAN. Mr. President, I rise today to celebrate the centennial of the founding of one of this country's technology treasures, the National Institute of Standards and Technology, or NIST.

For 100 years, the National Institute of Standards and Technology has helped to keep U.S. technology on the cutting edge. It has been a reliable and critical source of assistance to industry, science, and government. NIST's research, measurement tools, and technical services are integrated deeply into the many systems and operations that drive our national economy.

There are few aspects of our everyday lives and no corner of this country that is not touched by the work of NIST. In my State of Connecticut and in every State across this country, factories, communication and transportation networks, laboratories, hospitals, educational institutions, gas stations, coffee shops, and the extended enterprises of both the traditional and new economies are dependent on the work of NIST, its talented staff, and its ahead-of-the-curve research.

In order to understand the role that NIST has played in helping to make this country the economic powerhouse it is, we should take a little trip back in time, say about 100 years, to the beginning of the last century. It was a time before air conditioning, before plastics, before airplanes. Teddy Roosevelt had just become President and a middle-class income was no more than $5,000. We were at the dawn of the age of technology and we were excited about the opportunities for the rapidly evolving advances in science and technology.

We were also very confused. There were no authoritative national standards for any quantities or products. For example, there were eight separate values for the gallon. It was difficult, sometimes impossible, for Americans to conduct fair transactions or to get parts to fit together properly. Construction materials were of an uneven quality. Household products were unreliable. This commercial chaos hindered economic growth.

As the 1800s rolled into the 1900s, this country was in a precarious position. We were dependent on the research and scientific work of other countries. Few Americans were working as scientists, because most scientific work was performed overseas. American instruments were shipped abroad to be calibrated, and American scientists and engineers had to wait for their ships to come in, literally, before they could move ahead. The confusion and reliance on other nations was handicapping the United States in competition with trade rivals, such as Germany and England, countries which already had their own national measurement laboratories.

I am pleased to say that as they entered the 20th century, our predecessors in Congress acted wisely to remedy this commercial chaos and scientific competitive disadvantage. In 1901, in the final hours of its final session, the 56th Congress voted overwhelmingly to tackle a pervasive national need by creating the National Bureau of Standards, now known as NIST. Working closely with the leading scientists and industrialists of the time, this body, with great foresight, endorsed the concept of a national standards laboratory just as the century was beginning.

A century later, NIST has become an organization of 3,200 employees, plus 2,000 field agents who partner with NIST in all 50 states and Puerto Rico, 1,600 guest researchers and another 1,500 industrial research partners. A lot has happened to science and technology over the past century and NIST has helped to lay the foundations for our nation's progress.

I would like to spend just a few minutes reviewing some key contributions the Institute has made to industry, science, technology, national security and consumers. In the early years of the century, thousands of train derailments were caused by broken rails, wheel flanges and axles. NIST ran tests, and reported that the steel industry had not established uniform practices in manufacturing rails and wheels. By 1930, as better steel went into rails and trains, with NIST's help in standardizing materials and processing, the rate of accidents from these causes fell by two-thirds.

At the end of the century, industry had become increasingly dependent on information and knowledge and NIST continued to be relevant in that area. For example, financial services, telecommunications companies, and hardware and software products relied heavily on the data encryption standard issued by NIST in 1977, the first publicly available standard of this type and the first cryptographic algorithm endorsed by the Federal Government. Today, NIST is coordinating a successor standard, having run an Olympics-type worldwide competition.

The Global Positioning System and other communications and navigation technologies are more accurate, thanks to improved timekeeping, a trend promoted by NIST's operation of the first atomic clock, which was based on the ammonia molecule, in 1949. Progress in cooling atoms to within the tiniest fraction of ''absolute zero'' enabled NIST to build one of the world's most accurate atomic clocks, NIST F–1, which is used to maintain the nation's time standard.

NIST's critical role for industry has not been limited to research. Its Manufacturing Extension Partnership program has been boosting the competitiveness of this country's 361,000 smaller manufacturers since 1989. In 1999, more than 23,000 firms took advantage of its services, increasing or retaining billions of dollars in sales, saving hundreds of millions of dollars in costs, and creating or retaining tens of thousands of jobs.

Another relatively recent and important addition to NIST's work has been its Malcolm Baldrige National Quality Award program that has helped thousands of organizations to improve their overall performance. The Baldrige Criteria for Performance Excellence have been used by tens of thousands of organizations and they have been called the ''single most influential document in the modern history of American business.''

The once-troubled $7 billion U.S. printed wiring board industry, with its 200,000 jobs, was turned around by a research project co-funded by NIST's Advanced Technology Program. The joint venture led to dramatic efficiencies in research and development, accelerated research, and produced significant technological advances. ATP has played a key role in pushing ahead emerging critical technologies.

NIST's work extends to national security. During military conflicts, NIST was called on to perform numerous tasks, ranging from development of a synthetic substitute for rubber to improving submarine communications to helping design the ''Bat,'' the first fully automated guided missile to be used successfully in combat. Important initial research on the atomic bomb was carried out by NIST, which served as a central control lab for determination of the properties of uranium.

Like industry and our security forces, consumers also count heavily on NIST. For example, withdrawals from automated teller machines are among the billions of dollars worth of electronic data transaction that have been secured for many years with the first publicly available data encryption standard, issued by NIST in 1977. Today, NIST is coordinating the development of an even more powerful successor standard.

Today, patients receive accurate radiation doses in disease diagnosis and treatment today thanks to NIST radiation measurement and standards activities under way since the 1970s. NIST's contributions to the safe medical use of radiation began many years ago. It included efforts to help bring about the 1931 X-ray safety code, which set guidelines for protective devices for patients and operators.

The U.S. death rate from fires declined by 50 percent between the early 1970's and late 1990's, in large part because smoke detectors are now installed in 95 percent of homes. NIST made this improvement possible by developing, with Underwriters Laboratories' participation, the first fire performance standard for smoke detectors and recommendations on number, type and placement of the extinguishers.

It is clear that over its first 100 years, NIST has become part of the fabric of the U.S. economy and society. Our homes, factories, laboratories, hospitals, schools, police and fire departments, and military all have benefitted from NIST's technical handiwork. NIST's importance to this country is as true today as at any time in the agency's 100 year history.

Now we must look to the future as we celebrate this highly valued institution. Science, technology and society obviously have been transformed over the century and NIST's challenges are changing, too.

What's next for NIST? As science and technology advance, the need for new and more accurate measurements also grows. To meet the exacting needs of electronic manufacturers, for example, NIST researchers have developed methods for counting electrons, one by one. And to open the frontier of nanotechnology, where feature sizes are hundreds and even thousands of times smaller than the diameter of a human hair, they are devising molecular rulers, derived from interatomic spacings in perfectly ordered crystals.

Standards have become crucial for efficient business entry into emerging technologies. Standards have also become a tool of other nations for creating mercantile trade barriers. NIST's role in setting sound global technology standards is becoming critical to U.S. performance in the global economy.

Information Technology security is fundamental to our electronic infrastructure, and NIST is addressing those challenges with special attention to helping other government agencies to improve the security of their systems.

With tough global competition and a growing productivity gap compared with larger manufacturers, small firms will sorely need even greater the access to a nationwide system of technical and business assistance offered by NIST's Manufacturing Extension Partnership.

The Baldrige criteria for organizational improvement are just taking hold in the education and healthcare sectors, and manufacturers and service firms continue to find these evolving criteria to be effective guideposts to help them meet increasing customer demands for excellence.

The new technologies fostered over the past decade by NIST's cost-sharing of high-risk research through the Advanced Technology Program, will be emerging at a quickening pace over the next several years as companies turn these enabling technologies into marketplace offerings.

As NIST moves into its second century, it is clearly committed to working with industry, building the science, technology and business infrastructure needed to ensure future economic prosperity and a higher quality of life for all Americans. We are building a new economy in this century that is based on innovation. NIST is playing an important role in support of the private sector, in building that new economy.

As with our predecessors a century ago, it is the responsibility of this body to support NIST in meeting those challenges. As NIST celebrates its centennial and looks forward to even greater accomplishments, let us in this body reaffirm our commitment to creating new generations of science, technology, economic growth and security. Congress has played an important role in NIST's first century of success. Now as NIST begins its second century of service to U.S. industry and all Americans, it is Congress' responsibility to keep this treasure a strong resource that will help prepare us for the century ahead.●

HONORING THE FAMILY OF KAYLA ROLLAND

● Mr. LEVIN. Mr. President, there is a family in my home State of Michigan who is to be honored for its courage. The family of Kayla Rolland, the little girl who was shot by her first-grade classmate, has been a source of inspiration to all families who have lost loved ones in gun tragedies.

Despite her own suffering, Kayla's mother, Veronica McQueen, found the strength to speak out to all Americans about her family's tragedy at the Million Mom March. The memory of Kayla and Mrs. McQueen's words of courage helped lead thousands of families from our State to march in Washington for sensible and safe gun laws.

Mrs. McQueen continues to speak out with hope that she can prevent another family from suffering what her family has suffered. Last weekend, as family and friends gathered together to memorialize the one year shooting death of young Kayla, Mrs. McQueen, said:

> I pray to God that by being here and sharing with you our sorrow and grief in some way we have made people more aware of gun and school safety and common sense gun laws and to protect our children from guns and, hopefully, save children from what happened to my special little angel, Kayla. This is so important to us.
>
> It has been a very horrible year for all of us. The pain will not go away. I miss her more as time goes on, but Kayla's behind me. Her spirit is driving me on to help save other children from gun violence, and I hope and pray you all will—help save our children.
>
> In a few days, it will be one year since I lost a piece of my heart with Kayla's death. Please—mother, fathers, sisters, brothers, everywhere—please never forget how my baby died.
>
> Let's always put our children first and speak out for their safety.

I regret that I could not be at the memorial service for Kayla, but I want to assure Mrs. McQueen and her family that I stand by her words and her mission. Kayla will always be in my thoughts and prayers and hopefully she will be the spirit that guides us all to put the safety of children first.

U.S. POSTAL INSPECTION SERVICE

● Mr. AKAKA. Mr. President, I rise today to pay tribute to the exceptional men and women of the U.S. Postal Inspection Service, a premiere Federal law enforcement agency and protector of the U.S. mail. Founded by Benjamin Franklin, the Nation's first postmaster general, it is one of the oldest Federal law enforcement agencies. The Postal

Inspection Service has a long, proud, and successful history of enforcing laws against those who would use the Nation's postal system to defraud, endanger, or otherwise harm the American people.

America has long entrusted her secrets and commerce to the Postal Service. Dedicated postal workers have delivered untold love letters from sweethearts, care packages from home, financial instruments from bankers, and mail-order parcels from merchants. Preserving this trust is the Postal Inspection Service. In days past, Postal Inspectors protected colonial America's post offices from theft and embezzlement and protected the American people from mail fraud swindles following the Civil War. Postal Inspectors solved the last known stagecoach robbery in the United States in 1916 and protected the transfer of the Nation's $15.5 billion gold reserve from New York to Fort Knox in 1934. Postal Inspectors organized the massive military mail system during World War II and protected the priceless Hope Diamond when it was transferred to the Smithsonian Institution in 1958. In recent years, Postal Inspectors have conducted major investigations from Wall Street insider trading to child pornography to international art fraud. The Postal Inspection Service was one of three Federal law enforcement agencies assigned to the Unabomber task force.

As a testament to their reputation and professionalism, postal inspectors were selected by former Senator John Danforth to serve as the primary investigators looking into the confrontation at Waco, TX. In 1996, Postal Inspectors served on the Federal task force investigating the shootout at Ruby Ridge, ID.

In addition to its expertise as a Federal law enforcement agency, the Postal Inspection Service serves as the security arm of the U.S. Postal Service. When natural disasters or civil disorders occur, postal inspectors and postal police officers are among the first to respond, protecting the U.S. mail, postal workers, and property. Immediately following these emergencies, the Postal Inspection Service works with the Federal Emergency Management Agency to re-establish basic Government mail service, and safeguards delivery of the tons of private relief and aid that is often sent through the U.S. mail.

The Service continues to work to preserve America's confidence in the U.S. mail, even as the Internet assumes a prominent role in our society. Just as it has adapted from stagecoach robberies to Wall Street insider trading schemes, the Postal Inspection Service has now set its sights on Internet fraudsters and cyber-criminals who use the U.S. mail as part of their schemes. It is appropriate that the Service is currently giving significant prevention and investigative attention to the issue of identity theft where thieves steal other's identifying information—name, address, date of birth, Social Security number and mother's maiden name—to take over the victim's financial accounts.

Today, there are approximately 2,000 postal inspectors stationed throughout the United States responsible for enforcing more than 200 Federal criminal statutes.

As the ranking Democrat on the Subcommittee on International Security, Proliferation, and Federal Services, I have the privilege of providing legislative support and oversight of this distinguished department. I am continually impressed with the quality and breadth of service they provide the American public. In addition to a large cadre of postal inspectors, the Postal Inspection Service includes uniformed postal police officers, forensic specialists, and a host of other professional and technical employees. I thank the men and women of the Postal Inspection Service, and recognize them in this special way for their outstanding dedication and service to the country.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Finance.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ENTITLED "A BLUE PRINT FOR NEW BEGINNINGS: A RESPONSIBLE BUDGET FOR AMERICA'S PRIORITIES"—MESSAGE FROM THE PRESIDENT—PM 8

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly to the Committees on Appropriations and the Budget.

To the Congress of the United States:

With a great sense of purpose, I present to the Congress my budget. It offers more than a plan for funding the Government for the next year; it offers a new vision for governing the Nation for a new generation.

For too long, politics in Washington has been divided between those who wanted big Government without regard to cost and those who wanted small Government without regard to need. Too often the result has been too few needs met at too high a cost. This budget offers a new approach—a different approach for an era that expects a Federal Government that is both active to promote opportunity and limited to preserve freedom.

Our new approach is compassionate:

It will revitalize our public schools by testing for achievement, rewarding schools that succeed, and giving more flexibility to parents of children in schools that persistently fail.

It will reinvigorate our civil society by putting Government on the side of faith-based and other local initiatives that work—that actually help Americans escape drugs, lives of crime, poverty, and despair.

It will meet our Nation's commitments to seniors. We will strengthen Social Security, modernize Medicare, and provide prescription drugs to low-income seniors.

This new approach is also responsible:

It will retire nearly $1 trillion in debt over the next four years. This will be the largest debt reduction ever achieved by any nation at any time. It achieves the maximum amount of debt reduction possible without payment of wasteful premiums. It will reduce the indebtedness of the United States, relative to our national income, to the lowest level since early in the 20th Century and to the lowest level of any of the largest industrial economies.

It will provide reasonable spending increases to meet needs while slowing the recent explosive growth that could threaten future prosperity. It moderates the growth of discretionary spending from the recent trend of more than six percent to four percent, while allowing Medicare and Social Security to grow to meet the Nation's commitments to its retirees.

It will deliver tax relief to everyone who pays income taxes, giving the most dramatic reductions to the least affluent taxpayers. It will also give our economy a timely second wind and reduce the tax burden—now at the highest level as a percentage of Gross Domestic Product since World War II.

Finally, this new approach begins to confront great challenges from which Government has too long flinched. Social Security as it now exists will provide future beneficiaries with the equivalent of a dismal two percent real rate of return on their investment, yet the system is headed for insolvency. Our new approach honors our commitment to Social Security by reserving every dollar of the Social Security payroll tax for Social Security, strengthening the system by making further necessary reform feasible.

Medicare as it exists does not adequately care for our seniors in many ways, including the lack of prescription drug coverage. Yet Medicare spending already exceeds Medicare taxes and premiums by $66 billion this year, and Medicare will spend $900 billion more than it takes in over the next 10 years. Reform is urgently needed. Our new approach will safeguard Medicare by ensuring that the resources for reform will be available.

New threats to our national security are proliferating. They demand a rethinking of our defense priorities, our force structure, and our military technology. This new approach begins the work of restoring our military, putting investments in our people first to recognize their importance to the military of the future.

It is not hard to see the difficulties that may lie ahead if we fail to act promptly. The economic outlook is uncertain. Unemployment is rising, and consumer confidence is falling. Excessive taxation is corroding our prosperity. Government spending has risen too quickly, while essential reforms, especially for our schools, have been neglected. And we have little time before the demographic challenge of Social Security and Medicare becomes a crisis.

We cannot afford to delay action to meet these challenges. And we will not. It will demand political courage to face these problems now, but I am convinced that we are prepared to work together to begin a new era of shared purposes and common principles. This budget begins the work of refining those purposes and those principles into policy—a compassionate, responsible, and courageous policy worthy of a compassionate, responsible, and courageous Nation.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 28, 2001*.

MESSAGE FROM THE HOUSE

At 11:21 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the resolution (H. Con. Res. 14) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that pursuant to section 3 of Public Law 94–304, as amended by section 1 of Public Law 99–7, and the order of the House of Wednesday, February 14, 2001, the Speaker on Thursday, February 15, 2001 appointed the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-chairman, Mr. WOLF of Virginia, Mr. PITTS of Pennsylvania, Mr. WAMP of Tennessee, and Mr. ADERHOLT of Alabama.

The message further announced that pursuant to section 8002 of the Internal Revenue Code of 1986, the Committee on Ways and Means designated the following Members to serve on the Joint Committee on Taxation for the 107th Congress: Mr. THOMAS, Mr. CRANE, Mr. SHAW, Mr. RANGEL, and Mr. STARK.

The message also announced that pursuant to section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211), the Speaker appoints the following Members of the House of Representatives to be accredited by the President as official advisers to United States delegations to international conferences, meetings, and negotiation sessions relating to trade agreements during the first session of the 107th Congress: Mr. THOMAS of California, Mr. CRANE of Illinois, Mr. SHAW of Florida, Mr. RANGEL of New York, and Mr. LEVIN of Michigan.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 39. Concurrent resolution honoring the ultimate sacrifice made by 28 United States soldiers killed by an Iraqi missile attack on February 25, 1991, during Operation Desert Storm, and resolving to support appropriate and effective theater missile defense programs.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 39. Concurrent resolution honoring the ultimate sacrifice made by 28 United States soldiers killed by an Iraqi missile attack on February 25, 1991, during Operation Desert Storm, and resolving to support appropriate and effective theater missile defense programs; to the Committee on Armed Services.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–830. A communication from the Acting General Counsel for the Bureau of the Census, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Report of Tabulation of Population to States and Localities Pursuant to 13 USC 141(c) and Availability of Other Population Information; Revocation of Delegation of Authority'' (RIN0607–AA33) received on February 21, 2001; to the Committee on Governmental Affairs.

EC–831. A communication from the Acting Director of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, a report containing the list of government activities not inherently governmental in nature for the year 2000; to the Committee on Governmental Affairs.

EC–832. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–579, ''Anthony W. Simms Tunnel Designation Act of 2000''; to the Committee on Governmental Affairs.

EC–833. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–581, ''Freedom of Information Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–834. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–578, ''Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–835. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–573, ''Public Access to Automated External Defibrillator Act of 2000''; to the Committee on Governmental Affairs.

EC–836. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–575, ''Individuals with Disabilities Parking Reform Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–837. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–602, ''Galen Tait Memorial Park Designation Act of 2000''; to the Committee on Governmental Affairs.

EC–838. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–601, ''Closing of a Public Alley in Square 741, S.O. 00–82, Act of 2000''; to the Committee on Governmental Affairs.

EC–839. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–600, ''Uniform Child-Custody Jurisdiction and Enforcement Act of 2000''; to the Committee on Governmental Affairs.

EC–840. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 10–594, ''Tree Protection Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–841. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–598, ''Closing of a Public Alley in Square 209, S.O. 2000–37, Temporary Act of 2001''; to the Committee on Governmental Affairs.

EC–842. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–596, ''Fire/EMS Excepted Service Designation Temporary Amendment Act of 2001''; to the Committee on Governmental Affairs.

EC–843. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–592, ''Motor Vehicle and Safe Driving Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–844. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–574, ''Technical Amendments Act of 2000''; to the Committee on Governmental Affairs.

EC–845. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–577, ''Fair Phone Charges for Prisoners Act of 2000''; to the Committee on Governmental Affairs.

EC–846. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–582, ''Waverly Alley Designation Act of 2000''; to the Committee on Governmental Affairs.

EC–847. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–588, ''John T. 'Big John' Williams Building Designation Temporary Act of 2000''; to the Committee on Governmental Affairs.

EC–848. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–589, ''Necessity for Council Review and Approval of Standards for Public Art on Special Signs in the District of Columbia Temporary Act of 2001''; to the Committee on Governmental Affairs.

EC–849. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 13–591, ''Harry L. Thomas, Sr., Recreation Center Designation Act of 2000''; to the Committee on Governmental Affairs.

EC–850. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–583, ''Closing of a Public Alley in Square 209, S. O. 2000–37, Act of 2000''; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

From the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. Res. 31: An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry.

From the Committee on Foreign Relations, without amendment:

S. Res. 32: An original resolution authorizing expenditures by the Committee on Foreign Relations.

From the Special Committee on Aging, without amendment:

S. Res. 33: An original resolution authorizing expenditures by the Special Committee on Aging.

From the Committee on Environment and Public Works, without amendment:

S. Res. 34: An original resolution authorizing expenditures by the Committee on Environment and Public Works.

From the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 35: An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

From the Committee on Commerce, Science, and Transportation, without amendment:

S. Res. 36: An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.

From the Committee on Finance, without amendment:

S. Res. 37: An original resolution authorizing expenditures by the Committee on Finance.

From the Committee on Armed Services, without amendment:

S. Res. 38: An original resolution authorizing expenditures by the Committee on Armed Services.

From the Committee on Rules and Administration, without amendment:

S. Res. 39: An original resolution authorizing expenditures by the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

Mr. WARNER. Mr. President, for the committee on Armed Services, I report favorably nomination lists which were printed in the RECORDS of the dates indicated.

Air Force nomination of Robert V. Garza, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Air Force nominations beginning Linda M. Christiansen and ending Robert M. Monberg, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Air Force nominations beginning *Charles G. Beleny and ending Michele R. Zellers, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Air Force nominations beginning Jay O. Aanrud and ending *Daniel S. Zulli, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nomination of Marcus G. Coker, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nomination of Eugene K. Ressler, Jr., which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nomination of Kenneth W. Smith, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nomination of Timothy I. Sullivan, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Virginia G. Barham and ending James C. Butt, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Felix T. Castagnola and ending Aaron R. Kenneston, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning William P. Blaich and ending Ira K. Weil, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Gregory O. Block and ending Robert D. Teetsel, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Moses N. Adiele and ending Horace J. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Norman F. Allen and ending Daria P. Wollschlaeger, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Stephen C. Allison and ending Stacey YoungMccaughan, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations of Robert M. Nagle, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning James M. Ivey and ending Douglas C. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on January 13, 2001.

Army nomination of Steven L. Powell, which was received by the Senate and appeared in the Congressional Record on January 13, 2001.

Army nomination of Mark R. Withers, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Army nominations beginning Danny W. Agee and ending Ronald K. Taylor, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Army nominations beginning Arthur D. Bacon and ending Richard T. Vann, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Paul D. Wolfowitz, of Maryland, to be Deputy Secretary of Defense.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

TO BE VICE ADMIRAL

Rear Adm. Albert H. Konetzni, Jr., 0000.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

TO BE VICE ADMIRAL

Rear Adm. Timothy W. LaFleur, 0000.

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

TO BE REAR ADMIRAL

Rear Adm. (lh) James S. Allan, 0000.
Rear Adm. (lh) Howard W. Dawson, Jr., 0000.
Rear Adm. (lh) Karen A. Harmeyer, 0000.
Rear Adm. (lh) Maurice B. Hill, Jr., 0000.
Rear Adm. (lh) James M. Walley, Jr., 0000.

Navy nomination of Kevin D. Sullivan, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination of Stephen L. Cooley, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination of Brian J.C. Haley, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination of William J. Nault, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination of James P. Scanlan, which was received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination beginning Douglas J. Adams and ending Gregory J. Zacharski, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Navy nomination of Mark R. Munson, which was received by the Senate and appeared in the Congressional Record on February 3, 2001.

Navy nomination of Thomas F. Kolon, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Navy nomination of Bernadette M. Semple, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Navy nomination of John D. Carpenter, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Navy nomination of Darren S. Harvey, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Navy nomination of Travis C. Schweizer, which was received by the Senate and appeared in the Congressional Record on February 13, 2001.

Navy nominations beginning Francis R. Baucus and ending Scott W. Stuart, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Marine Corps nominations beginning Ronald S. Culp and ending Christopher J. Loria, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

(The above nominations were reported with the recommendation that they be confirmed.)

Marine Corps nominations beginning Educardo A. Abisellan and ending Richard D.

Zyla, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

By Mr. GRASSLEY for the Committee on Finance.

Mark A. Weinberger, of Maryland, to be an Assistant Secretary of the Treasury.

John M. Duncan, of the District of Columbia, to be a Deputy Under Secretary of the Treasury.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself and Mr. DURBIN):

S. 409. A bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAPO:

S. 410. A bill to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Mr. JEFFORDS, Mrs. BOXER, Mr. FEINGOLD, Mr. KERRY, Mr. WELLSTONE, Mrs. CLINTON, Mr. CORZINE, Mr. LEAHY, Mr. DODD, Mr. KOHL, Mr. SARBANES, Mr. EDWARDS, Mr. TORRICELLI, Mr. HARKIN, Mr. REED, Mr. BIDEN, Ms. CANTWELL, Mr. DURBIN, Ms. STABENOW, Mrs. MURRAY, Mr. KENNEDY, Mr. GRAHAM, and Mr. WYDEN):

S. 411. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. BAYH (for himself and Mr. LUGAR):

S. 412. A bill to provide for a temporary Federal district judgeship for the southern district of Indiana; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. DODD):

S. 413. A bill to amend part F of title X of the Elementary and Secondary Education Act of 1965 to improve and refocus civic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CLELAND (for himself, Mr. HOLLINGS, Mr. STEVENS, Mr. INOUYE, and Mr. BREAUX):

S. 414. A bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HOLLINGS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. GRASSLEY):

S. 415. A bill to amend title 49, United States Code, to require that air carriers meet public convenience and necessity requirements by ensuring competitive access by commercial air carriers to major cities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY (for himself, Mr. DEWINE, Mrs. BOXER, and Mr. KOHL):

S. 416. A bill to amend the Consumer Product Safety Act to confirm the Consumer Product Safety Commission's jurisdiction over child safety devices for handguns, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself and Ms. MIKULSKI):

S. 417. A bill to amend section 203 of the National Housing Act to provide for 1 percent downpayments for FHA mortgage loans for teachers and public safety officers to buy homes within the jurisdictions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INOUYE:

S. 418. A bill to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Finance.

By Mr. TORRICELLI (for himself and Mr. CORZINE):

S. 419. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House, Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 31. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

By Mr. HELMS:

S. Res. 32. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Mr. CRAIG:

S. Res. 33. An original resolution authorizing expenditures by the Special Committee on Aging; from the Special Committee on Aging; to the Committee on Rules and Administration.

By Mr. SMITH of New Hampshire:

S. Res. 34. An original resolution authorizing expenditures by the Committee on Environment and Public Works; from the Committee on Environment and Public Works; to the Committee on Environment and Public Works.

By Mr. JEFFORDS:

S. Res. 35. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Mr. MCCAIN:

S. Res. 36. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation; from the Committee on Commerce, Science, and Transportation; to the Committee on Rules and Administration.

By Mr. GRASSLEY:

S. Res. 37. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

By Mr. WARNER:

S. Res. 38. An original resolution authorizing expenditures by the Committee on Armed Services; from the Committee on Armed Services; to the Committee on Rules and Administration.

By Mr. MCCONNELL:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Rules and Administration; from the Committee on Rules and Administration; placed on the calendar.

By Mr. SANTORUM:

S. Con. Res. 19. A concurrent resolution honoring the ultimate sacrifice made by 28 United States soldiers killed by an Iraqi missile attack on February 25, 1991, during Operation Desert Storm, and resolving to support appropriate and effective theater missile defense programs; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. BOND, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 29, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 38

At the request of Mr. INOUYE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 38, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 39

At the request of Mr. STEVENS, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from Ohio (Mr. DEWINE), the Senator from Maine (Ms. SNOWE), the Senator from Vermont (Mr. JEFFORDS), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 39, a bill to provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, and for other purposes.

S. 41

At the request of Mr. HATCH, the names of the Senator from Tennessee (Mr. THOMPSON) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 41, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit.

S. 131

At the request of Mr. JOHNSON, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 131, a bill to amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 149

At the request of Mr. ENZI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 149, a bill to provide authority to control exports, and for other purposes.

S. 161

At the request of Mr. WELLSTONE, the names of the Senator from Minnesota (Mr. DAYTON), the Senator from Connecticut (Mr. DODD), the Senator from Michigan (Ms. STABENOW), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 161, a bill to establish the Violence Against Women Office within the Department of Justice.

S. 168

At the request of Mr. BROWNBACK, the names of the Senator from New Hampshire (Mr. SMITH) and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 168, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan.

S. 177

At the request of Mr. AKAKA, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 177, a bill to amend the provisions of title 19, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 220

At the request of Mr. GRASSLEY, the names of the Senator from New Jersey (Mr. TORRICELLI), the Senator from Delaware (Mr. BIDEN), and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 220, a bill to amend title 11, United States Code, and for other purposes.

S. 267

At the request of Mr. AKAKA, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 267, a bill to amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

S. 272

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 272, a bill to rescind fiscal year 2001 procurement funds for the V–22 Osprey aircraft program other than as necessary to maintain the production base and to require certain reports to Congress concerning that program.

S. 275

At the request of Mr. KYL, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 275, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers, to preserve a step up in basis of certain property acquired from a decedent, and for other purposes.

S. 281

At the request of Mr. HAGEL, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Georgia (Mr. MILLER), the Senator from Michigan (Mr. LEVIN), the Senator from Kansas (Mr. BROWNBACK), the Senator from North Dakota (Mr. CONRAD), and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 295

At the request of Mr. KERRY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 295, a bill to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes.

S. 327

At the request of Mr. REED, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 327, a bill to amend the Elementary and Secondary Education Act of 1965 to provide up-to-date school library media resources and well-trained, professionally certified school library media specialists for elementary schools and secondary schools, and for other purposes.

S. 332

At the request of Mr. DEWINE, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 332, a bill to provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to strike the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 350

At the request of Mr. CHAFEE, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Michigan (Mr. LEVIN), the Senator from Maine (Ms. SNOWE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from North Carolina (Mr. HELMS), the Senator from Maryland (Mr. SARBANES), the Senator from New York (Mr. SCHUMER), the Senator from Oregon (Mr. SMITH), the Senator from Georgia (Mr. CLELAND), the Senator from Ohio (Mr. DEWINE), the Senator from Vermont (Mr. LEAHY), the Senator from Maine (Ms. COLLINS), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Rhode Island (Mr. REED), the Senator from Iowa (Mr. HARKIN), the Senator from Delaware (Mr. BIDEN), the Senator from North Dakota (Mr. DORGAN), the Senator from Connecticut (Mr. DODD), and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 350, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 351

At the request of Ms. COLLINS, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 351, a bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting use of mercury fever thermometers and improving collection, recycling, and disposal of mercury, and for other purposes.

S. 388

At the request of Mr. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 388, a bill to protect the energy and security of the United States and decrease America's dependency on foreign oil sources to 50% by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy prices on the American consumer, including the poor and the elderly; and for other purposes.

S. 389

At the request of Mr. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 389, a bill to protect the energy and security of the United States and decrease America's dependency on foreign oil sources to 50% by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy prices on the American consumer, including the poor and the elderly; and for other purposes.

S. 393

At the request of Mr. FRIST, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 393, a bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions to public charities for use in medical research.

S. 397

At the request of Mr. MCCAIN, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 397, a bill to amend the Defense Base Closure and Realignment Act of 1990 to authorize additional rounds of base closures and realignments under the Act in 2003 and 2005, to modify certain authorities relating to closures and realignments under that Act.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. CON. RES. 17

At the request of Mr. SARBANES, the names of the Senator from Maine (Ms. COLLINS), the Senator from Illinois (Mr. DURBIN), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that there should continue to be parity between the adjustments in the compensation of members of the uniformed services and the adjustments in the compensation of civilian employees of the United States.

S. RES. 20

At the request of Mr. SPECTER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 20, a resolution designating March 25, 2001, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

S. RES. 25

At the request of Mr. CRAIG, the names of the Senator from Indiana (Mr. BAYH), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Massachusetts (Mr. KERRY), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 25, a resolution designating the week beginning March 18, 2001 as ''National Safe Place Week.''

S. RES. 29

At the request of Mr. HUTCHINSON, his name was added as a cosponsor of S. Res. 29, a resolution honoring Dale Earnhardt and expressing condolences of the United States Senate to his family on his death.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself and Mr. DURBIN):

S. 409. A bill to amend title 38, United States Code, to clarify the standards for compensation of Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. HUTCHISON. Mr. President, I am pleased to be joined by Senator DURBIN of Illinois to offer legislation on a very important issue for those men and women who served during the Persian Gulf War. A companion bill was introduced in the House by Congressman MANZULLO from Illinois. This bill will amend the Persian Gulf War Veterans' Benefits Act, title I of Public Law 103–446. That law provides for the payment of compensation to Persian Gulf veterans suffering from a chronic disability resulting from an undiagnosed illness or a combination of undiagnosed illnesses. This bill will extend the presumptive period from December 31, 2001 to ''from December 31, 2011 or such a later date as the Secretary may prescribe by regulation.'' Additionally, the bill further expands the definition of an undiagnosed illness and gives a comprehensive list of signs or symptoms that may be manifestation of an undiagnosed illness such as fatigue, muscle pain, joint pain, gastrointestinal signs and symptoms to name a few. Today, 10 years after the end of the Persian Gulf War many of our veterans are suffering from undiagnosed illnesses.

President Bush in a speech titled ''Our Debt of Honor'' on November 10, 1999, Veterans Day, said of our Persian Gulf War Veterans, ''They should not have to go to elaborate lengths to prove that they are ill, just because their malady has yet to be fully explained. A 1994 law was passed to grant them the presumption of disability. Yet even now they are met with skeptical looks and paper-shuffling excuses for withholding coverage. If I have anything to say about it, all that is going to end. In the military, when you are called to account for a mistake, you are expected to give one simple answer: ''No excuse, sir.'' And that should be the attitude of any government official who fails to make good on our public responsibilities to veterans. There are no excuses for it.

Of the nearly 700,000 U.S. military personnel who served in the Persian Gulf in 1990 and 1991, more than 100,000 have complained of an array of symptoms that have become known as the Gulf War Syndrome. These symptoms include chronic fatigue, muscle and joint pain, memory loss, sleep disorders, depression and concentration problems among others. Approximately 9,000 of those were denied claims under the 1994 law.

There are some who question whether or not such a syndrome actually exists and many continue to theorize that these symptoms are largely psychological and brought about by post-traumatic stress. I believe the evidence is increasingly clear that this is not stress related. We have an obligation to ensure Gulf War veterans are properly diagnosed and treated effectively and compensated for any service connected disabilities.

What we do know is that our veterans were exposed to a host of pharmaceuticals, chemicals and environmental toxins. Indeed those who served were apparently exposed to some veritable witch's brew of known and potential hazards to health including blowing dust and sand particles, smoke from oil well fires, petroleum fuels and their combustion products, possible exposure to chemical warfare nerve agents and biological warfare agents, pyridostigmine bromide pills to protect against organophosphate nerve agents, insecticides, vaccinations, infectious diseases, depleted uranium, and psychological and physiological stress.

This bill will be a step in the right direction and is the way to help repay our debt to these veterans. Not only is it the right thing and fair thing to do, but during these times of increased deployments and personnel shortages, it is in our national interest to continue to show our dedicated service members that we appreciate their sacrifice and commitment.

I commend the Senator from Illinois for his support on this issue and urge other Senators to join us in this effort.

By Mr. CRAPO:

S. 410. A bill to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence; to the Committee on the Judiciary.

Mr. CRAPO. Mr. President, I rise today to introduce legislation that is an important step in continuing to recognize the victims of dating violence. The bill I am introducing today would allow victims of dating violence to qualify for federal legal assistance grants authorized under the Violence Against Women Act.

Dating violence is a predominately little-known and misunderstood aspect of domestic violence. Historically, domestic violence laws have only been applied in cases where the victims have been married or cohabitating with the abuser, or where the couple shares a child together. Unfortunately, this criteria ignores the equally dangerous violence that can occur in dating relationships. Victims of domestic violence are victims regardless of their relationship to the abuser. These victims face the same trauma and the same manipulation as every other domestic violence victim. As Congress focuses its attention on providing necessary assistance to the states for prevention and treatment of domestic violence, we must not allow victims of dating violence to be left behind.

The lack of recourse for victims of dating violence was brought to my attention through a tragic incident in my home State of Idaho. In December 1999, Cassie Dehl, a seventeen-year-old girl from Soda Springs, Idaho, was killed in an accident involving her abusive boyfriend. Despite documentation of years of vicious and life-threatening abuse, Cassie's parents were unable to obtain legal protection for their daughter because neither Federal or Idaho domestic violence law applied to teenage dating relationships. Although the abuse was evident and the need for assistance was clear, no one was able to offer Cassie the help that was needed to prevent this senseless act.

Last year, Congress overwhelmingly reauthorized a number of important domestic violence programs under the Violence Against Women Act. In addition to continuing the existing programs, the VAWA reauthorization included two new provisions of particular importance. First, a legal definition of dating violence was created, the first such definition under federal law. Secondly, a new grant program to provide civil legal assistance to victims of domestic violence was authorized. Unfortunately, while many of the existing VAWA programs were expanded to include dating violence, the new legal assistance grant was not. My legislation will correct this discrepancy.

The victims of dating violence require and deserve the same legal assistance given to other victims of domestic violence. The ability to obtain a legal protection order or pursue other legal remedies can be the difference in a victim being able to break the cycle of oppressive abuse and regain control of their life. Under my legislation, victims of dating violence will have the same legal standing as all other victims of domestic violence when seeking civil legal assistance.

I applaud Congress for coming together last year to bring attention to the continuing problem of domestic violence. In order to build upon the advances we made last year, I urge my colleagues to support my legislation that takes another step toward achieving an equal status for victims of dating violence.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 410

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

SECTION 1. LEGAL ASSISTANCE FOR VICTIMS OF VIOLENCE.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a), by inserting ''dating violence,'' after ''domestic violence,'';

(2) in subsection (b)—

(A) by inserting before paragraph (1) the following:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person—

''(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

''(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

''(i) the length of the relationship;

''(ii) the type of relationship; and

''(iii) the frequency of interaction between the persons involved in the relationship.'';

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4) respectively; and

(C) in paragraph (3), as redesignated by subparagraph (B) of this paragraph, by inserting ''dating violence,'' after ''domestic violence,'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting—

(i) '', dating violence,'' after ''domestic violence''; and

(ii) ''dating violence,'' after ''domestic violence,'';

(B) in paragraph (2), by inserting ''dating violence,'' after ''domestic violence,''; and

(C) in paragraph (3), by inserting ''dating violence,'' after ''domestic violence,'';

(4) in subsection (d)—

(A) in paragraph (1), by inserting '', dating violence,'' after ''domestic violence'';

(B) in paragraph (2), by inserting '', dating violence,'' after ''domestic violence'';

(C) in paragraph (3), by inserting '', dating violence,'' after ''domestic violence''; and

(D) in paragraph (4), by inserting ''dating violence,'' after ''domestic violence,'';

(5) in subsection (e), by inserting ''dating violence,'' after ''domestic violence,''; and

(6) in subsection (f)(2)(A), by inserting ''dating violence,'' after ''domestic violence,''.

By Mr. LIEBERMAN (for himself, Mr. JEFFORDS, Mrs. BOXER, Mr. FEINGOLD, Mr. KERRY, Mr. WELLSTONE, Mrs. CLINTON, Mr. CORZINE, Mr. LEAHY, Mr. DODD, Mr. KOHL, Mr. SARBANES, Mr. EDWARDS, Mr. TORRICELLI, Mr. HARKIN, Mr. REED, Mr. BIDEN, Ms. CANTWELL, Mr. DURBIN, Ms. STABENOW, Mrs. MURRAY, Mr. KENNEDY, Mr. GRAHAM, and Mr. WYDEN):

S. 411. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

Mr. LIEBERMAN. Mr. President, I am pleased today to introduce, along with 23 of my colleagues, legislation to protect forever the Arctic National Wildlife Refuge from oil exploration and other potentially harmful development. Our legislation will bequeath, undisturbed, the vital heart of America's greatest, most pristine wilderness ecosystem and wildlife sanctuary to future generations.

Advocates of drilling offer the Refuge as a quick fix for our country's energy woes and a long-term solution to our debilitating dependence on foreign oil. It is neither.

Proponents of drilling argue that there is a princely sum of black gold lying beneath the Refuge. But not according to the scientific experts of the U.S. Geological Survey, who in a 1998 study determined that a six to eight-month supply of oil would likely be recovered from the Refuge over its 50-year lifespan because most of the oil there is simply too expensive to extract. This is not the low end estimate; it is the most likely one. And not a drop of oil would emerge from ANWR for about 10 years. This is hardly the answer to our energy needs, now or in the future.

In fact, the only thing we know for certain about drilling in the Refuge, as a result of years of analysis and experience, is that it would immeasurably and irreversibly damage one of the last preserves of its kind in the world. To drill for oil in the Arctic Refuge is like chopping down the California Redwoods for firewood, or capping Old Faithful for geothermal power, or damming the Grand Canyon for hydroelectric power, unthinkable acts because the cost in lost natural treasures is obviously too high.

To judge the environmental threat, listen to the ecologists and biologists who have extensively studied the impact of drilling, not to the politicians. Scientific analyses by the U.S. Fish & Wildlife Service have concluded that drilling would severely harm the refuge's abundant populations of caribou, polar bears, musk oxen, and snow geese.

Advocates of drilling claim that these concerns are grossly exaggerated because drilling would only impact an area the size of an airport. But what they don't tell you is that this ''airport'' has terminals outside that spread all over the Refuge. A spider web of infrastructure, including hundreds of miles of roads and pipelines, production facilities, ports, and housing and services for thousands of people would be required. As was recently said on ''60 Minutes,'' it would be ''urban sprawl on the tundra.''

The probable environmental consequences of drilling also go well beyond the animals of the North Slope. The Trans-Alaska and Prudhoe Bay oil fields have averaged more than 400 spills a year of everything from crude oil to acid, including an oil spill of approximately 9,000 barrels just last week. Current oil operations on Alaska's North Slope emit tons of harmful pollutants every year which cause smog and acid rain and contribute to global warming.

And that gets to the larger point. We have a long-term energy problem in America, but drilling in the Arctic Refuge will not help solve it. In fact, drilling in the Arctic deludes us into thinking we can oil-produce our way out of our energy problem. We can't because nature has left us with too little oil within our control to meet our needs. We must draw what we can from our own resources in an environmentally-protective way.

But, in the end, that will not be enough. To become more energy independent and environmentally-protective, we must also conserve, we must be more efficient, use alternative energy sources and rapidly develop new technologies like fuel cells.

That is why we want to protect the Arctic Refuge, and why we will fight all attempts to drill there for oil with any legislative weapon we possess, including a filibuster in the Senate.

In short, for the sake of America's energy and environmental future, we are once again today drawing a line in the Arctic tundra. We will do everything necessary to protect it.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 411

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

SECTION 1. DESIGNATION OF PORTION OF ARCTIC NATIONAL WILDLIFE REFUGE AS WILDERNESS.

Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) is amended by adding at the end the following:

''(p) DESIGNATION OF CERTAIN LAND AS WILDERNESS.—Notwithstanding any other provision of this Act, a portion of the Arctic National Wildlife Refuge in Alaska comprising approximately 1,559,538 acres, as generally depicted on a map entitled 'Arctic National Wildlife Refuge—1002 Area. Alternative E—Wilderness Designation, October 28, 1991' and available for inspection in the offices of the Secretary, is designated as a component of the National Wilderness Preservation System under the Wilderness Act (16 U.S.C. 1131 et seq.).''.

Mr. FEINGOLD. Mr. President, I have joined with the Senior Senator from Connecticut, Mr. LIEBERMAN, as a co-sponsor of legislation he has introduced today to designate the coastal plain of the Arctic Refuge as a wilderness area. I have been a co-sponsor of this bill since I became a member of this body. I am concerned that Congress will be forced to consider whether or not to drill on the coastal plain of the Refuge before we take substantive action about whether or not the area should be designated as wilderness. Establishment of drilling on the coastal plain would be allowing a use on the coastal plain that is generally considered to be incompatible with areas designated as wilderness under the Wilderness Act. I want my colleagues to be aware that this is the situation, and that we are not going to increase the supply of oil in the near term, or reduce today's high gasoline or other high energy prices by drilling in the Refuge. I fear that drilling in the Refuge is being promoted not to help us address our current energy situation. As a member of Budget Committee I fear that this idea is again being proposed so that we can reaping the revenue from the leasing of the coastal plain so that we can entertain large tax cuts.

Second, I oppose drilling in the Refuge because it does not advance our domestic energy security. I cannot believe that the American people want energy security at the expense of the protection of a substantial asset such as the Arctic Refuge's coastal plain. I stand ready to work to find other sources of energy, to use existing sources more efficiently, to address consumption and to promote sustainable sources.

Third, I oppose drilling in the Refuge because of its potential impact upon existing wilderness, that's right existing wilderness which has already been designated in the Arctic Refuge. East of the coastal plain are 8 million acres that have already been designated as wilderness. We have had very little discussion about the impact of drilling in the Refuge on areas we have already designated and I want colleagues to be aware that the drilling question threatens not only our ability to make future wilderness designations in the Refuge but also could endanger areas that we believed had already protected in the public trust.

I want to speak today specifically to colleagues who may be considering the potential of possible oil discoveries in the Arctic National Wildlife Refuge in light of current high oil prices. Colleagues should keep in mind that the Senate's consideration of the coastal plain as a source of oil is not triggered by any new developments or changes in the geology or economics that affect potential development of Arctic resources. The United States Geological Survey has already re-considered those factors in its 1998 re-assessment of the Arctic Refuge coastal plain's oil potential. Rather, the current discussion, in my view, is prompted by the rhetoric and opportunistic efforts of those interests that have long advocated drilling in the Arctic Refuge, to exploit public concern about the current high prices of domestic heating oil, aviation gas and motor fuels.

First, I want to address the issue, at the forefront of many of my colleagues' minds, of whether drilling in the Arctic Refuge constitutes a meaningful or appropriate response to the fact that the U.S. oil production is declining and exports are increasing. To answer that question, I want to review some import, export and consumption data compiled by two federal agencies, the Energy Information Agency and the Maritime Administration.

I'm sure it will not surprise my colleagues that the last two decades have been marked by a steady decline in total domestic crude oil production, which includes crude oil plus natural gas liquids. Moreover, after a decline in petroleum consumption during the 1980s, oil use is again on the rise. In addition during the 1989–99 period, North Slope production declined from 1.885 million barrels per day to approximately 1.06 million barrels per day; the North Slope thus accounted for three quarters of the total domestic production decline which was a 1.105 million barrels per day decline in production during this period.

At the same time that imports are increasing, U.S. export of oil products and crude oil totals nearly 1.0 million barrels per day. Of that total, most, approximately seven barrels out of eight, is refined product. As far as crude exports are concerned, Maritime Agency data indicate that export of Alaska North Slope crude in 1999 averaged about approximately 7.1 percent of total Alaska North Slope production.

These data point to the complicated, transnational nature of the world petroleum market, a market in which the U.S. continues to export nearly a million barrels of petroleum products per day, nearly 5 percent of total consumption. In light of the fact that we exist in a global economy, the United States is not likely to be able to produce its way out of the current petroleum shortages. When one looks at the fact that the Middle East possesses the preponderance of world oil reserves, it becomes clear that concerns about increasing use of imported oil might be better addressed by decreasing consumption through conservation and the switch to alternative energy sources.

In addition, we have heard, over the course of several debates here on the floor, that the Arctic Refuge has the ''potential'' of yielding 16 billion barrels of oil. I also wanted to address the issue of the likelihood that 16 billion barrels of oil will be discovered beneath the coastal plain of the Arctic Refuge. First of all, that figure represents the outside limit of probabilities for an assessment area that includes the area of the Arctic Refuge coastal plain currently barred from drilling, plus adjacent areas where exploration has taken place. When one just examines the area within the Arctic Refuge that is under consideration, the correct low-probability estimate of oil is 11.8 billion barrels of undiscovered oil , 25 percent less than the 16 billion barrel figure we have heard to date. A field capable of that production has been discovered only once on this continent, at Prudhoe Bay. Moreover, despite recent advances in exploration technology, the U.S. Geological Survey has abandoned the notion of finding a super-giant field and looks instead to the possibility of discovering several much smaller fields beneath the coastal plain of the Arctic Refuge. Rather, the USGS assigns a probability of 5 percent or one chance in twenty, to the possibility that a field of that magnitude will be discovered. The mean estimate for technically recoverable oil is considerably lower and the figure for oil that is economically recoverable is lower still. In fact, the USGS concluded that it would expect to find four fields scattered across the refuge capable of producing, altogether, approximately 3.2 billion barrels of oil, one fifth the amount of oil that we have heard might be available.

However, even if one accepts a higher number for the coastal plain's petroleum potential, members of this body need seriously to consider whether there is any connection between oil that might be found in the Arctic Refuge and the current high prices of petroleum products. I feel, simply, that the Arctic Refuge is not a solution to the current situation.

For starters, it might take a decade to bring to market any oil that might be discovered in the Arctic Refuge. Exploration, discovery and assessment, field design and installation and pipeline design and construction are all time-consuming endeavors. The people of Wisconsin want lower gas prices now, not ten years from now.

Moreover, the price of oil is determined by global supply and demand factors, not by the presence or absence of an individual oil field. Consider the

case of Prudhoe Bay. In 1976, the year before the nation's largest oil field, the largest ever discovered in North America entered production, a barrel of West Texas intermediate crude oil sold for $12.65 and standard gasoline averaged $0.59 per gallon. Two years later, with Prudhoe Bay adding more than a million barrels per day to domestic supply in 1978, West Texas crude had increased by more than 15 percent, to $14.85 per barrel, and gasoline averaged nearly $0.63 per gallon. During the next two years, as Prudhoe production increased, oil prices skyrocketed to $37.37 per barrel, while gasoline nearly doubled, to $1.19 per gallon. In 1985, with Prudhoe Bay and Kuparuk both operating at full throttle, a barrel of West Texas crude sold for more than $28.00 per barrel and gasoline averaged $1.12 per gallon.

So Mr. President, if drilling may impair our ability to make a decision about the wilderness-qualities of the Refuge in the future, if the Refuge does not contain as much oil as we thought, and if opening the coastal plain to drilling may do little to impact our current domestic prices, why are we considering doing so? The facts don't point toward drilling in the Refuge: the Refuge may not contain as much oil as we think, and opening the coastal plain to drilling may have only a minor impact on our current domestic prices.

Finally, I have concerns about the arguments that I have heard in recent days that oil drilling and environmental protection are compatible. Only days ago I was traveling through the Niger Delta region of Nigeria by boat, where I observed firsthand the environmental devastation caused by the oil industry. The terrible stillness of an environment that should be teeming with life made a very powerful impression on me. These are the same multinational companies that have access to the same kinds of technologies, and though they are operating in a vastly different regulatory regime, I was profoundly struck by the environmental legacy of oil development in another ecologically rich coastal area.

For these reasons, I support my colleague from Connecticut. I appreciate the fundamental concern that we need to develop a new energy strategy for this country. However, I disagree strongly when drilling would occur in this particular location which I feel is deserving of wilderness designation.

By Mr. BAYH (for himself and Mr. LUGAR):

S. 412. A bill to provide for a temporary Federal district judgeship for the southern district of Indiana; to the Committee on the Judiciary.

Mr. BAYH. Mr. President, I rise today with Senator RICHARD LUGAR to introduce the Southern District of Indiana Temporary Judgeship Act. This legislation creates an additional temporary judgeship for the Southern District of Indiana to help ease the strain that has resulted from an extremely heavy caseload of civil and criminal litigation.

The Southern District is in dire need of an additional judge. Last year, the District's caseload was much higher than the national average and greater than any other court in the Seventh Circuit. In fact, there were 599 filings per judge, a number almost twenty percent greater than the national average of 474.

In addition to an increase in the number of criminal cases filed in recent years, the Federal Bureau of Prisons death row, located at the United States Penitentiary in Terre Haute, IN, is in the Southern District and houses approximately twenty-one inmates currently under a federal sentence of death. Hence, the Southern District also must be able to manage the habeas corpus petitions that are typically filed by death row inmates.

Further, our State capital of Indianapolis is located in this district, and as a growing urban center, is significantly contributing to the number and complexity of the cases before the Southern District. Federal and local law enforcement are aggressively prosecuting drug crimes, but if we expect them to succeed in making our communities safer, we must give them the tools they need. An additional judgeship for the Southern District would be one such tool.

There is wide support for an additional judgeship in this district. As early as 1996, the Judicial Conference recommended to Congress that the Southern District of Indiana receive a new temporary judgeship. In 1999, the Judicial Conference again urged Congress to create a temporary judgeship for this district. The legislation Senator LUGAR and I introduce today follows this recommendation and aims to aid the Southern District in the timely and efficient adjudication of its cases. I urge my colleagues to give this legislation their serious consideration and support.

Mr. LUGAR. Mr. President, I rise today with Senator EVAN BAYH to introduce the Southern District of Indiana Temporary Judgeship Act. This legislation will help remedy the strain experienced by the Federal Court for the Southern District of Indiana from its extremely heavy caseload.

The Southern District's caseload far exceeds the national average and is more than any other district court in the 7th Circuit. Indeed, the most recent report of the Judicial Business of the United States Courts indicates that the Southern District had 599 filings per judge, compared to a national average of 474. Over the last 10 years, the area of Indiana comprising the Southern District has seen explosive population growth, the designation of the penitentiary at Terre Haute, IN, as the place of confinement for those sentenced to death under federal law, and a large increase in the amount of multi-district litigation. Yet, despite these changes, Indiana has not had a new judgeship added since 1990. I am pleased, therefore, to join with Senator BAYH to help ensure that the delivery of justice is unimpeded.

There is wide agreement about the need for this additional judgeship, and the Judicial Conference of the United States has called upon Congress since 1996 to add a temporary judge to the Southern District. I urge my colleagues to support this legislation.

By Mr. COCHRAN (for himself and Mr. DODD):

S. 413. A bill to amend part F of title X of the Elementary Education Act of 1965 to improve and refocus civic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today I am introducing the Education for Democracy Act. I am pleased that the distinguished Senator from Connecticut, Mr. DODD, has joined me as a cosponsor to reauthorize and improve existing federally supported civic education programs.

''We the People . . . The Citizen and the Constitution,'' has proven to be a successful program for teaching the principles of the Constitution.

Since 1985, the Center for Civic Education has administered the program. It is a rigorous course designed for high school civics classes that provides teacher training using a national network of professionals as well as community and business leaders.

The most visible component of We the People, is the simulated Congressional hearings which are competitions at local, state and national levels. The final round of this annual competition is held in an actual United States Senate or House of Representatives hearing room, here in the Nation's Capital. I am proud that Ocean Springs High School will be representing Mississippi at this year's competition in April.

The 32nd Annual Phi Delta Kappa/Gallup Poll of 2000 indicated that preparing students to become responsible citizens was one of the most important purposes of public schools. The popularity of We the People is demonstrated by the 82,000 teachers and the 26.5 million students who have participated since its beginning.

Studies by the Education Testing Service have repeatedly indicated that We the People participants outperform other students in every area tested. In one, We the People high school students outscored university sophomore and junior political science students in every topic.

A Stanford University study showed that these students develop a stronger attachment to political beliefs, attitudes and values essential to a functioning democracy than most adults and other students. Other studies reveal that We the People students are more likely to register to vote and more likely to assume roles of leadership, responsibility and demonstrate civic virtue.

In addition to We the People, this bill reauthorizes the Civitas International Civic Education Exchange Program, which links American civic educators with counterparts in Eastern Europe and the states of the former Soviet Union. This program is highly effective in building a community with a common understanding of teaching and improving the state of democracy education, worldwide.

Last year, Mississippi became the latest state to participate in this important international exchange program. Ms. Susie Burroughs, Mississippi's Civic Education program director, joined the exchange program to Hungary and helped train Hungarian teachers in lessons of democracy. Under Ms. Burroughs direction, more Mississippi teachers than ever began participation in the We the People program.

We the People and Civitas are preparing America's students and teachers to live and lead in the world by the standards and ideals set by our Founding Fathers.

I invite other Senators to cosponsor and support the Education for Democracy Act.

Mr. DODD. Mr. President, I rise to join my friend and colleague from Mississippi, Senator COCHRAN, in introducing the Education for Democracy Act.

The Education for Democracy Act reauthorizes grants to The Center for Civic Education to provide a course of instruction on Constitutional principles and history and on the roles of State and local governments in the Federal system, and, in coordination with the National Council on Economic Education, curriculum and teacher training programs in civics, government, and economics for teachers from many foreign countries.

The strength of our democracy comes from the informed participation of citizens, whether voting in an election, spending time on jury duty, volunteering for community service, or simply keeping aware of current affairs. The purpose of this bill is to improve the quality of civics and government education, and to educate students about the history and principles of the Constitution of the United States, including the Bill of Rights.

Thomas Jefferson said: ''I know of no safe depository of the ultimate powers of society but the people themselves, and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion.'' In addition to offering instruction in the core subject areas, it is essential that our schools prepare our children to be informed, effective, and responsible citizens.

Comprehension of and commitment to democratic values is of particular consequence for every American. The values, principles, and beliefs that we share not only have provided a foundation for the stability of our government, they have spurred efforts by individuals and groups which have brought us closer to realizing our goal of liberty and justice for all.

College freshmen in 1999 demonstrated the lowest levels of political interest in the 22-year history of surveys conducted by the Higher Education Research Institute at the University of California at Los Angeles. That finding should serve as a warning to protect our democracy by ensuring that our children receive instruction in civic education.

Our founding documents, the Declaration of Independence and the Constitution, proclaim that ultimate political authority rests with the people, who have the power to create, alter, or abolish government. As wielders of such awesome power, it is imperative that the people, all the people, be educated to exercise their power judiciously.

The programs for teachers from other countries also are of great importance. America's greatness and power flow from our democratic principles. Exporting those principles will promote human rights and ensure international stability.

Senator DOMENICI and I recently introduced the Strong Character for Strong Schools Act to help expand States' and schools' ability to make character education, including civics education, a central part of every child's education. I think that good citizenship is an essential part of good character, and I ask my colleagues to join Senator COCHRAN and me in support of the Education for Democracy Act.

By Mr. CLELAND (for himself, Mr. HOLLINGS, Mr. STEVENS, Mr. INOUYE, and Mr. BREAUX):

S. 414. A bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. CLELAND. Mr. President, last October the U.S. Department of Commerce published its latest report on Internet access in the United States. According to the Department's Falling Through the Net: Toward Digital Inclusion, more Americans than ever are connected to the Internet and groups that have traditionally been digital ''have nots'' are making significant gains. Although a record number of Americans have Internet access, the report concludes that a ''digital divide'' still exists ''between those with different levels of income and education, different racial and ethnic groups, old and young, single and dual-parent families, and those with and without disabilities.''

Increasing numbers of Americans are using the Internet to vote, shop, pay bills, take education courses, and acquire new skills. Now more than ever it is critical that all Americans have the tools necessary for full participation in the Information Age economy. However, the Commerce report finds that in some cases, the digital divide has expanded over the last 20 months. For example, the gap in Internet access rates between African American households and the nation as a whole is now 18 percent, 3 percent more than in December 1998. And the gap in Internet access between Hispanic households and the national average is 17.9 percent, 4.3 percent more than it was 20 months ago.

America's higher education institutions are demonstrating similar trends, persistent inequities in a generally improving picture. Last year the Department of Commerce teamed up with the National Association for Equal Opportunity in Higher Education, NAFEO, to undertake, for the first time ever, an in-depth study of Internet access at Historically Black Colleges and Universities, HBCUs, across America. The result was the landmark Historically Black Colleges and Universities: An Assessment of Networking and Connectivity. The report found that 98 percent of the 80 HBCUs surveyed had basic access to the Internet, World Wide Web, and campus networks. At the same time, however, the report also found ''serious areas of digital divide in student access, high-speed connectivity and insufficient infrastructure.''

In particular, the Commerce study reported that fewer than 25 percent of HBCU students, or only 1 out of every 4, personally own computers, compared to 49 percent of students in institutions of higher education as a whole. Further, only two HBCUs, or 3 percent, indicated that financial aid was available to help their students close the ''computer ownership gap.'' In addition, half of the HBCU campuses surveyed did not provide student access to computing resources at a critical location—the campus dormitory. And most of the campuses lacked high-speed connectivity to the Internet and World Wide Web, a key area and one that the report speculated may ''restrict HBCUs from making the digital leap into the 21st Century.'' In regard to rural, private HBCUs, the Commerce report found ''a significant technology gap.''

There have been to date no published studies of Internet-connectivity at either Hispanic-Serving Institutions, HSIs, or Tribal Colleges and Universities which are comparable to the October 2000 U.S. Department of Commerce report. Nevertheless, we have hard data which point to this alarming conclusion: Serious digital divide issues exist which affect the ability of Minority-Serving Institutions, MSIs, to be competitive with other institutions of higher learning in the Information Age. With their high level of poverty, and with only 8 percent of all American Indian households having Internet access, Jose C. de Baca, executive director of the American Indian Science and Technology Education Consortium, says that ''American Indians are the ethnic group most likely to

be caught on the wrong side of the digital divide.'' Tribal Colleges offer an important technology opportunity for these isolated American Indian reservation communities. However, studies show that while most U.S. universities need access to T–3 lines for necessary research and data flow, only one Tribal College currently has access to that bandwidth. Moreover, less than half of the Tribal Colleges can access smaller T–1 lines and this access is sporadic. In fact, many Tribal Colleges are not even networked to provide intra-campus e-mail service (''Circle of Prosperity: A Vision for the Technological Future of Tribal Colleges and American Indians'').

Similarly, Hispanic-Serving Institutions can have a powerful impact on the Digital Divide in the Hispanic community, but in testimony to the Congressional Web-based Education Commission, Dr. Antonio Perez, representing the Hispanic Association of Colleges and Universities, HACU, stated that there is an acute shortage of Hispanic faculty in the areas of information technology. According to the Computing Research Association Taulbee Survey of institutions granting doctoral degrees in computer science and computer engineering, only two percent of the Computer Science and one percent of the Computer Engineering Ph.D. recipients were Hispanics for 1998–1999. Dr. Perez stated that this proportion ''typifies Hispanic and minority professional participation in Information Technology in general,'' and in his testimony he underscored the need for federal assistance if Hispanic-Serving Institutions are to become ''equal partners'' in this new Information Age.

In an effort to address the technology gap that exists at Minority-Serving Institutions across the country, today I am joined by my distinguished colleagues, Senator HOLLINGS, Senator STEVENS, and Senator INOUYE, in introducing the National Technology Instrumentation Challenge Act. This legislation would create a new grant program within the Department of Commerce, the center of technological expertise and innovation in the federal government. Our bill would provide up to $250 million to help Historically Black Colleges and Universities, Hispanic-Serving Institutions, and Tribal Colleges and Universities bridge the Digital Divide. The grant money could be used for such activities as campus wiring, equipment upgrade, technology training, and hardware and software acquisition. A Minority-Serving Institution, for example, could use funds provided under this legislation to offer its students universal access to campus networks and computing resources. Or they might choose to use their grant money to dramatically increase their connectivity speed rates beyond the T–1 level. In sum, this legislation offers a significant opportunity for those institutions serving the largest concentrations of the nation's minority students to keep pace with the advancing technologies of the 21st Century.

In the ever expanding and always exciting world of the Information Highway, it should be our mandate to work to ensure that no one in this country is left behind, least of all our leaders of tomorrow. The National Technology Instrumentation Challenge Act is a positive step in creating digital opportunity for all students in America, in whose hands the future of this great nation rests. The legislation is endorsed by the National Association for Equal Opportunity in Higher Education, the National Association for the Advancement of Colored People, the Hispanic Association of Colleges and Universities, the American Indian Higher Education Consortium, the Alliance for Equity in Higher Education, the League of United Latin American Citizens, the National Indian Education Association, the Native Hawaiian Education Association, the National Indian School Board Association, the United National Indian Tribal Youth, and the Atlanta University Center.

Mr. President, I ask unanimous consent that the text of the bill and the letters of support be printed in the RECORD.

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

S. 414

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 ''NTIA Digital Network Technology Program Act''.

SEC. 2. ESTABLISHMENT OF PROGRAM.

The National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

''PART D—DIGITAL NETWORK TECHNOLOGY PROGRAM

''SEC. 171. PROGRAM AUTHORIZED.

''The Secretary shall establish, within the NTIA's Technology Opportunities Program a digital network technologies program to strengthen the capacity of eligible institutions to provide instruction in digital network technologies by providing grants to, or executing contracts or cooperative agreements with, those institutions to provide such instruction.

''SEC. 172. ACTIVITIES SUPPORTED.

''An eligible institution shall use a grant, contract, or cooperative agreement awarded under this part—

''(1) to acquire the equipment, instrumentation, networking capability, hardware and software, digital network technology, and infrastructure necessary to teach students and teachers about technology in the classroom;

''(2) to develop and provide educational services, including faculty development, to prepare students or faculty seeking a degree or certificate that is approved by the State, or a regional accrediting body recognized by the Secretary of Education;

''(3) to provide teacher education, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use technology in the classroom or instructional process;

''(4) implement a joint project to provide education regarding technology in the classroom with a State or State education agency, local education agency, community-based organization, national non-profit organization, or business, including minority business or a business located in HUB zones, as defined by the Small Business Administration; or

''(5) provide leadership development to administrators, board members, and faculty of eligible institutions with institutional responsibility for technology education.

''SEC. 173. APPLICATION AND REVIEW PROCEDURE.

''(a) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this part, an eligible institution shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. The Secretary, in consultation with the panel described in subsection (b), shall establish a procedure by which to accept such applications and publish an announcement of such procedure, including a statement regarding the availability of funds, in the Federal Register.

''(b) PEER REVIEW PANEL.—The Secretary shall establish a peer review panel to aid the Secretary in establishing the application procedure described in subsection (a) and selecting applicants to receive grants, contracts, and cooperative agreements under section 171. In selecting the members for such panel, the Secretary may consult with appropriate cabinet-level officials, representatives of non-Federal organizations, and representatives of eligible institutions to ensure that the membership of such panel reflects membership of the minority higher education community, including Federal agency personnel and other individuals who are knowledgeable about issues regarding minority education institutions.

''SEC. 174. MATCHING REQUIREMENT.

''The Secretary may not award a grant, contract, or cooperative agreement to an eligible institution under this part unless such institution agrees that, with respect to the costs to be incurred by the institution in carrying out the program for which the grant, contract, or cooperative agreement was awarded, such institution will make available (directly or through donations from public or private entities) non-Federal contributions in an amount equal to ¼ of the amount of the grant, contract, or cooperative agreement awarded by the Secretary, or $500,000, whichever is the lesser amount. The Secretary shall waive the matching requirement for any institution or consortium with no endowment, or an endowment that has a current dollar value lower than $50,000,000.

''SEC. 175. LIMITATION.

''An eligible institution that receives a grant, contract, or cooperative agreement under this part that exceeds $2,500,000, shall not be eligible to receive another grant, contract, or cooperative agreement under this part until every other eligible institution has received a grant, contract, or cooperative agreement under this part.

''SEC. 176. ANNUAL REPORT AND EVALUATION.

''(a) ANNUAL REPORT REQUIRED FROM RECIPIENTS.—Each institution that receives a grant, contract, or cooperative agreement under this part shall provide an annual report to the Secretary on its use of the grant, contract, or cooperative agreement.

''(b) EVALUATION BY SECRETARY.—The Secretary, in consultation with the Secretary of Education, shall—

''(1) review the reports provided under subsection (a) each year;

''(2) evaluate the program authorized by section 171 on the basis of those reports; and

''(3) conduct a final evaluation at the end of the third year.

''(c) CONTENTS OF EVALUATION.—The Secretary, in the evaluation, shall describe the activities undertaken by those institutions and shall assess the short-range and long-range impact of activities carried out under the grant, contract, or cooperative agreement on the students, faculty, and staff of the institutions.

''(d) REPORT TO CONGRESS.—The Secretary shall submit a report to the Congress based on the final evaluation within 1 year after conducting the final evaluation. In the report, the Secretary shall include such recommendations, including recommendations concerning the continuing need for Federal support of the program, as may be appropriate.''.

SEC. 3. DEFINITIONS.

Section 102(a) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901(a) is amended by adding at the end the following:

''(6) Eligible institution defined.—The term ''eligible institution'' means an institution that is—

''(A) a historically Black college or university that is a part B institution, as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)), an institution described in section 326(e)(1)(A), (B), or (C) of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C) of the Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C)), or a consortium of institutions described in this subparagraph;

''(B) a Hispanic-serving institution, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

''(C) a tribally controlled college or university, as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3));

''(D) an Alaska Native-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b));

''(E) a Native Hawaiian-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)); or

''(F) an institution determined by the Secretary, in consultation with the Secretary of Education, to have enrolled a substantial number of minority, low-income students during the previous academic year who received assistance under subpart I of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) for that year.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce not more than $250,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 through 2007, to carry out part D of the National Telecommunications and Information Administration Organization Act.

ALLIANCE FOR EQUITY
IN HIGHER EDUCATION,
Washington, DC, February 21, 2001.

Hon. MAX CLELAND,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR CLELAND: On behalf of the Alliance for Equity in Higher Education—a national coalition of higher education associations that serves over 320 member institutions and educates more than one-third of all students of color in the United States—we would like to extend our joint support and appreciation for the ''National Technology Instrumentation Challenge Act'' legislation.

The Alliance for Equity in Higher Education, which was established in July 1999 by the American Indian Higher Education Consortium (AIHEC), the Hispanic Association of Colleges and Universities (HACU), and the National Association for Equal Opportunity in Higher Education (NAFEO), has identified the technology gap facing Tribal Colleges and Universities (TCUs), Hispanic-Serving Institutions (HSIs), and Historically and Predominantly Black Colleges and Universities (HBCUs) as one of its primary policy focuses. In fact, the Alliance is hosting an interactive planning meeting at the end of this month to explore the application of information technology at minority-serving colleges and universities. Your legislation will provide our students, faculty, and staff with the essential skills and training in the use of technology, a significant need on all our campuses.

As you know, among minority groups, the need to increase the capacities of students and faculty as active participants in the world of technology is paramount. For example, approximately 75 percent of students attending 80 NAFEO-member HBCUs indicated that they do not own their own computers, and 85 percent of surveyed HBCUs do not offer academic degrees through distance learning. Many TCUs cannot even provide intra-campus email to students and faculty, and only one TCU has access to a high speed bandwidth. In addition, only 24 percent of Hispanic households had Internet access in 2000, and HSIs serve a majority of Hispanic students entering postsecondary education.

The Alliance for Equity in Higher Education appreciates you spearheading this effort and encouraging our students and institutions to be competitive players in the higher education community as well as the 21st Century workforce. We welcome the opportunity of offer our assistance in championing this important initiative.

Sincerely,

ANTONIO FLORES,
President, HACU.
GERALD GIPP,
Executive Director, AIHEC.
HENRY PONDER,
President, NAFEO.

NATIONAL ASSOCIATION FOR EQUAL
OPPORTUNITY IN HIGHER EDUCATION,
Silver Spring, MD, February 14, 2001.

Hon. MAX CLELAND,
U.S. Senate, Senate Dirksen Building, Washington, DC.

DEAR SENATOR CLELAND: On behalf of the National Association for Equal Opportunity in Higher Education (NAFEO), we want to thank you for introducing legislation which will help address one of the greatest challenges facing the American educational system today—the emerging digital divide between students who have access to the information highway and those who do not. We strongly support your legislation, the National Technology Instrumentation Challenge Act, which would provide an essential tool in bridging the growing high-tech gap which exists for certain of this nation's institutions of higher learning.

As revealed in a recent survey of 80 Historically Black Colleges and Universities (HBCUs) by the U.S. Department of Commerce and NAFEO, fifty percent of these institutions do not have computers available in the location most accessible to students, their dormitories. Additionally, most HBCUs do not have high-speed connectivity to the Internet and World Wide Web, and only three percent of these colleges and universities indicated that financial aid was available to help their students close the ''computer ownership gap.''

Making high tech grant money available to HBCUs, Hispanic-serving institutions and tribal colleges and universities would help these institutions acquire computers, wire their campuses and provide technology training. In doing so, your bill would provide these institutions with the opportunity to become competitive with other colleges and universities in the Information Age. The National Technology Instrumentation Challenge Act would make a significant contribution by helping to place the tools of tomorrow's technology into the hands of tomorrow's leaders. Once again, we commend you on the introduction of this important piece of legislation.

Thanks for all you do in ''keeping the doors of opportunity open.''

Sincerely,

HENRY PONDER,
CEO/President.

AMERICAN INDIAN HIGHER
EDUCATION CONSORTIUM,
Alexandria, VA, February 2001.

DEAR SENATOR: On behalf of the nation's 32 Tribal Colleges and Universities that comprise the American Indian Higher Education Consortium (AIHEC), we respectfully request your support for legislation to be introduced by Senator Cleland in the very near future. This legislation to be titled the ''National Technology Instrumentation Challenge Act, will establish a program within the Department of Commerce, National Institute for Standards and Technology (NIST) to fund Tribal Colleges and Universities, as well as Historically Black College and Universities, Hispanic Serving Institutions of Higher Education and Alaska Native and Native Hawaiian educational organizations in an effort to teach technology skills to both teachers and students.

Tribal Colleges serve remote, isolated American Indian reservation communities, many of which are located on federal trust lands, and therefore do not have the resources or tax base to fully support a college. State governments provide little or no funding, while the Federal government funds the colleges at only slightly over half of the authorized level. For many Tribal College students the next nearest college is more than 100 miles away. With other priorities, such as fixing leaky roofs and upgrading substandard wiring and inadequate heating systems, it is nearly impossible to keep pace with advancing technologies.

Among American Indian households, only 9 percent have computers compared to 23.2 percent of African American households, 25.5 percent of Hispanic and about 47 percent of White Americans. For necessary research and information flow, most US universities need access to T–3 lines. Currently, only one Tribal College has access to that bandwidth. Many Tribal Colleges are not even networked to provide intra-campus e-mail service. Without financial help to secure the proper facilities equipment and training, we will rapidly fall behind in our ability to prepare our teachers and students in uses of current and emerging technology systems.

AIHEC's 32 member colleges, 26,000 students and the 250 tribal nations we serve are extremely grateful to Senator Cleland for championing this effort and for your support. The success of this legislation will be a tremendous step in bringing the Tribal Colleges and other MSIs much needed resources to prepare our students to compete in the workforce of the 21st Century.

Respectfully,

DR. JAMES SHANLEY,
President, Fort Peck Community College.

NATIONAL INDIAN
EDUCATION ASSOCIATION,
Alexandria, VA February 13, 2001.

Hon. MAX CLELAND,
U.S. Senate,
Washington, DC.

SENATOR CLELAND: The National Indian Education Association (NIEA) is pleased to

offer its support for the proposed ''National Technology Instrumentation Challenge Act'' you intend to introduce before Congress today. As a national advocate on behalf of the education concerns of American Indians, Alaska Natives, and Native Hawaiians, the National Indian Education Association is pleased to see a legislative proposal that targets one of the most pressing needs in Indian and Native Hawaiian communities.

As administered by the Secretary of Commerce, the program would empower minority institutions, including tribal colleges and Alaska Native organizations, to carry out national technology instrumentation programs. These programs will teach technology skills to teachers and students in uniquely rural and urban settings. Indian communities will stand to benefit greatly from this initiative as they struggle to meet the ever-increasing needs of their tribal members. Experience has shown that reservation communities often are the last segment of the population to benefit from the power that technology can offer. These dollars will allow for an equal playing field as our Indian institutions prepare students for the challenges of the new millennium.

This legislation will also equip tribal and minority-serving institutions with the tools, services and infrastructure needed to teach the latest advancements in technology as they relate to the student in the classroom. Students have the uncanny ability to grasp the meaning of technology faster than many adults and this endeavor captures that youthful ability to learn.

We look forward to working with your office and the Secretary of Commerce when this legislation becomes law. We are also pleased to inform the Senator that we have gained additional support for this legislation from three of our national American Indian/Alaska Native and Native Hawaiian partners. These include: The National Indian School Board Association (NISBA); United National Indian Tribal Youth (UNITY); and the Native Hawaiian Education Association (NHEA).

Again, on behalf of the three thousand members of NIEA and our educational partners, we look forward to a fruitful and productive 107th Congress. Thank you for your support.

With Best Regards,

JOHN W. CHEEK,
Executive Director.

By Mr. HOLLINGS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. GRASSLEY):

S. 415. A bill to amend title 49, United States Code, to require that air carriers meet public convenience and necessity requirements by ensuring competitive access by commercial air carriers to major cities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HOLLINGS. Mr. President, the time has come for the Congress to really understand what is going on in the airline industry. It is an industry that no longer competes. Passengers no longer matter. We are like cattle in a stockade.

Today, I am introducing legislation to restore the public's interest in our aviation system, to reclaim it from the carriers. Senator MCCAIN joins me in sponsoring this bill.

We have spent countless hearings listening to various airline executives, government officials and expert witness talk about the problems confronting the traveling public. it is time we put all of that information and knowledge together to benefit the traveling public.

Let's start with the hubs. There are twenty major airports, essential facilities, where 1 carrier has more than fifty percent of the total enplaned passengers. Study after study has told us, warned us, that concentrated hubs lead to higher fares, particularly for markets to those hubs with no competition. Average fares are higher by 41 percent according to DOT, and even higher for smaller, shorter haul markets, by as much as 54 percent. DOT estimates that for only 10 of the hubs, 24.7 million people are overcharged, and another 25 to 50 million choose not to fly because of high fares.

We have got to take a can opener and pry open the lids to the hubs, for without competition, whatever benefits deregulation has brought, will quickly fade away. Our legislation will ensure that other air carriers have the ability to compete, the ability to provide people with options, and the ability to threaten to serve every market out of the dominated hubs. Gates, facilities and other assets will need to be provided where they are unavailable, or where competition dictates a need for such facilities. Dominant air carriers have relied upon Federal dollars to expand these facilities, and they have taken advantage of those monies by establishing unregulated local monopolies. It is time to use the power and leverage of the Federal government to restore a balance to the marketplace.

Right now, the air carriers are attempting to dictate what the industry will look like. If they are successful, all of the concerns raised by countless studies, will not only be realized, but they will be exacerbated. The public's needs, the public's convenience, are something that must be first and foremost as we watch this industry evolve.

Airline deregulation forced the carriers to compete on price for a while, but not on service. Congress had to threaten legislation in 1999 before the airlines even began to even understand the depth of consumer anger towards the airlines. Today though, they no longer compete on price. Instead, they seek to acquire one another to create massive systems, perhaps only three will survive, leaving us all far worse tomorrow than we are today. And clearly today, we are not getting what is needed.

What are the facts: United wants to buy US Airways, and create DC Air. American want to buy TWA, a failing company with a hub in St. Louis, and then American wants to buy a part of US Airways. Continental and Delta have a 25 year marketing relations, and Delta, Continental and Northwest are all eying other deals.

Right now there are 20 major cities where one carrier effectively controls airline service. Department of Transportation, General Accounting Office, National Research Council and others have all documented abuses, high fares, market dominance, hoarding of facilities at airports so other carriers can not enter, and let's not forget poor service. It must stop. It is not enough for the antitrust laws to look at each transaction in a vacuum. The public's interest, its needs, and its convenience must be reasserted.

DOT, in its January 2001 study, made three key observations:

> The facts are clear. Without the presence of effective price competition, network carriers charge much higher prices and curtail capacity available to price sensitive passengers at the hubs. . . . With effective price competition, consumers benefit from both better service and lower fares, citing Atlanta and Salt Lake City as examples where a low cost carrier is able to provide competition to a dominant hub carrier.
>
> The key to eliminating market power and fare premiums is to encourage entry into as many uncontested markets as possible.
>
> . . . barriers to entry at dominated hubs are most difficult to surmount considering the operational and marketing leverage a network carrier has in it hub markets.

In its 1999 study, the Department stated most clearly what we are trying to achieve:

> Moreover, unless there is reasonable likelihood that a new entrant's short term and long term needs for gates and other facilities will be met, it may simply decide not to serve a community.—FAA/OST Task Force Study, October 1999, at page iii.

I urge my colleagues to cosponsor this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 415

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Aviation Competition Restoration Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The airline industry continues to evolve into a system dominated by a few large air carriers and a handful of smaller, niche air carriers. Absent Congressional action, access to critical markets is likely to be foreclosed.

(2) In testimony before the Commerce Committee in 1978, the then-President of Eastern Airlines testified that the top 5 air carriers had 68.6 percent of the domestic market. If the mergers and acquisitions proposed in 2000 and 2001 are consummated, the 5 largest network airlines in the United States will account for approximately 83 percent of the air transportation business (based on revenue passenger miles flown in 1999).

(3) According to Department of Transportation statistics, taking into account the proposed mergers of United Airlines and US Airways, and of American Airlines and TWA, there will be at least 20 large hub airports in the United States where a single airline and its affiliate air carriers would carry more than 50 percent of the passenger traffic.

(4) The continued consolidation of the airline industry may inure to the detriment of public convenience and need, and the further concentration of market power in the

hands of even fewer large competitors may lead to unfair methods of competition.

(5) A more concentrated airline industry would be likely to result in less competition and higher fares, giving consumers fewer choices and decreased customer service.

(6) The Department of Transportation has documented that air fares are relatively higher at those main hub airports where a single airline carries more than 50 percent of the passenger traffic, and studies indicate that unfair methods of competition are more likely to occur at such airports, thus inhibiting competitive responses from other carriers when fares are raised or capacity reduced.

(7) The General Accounting Office has conducted a number of studies that document the presence of both high fares and problems with competition in the airline industry at dominated hub airports.

(8) The National Research Council of the Transportation Research Board has recognized that higher fares exist in short haul markets connected to concentrated hub airports.

(9) A Department of Transportation study indicates that the entry and existence of low fare airline competitors in the marketplace has resulted in a reported $6.3 billion in annual savings to airline passengers.

(10) While the antitrust rules generally govern mergers and acquisitions in the air carrier industry, and will continue to do so, the public concern about the importance of air transportation, the impact of over scheduling, increasing flight delays and cancellations, poor service, and continued hub domination requires the Department of Transportation to assert its authority in analyzing proposed transactions among air carriers that affect consumers.

SEC. 3. PUBLIC INTEREST REVIEW OF AIR CARRIER ACQUISITIONS AND MERGERS.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end thereof the following:

"§ 41722. Mergers and acquisitions

''(a) PROTECTION OF PUBLIC INTEREST; COMPETITION TEST.—

''(1) IN GENERAL.—An air carrier may not acquire, directly or indirectly, any voting securities or assets of another air carrier if, after the acquisition, the air carrier resulting from the acquisition would have more than 10 percent of the passenger enplanements in the United States (based on projections from the most recent annual data available to the Secretary of Transportation) if the Secretary determines that the effect of the acquisition—

''(A) would be substantially to lessen competition, or

''(B) would result in reasonable industry concentration, excessive market domination, monopoly powers, or other conditions that would tend to allow at least 1 air carrier unreasonably to increase prices, reduce services, or exclude competition in air transportation at any large hub airport (as defined in section 47134(d)(2)) or in at least 10 percent of the top 500 markets for passenger air transportation in the United States.

''(2) EXCEPTION.—Notwithstanding paragraph (1), such an acquisition may proceed if the Secretary finds that—

''(A) the anticompetitive effects of the proposed transaction are outweighed in the public interest by the probable effect of the acquisition in meeting significant transportation conveniences and needs of the public; and

''(B) those significant transportation conveniences and needs of the public may not be satisfied by a reasonably available alternative having materially less anticompetitive effects.

''(b) DOMINANT CARRIERS REQUIRED TO RELINQUISH SOME GATES, FACILITIES, AND ASSETS AT HUB AIRPORT.—

''(1) IN GENERAL.—An air carrier may not acquire, directly or indirectly, any voting securities or assets of another air carrier if, after the acquisition, the air carrier resulting from the acquisition would be a dominant air carrier at any large hub airport (as defined in section 47134(d)(2)) unless the Secretary of Transportation finds that—

''(A) the air carrier resulting from the acquisition will provide gates, facilities, and other assets at the hub airport on a fair, reasonable, and nondiscriminatory basis to another air carrier that—

''(i) holds a certificate issued under chapter 411 authorizing it to provide air transportation for passengers;

''(ii) has fewer than 15 percent of the average daily passenger enplanements at that airport; and

''(iii) is able, or will be able, to utilize the gate, facility, or other asset provided to it at a reasonable level of utilization; or

''(B) gates, facilities, and other assets are available, or will be made available in a timely manner, on a fair, reasonable, and nondiscriminatory basis to accommodate competitive access to that airport by other air carriers.

''(2) LIMITATION.—Paragraph (1) does not require an air carrier to relinquish control, or otherwise dispose, of more than 10 percent of the gates, facilities, and other assets controlled by that air carrier at any airport, as determined by the Secretary.

''(3) PLAN REQUIRED.—Before the Secretary may make a finding under paragraph (1), the acquiring air carrier and the air carrier being acquired shall file a joint plan in writing with the Secretary that states with such specificity as the Secretary may require exactly how the air carrier resulting from the acquisition will comply with the requirements of paragraph (1).

''(4) ENFORCEMENT OF PLAN.—If the Secretary determines, more than 90 days after the date on which an acquisition described in paragraph (1) is completed, that the air carrier has failed substantially to carry out the plan submitted under paragraph (3), the Secretary may—

''(A) withdraw approval of the acquisition;

''(B) withdraw authority for the air carrier to serve international markets; or

''(C) take such other action as may be necessary to compel compliance with the plan.

''(c) NOTIFICATION; WAITING PERIOD; FINAL RULE.—

''(1) IN GENERAL.—In order for the Secretary to be able to make the determination required by subsection (a)—

''(A) each air carrier (or in the case of a tender offer, the acquiring air carrier) shall submit a notification to the Secretary, in such form and containing such information as the Secretary may require; and

''(B) wait until the waiting period described in paragraph (2) has expired before effecting the acquisition.

''(2) Waiting period.—

''(A) IN GENERAL.—The waiting period begins on the date of receipt by the Secretary of a completed notification required by paragraph (1)(A) and ends on the thirtieth day after that date, or (in the case of a cash tender offer) the fifteenth day after that date.

''(B) WAIVER; MODIFICATION.—The Secretary may waive the notification requirement, shorten the waiting period, or extend the waiting period (by not more than 180 days), in order to coordinate action under this subsection with the Department of Justice under the antitrust laws of the United States.

''(3) COORDINATION WITH DOJ.—The Secretary and the Attorney General may enter into a memorandum of understanding to ensure that the determination required by subsection (a) is made within the same time frame as any Department of Justice review of a proposed acquisition under section 7A of the Clayton Act (15 U.S.C. 18a).

''(4) FINAL ACTION WITHIN 180 DAYS.—The Secretary shall take final action with respect to any acquisition requiring a determination under subsection (a) within 180 days after the date on which the Secretary receives the notification required by paragraph (1)(A).

''(d) AIR 21 COMPETITION PLAN REVIEW.—The Secretary shall examine any hub airport affected by a proposed acquisition described in subsection (a) to determine whether that airport has complied with the competition plan requirement of sections 47106(f) or 40117(k) of title 49, United States Code, and whether gates and other facilities are being made available at costs that are fair and reasonable to air carriers in accordance with the requirements of section 41712(c)(3). The sponsor (as defined in section 47102(19)) of any hub airport shall cooperate fully with the Secretary in carrying out an examination under this subsection.

''(e) DEFINITIONS.—In this section:

''(1) DOMINATED HUB AIRPORT.—The term 'dominated hub airport' means an airport—

''(A) that each year has at least .25 percent of the total annual boardings in the United States; and

''(B) at which 1 air carrier accounts for more than 50 percent of the enplaned passengers.

''(2) DOMINANT AIR CARRIER.—The term 'dominant air carrier' means an air carrier that accounts for more than 50 percent of the enplaned passengers at an airport.

(3) CONTROL.—With respect to whether a corporation or other entity is considered to be controlled by another corporation or other entity, the term 'control' means that more than 10 percent of the ownership, voting rights, capital stock, or other pecuniary interest in that corporation or entity is owned, held, or controlled, directly or indirectly, by such other corporation or entity.

''(4) ENPLANEMENTS.—The term 'passenger enplanements' means the annual number of passenger enplanements, as determined by the Secretary of Transportation, based on the most recent data available.

''(5) ASSET.—The term 'asset' includes slots (as defined in section 41714(h)(4)) and slot exemptions (within the meaning of section 41714(a)(2)).''.

(b) SPECIAL RULE.—For the purpose of applying section 41722 of title 49, United States Code, to an acquisition or merger involving major air carriers proposed after January 1, 2000, that has not been consummated before February 15, 2001—

(1) subsection (c) of that section shall not apply; but

(2) the Secretary of Transportation shall require such information from the acquiring air carrier and the acquired air carrier, or the merging air carriers, as may be necessary to carry out that section, and shall complete the review required by that section within a reasonable period that is not to exceed 180 days from the date on which the Secretary receives the requested information from all parties.

(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 417 of title 49, United States Code, is amended by adding at the end the following;

''41722. Mergers and acquisitions''.

SEC. 4. COMPETITIVE ACCESS TO GATES, FACILITIES, AND OTHER ASSETS.

(a) Subchapter I of chapter 417, as amended by section 3, is further amended by adding at the end thereof the following:

"§ 41723. Competitive access to gates, facilities, and other assets

''(a) DOT REVIEW OF GATES, FACILITIES, AND ASSETS.—Within 90 days after the date of the enactment of Aviation Competition Restoration Act, the Secretary of Transportation shall investigate the assignment and usage of gates, facilities, and other assets by major air carriers at the largest 35 airports in the United States in terms of air passenger traffic. The investigation shall include an assessment of—

''(1) whether, and to what extent, gates, facilities, and other assets are being fully utilized by major air carriers at those airports;

''(2) whether gates, facilities, and other assets are available for competitive access to enhance competition; and

''(3) whether the reassignment of gates, facilities, and other assets to, or other means of increasing access to gates, facilities, and other assets for, air carriers (other than dominant air carriers (as defined in section 41722(e)(2)) would improve competition among air carriers at any such airport or provide other benefits to the flying public without compromising safety or creating scheduling, efficiency, or other problems at airports providing service to or from those airports.

''(b) AUTHORITY OF SECRETARY TO MAKE GATES, ETC., AVAILABLE.—The Secretary shall require a major air carrier, upon application by another air carrier or on the Secretary's own motion to make gates, facilities, and other assets available to other air carriers on terms that are fair, reasonable, and nondiscriminatory to ensure competitive access to those airports if the Secretary determines, on the basis of the investigation conducted under subsection (a), that such gates, facilities, and other assets are not available and that competition would be enhanced thereby at those airports.

''(c) DEFINITIONS.—

''(1) MAJOR AIR CARRIER.—In this section the term 'major air carrier' means an air carrier certificated under section 41102 that accounted for at least 1 percent of domestic scheduled-passenger revenues in the 12 months ending March 31 of each year, as reported to the Department of Transportation pursuant to part 241 of title 14, Code of Federal Regulations, and identified as a reporting carrier periodically in accounting and reporting directives issued by the Office of Airline Information.

''(2) ASSET.—The term 'asset' includes slots (as defined in section 41714(h)(4)) and slot exemptions (within the meaning of section 41714(a)(2)).''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41722 the following:

''41723. Competitive access to gages, facilities, and other assets''.

SEC. 5. UNFAIR METHODS OF COMPETITION IN AIR TRANSPORTATION.

(a) UNFAIR COMPETITION THROUGH USE OF GATES, FACILITIES, AND OTHER ASSETS.—Section 41712 of title 49, United States Code, is amended by adding at the end the following:

''(c) UNDERUTILIZATION OF GATES, FACILITIES, OR OTHER ASSETS.—

''(1) IN GENERAL.—It is an unfair method of competition in air transportation under subsection (a) for a dominant air carrier at a dominated hub airport—

''(A) to fail to utilize gates, facilities, and other assets fully at that airport; and

''(B) to refuse, deny, or fail to provide a gate, facility, or other asset at such an airport that is underutilized by it, or that will not be fully utilized by it within 1 year, to another carrier on fair, reasonable, and nondiscriminatory terms upon request of the airport, the other air carrier, or the Secretary.

''(2) REQUESTING CARRIER MUST FILE WITH DOT.—An air carrier making a request for a gate, facility, or other asset under paragraph (1) shall file a copy of the request with the Secretary when it is submitted to the dominant air carrier.

''(3) AVAILABILITY OF GATES AND OTHER ESSENTIAL SERVICES.—The Secretary shall ensure that gates and other facilities are made available at costs that are fair and reasonable to air carriers at covered airports where a 'majority-in-interest clause' of a contract or other agreement or arrangement inhibits the ability of the local airport authority to provide or build new gates or other essential facilities.

''(4) DEFINITIONS.—In this subsection:

''(A) DOMINANT AIR CARRIER.—The term 'dominant air carrier' has the meaning given that term by section 41722(e)(2).

''(B) DOMINATED HUB AIRPORT.—The term 'dominated hub airport' has the meaning given that term by section 41722(e)(1).

''(C) COVERED AIRPORT.—The term 'covered airport' has the meaning given that term by section 47106(f)(3).

''(D) ASSET.—The term 'asset' includes slots (as defined in section 41714(h)(4)) and slot exemptions (within the meaning of section 41714(a)(2)).''.

(b) CONFORMING AMENDMENT.—Section 155 of the Wendell H. Ford Aviation Investment and Reform Act of the 21st Century (49 U.S.C. 47101 nt) is amended by striking subsection (d).

SEC. 6. AIP COMPETITION FUNDING.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by adding at the end the following:

"§ 47138. Competition enhancement program

''(a) IN GENERAL.—The Secretary of Transportation shall make project grants under this subchapter from the Airport and Airway Trust Fund for gates, related facilities, and other assets to enhance and increase competition among air carriers for passenger air transportation.

''(b) SECRETARY MAY INCUR OBLIGATIONS.—The Secretary may incur obligations to make grants under this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Airport and Airway Trust Fund $300,000,000 for fiscal year 2002, such amount to remain available until expended.''.

(b) AIP GRANTS.—Section 47107 of title 49, United States Code, is amended by adding at the end the following:

''(q) GATES, FACILITIES, AND OTHER ASSETS.—

''(1) IN GENERAL.—The Secretary of Transportation may approve an application under this subchapter for an airport development project grant at a dominated hub airport only if the Secretary—

''(A) receives appropriate assurances that the airport will provide gates, facilities, and other assets on fair, reasonable, and nondiscriminatory terms to air carriers, other than a dominant air carrier, to ensure competitive access to essential facilities; or

''(B) determines that gates, facilities, and other assets are available at that airport on a fair, reasonable, and nondiscriminatory basis to air carriers other than a dominant air carrier.

''(2) DEFINITIONS.—In this subsection:

''(A) DOMINANT AIR CARRIER.—The term 'dominant air carrier' has the meaning given that term by section 41722(e)(2).

''(B) DOMINATED HUB AIRPORT.—The term 'dominated hub airport' has the meaning given that term by section 41722(e)(1).

''(C) ASSET.—The term 'asset' includes slots (as defined in section 41714(h)(4)) and slot exemptions (within the meaning of section 41714(a)(2)).''.

(c) PFC FUNDS.—Seciton 40117 of title 49, United States Code, is amended by adding at the end the following:

''(1) FACILITIES FOR COMPETITIVE ACCESS.—

''(1) IN GENERAL.—The Secretary may approve an application under subsection (c) for a project at a dominated hub airport only if the Secretary—

''(A) receives appropriate assurances that the airport will provide gates, facilities, and other assets on fair, reasonable, and nondiscriminatory terms to air carriers, other than a dominant air carrier, to ensure competitive access to essential facilities; or

''(B) determines that gates, facilities, and other assets are available at that airport on a fair, reasonable, and nondiscriminatory basis to air carriers other than a dominant air carrier.

''(2) DEFINITIONS.—In this subsection:

''(A) DOMINANT AIR CARRIER.—The term 'dominant air carrier' has the meaning given that term by section 41722(e)(2).

''(B) DOMINATED HUB AIRPORT.—The term 'dominated hub airport' has the meaning given that term by section 41722(e)(1).

''(C) ASSET.—The term 'asset' includes slots (as defined in section 41714(h)(4)) and slot exemptions (within the meaning of section 41714(a)(2)).''.

(d) CONFORMING AMENDMENT.—The chapter analysis for subchapter I of chapter 471 of such title is amended by inserting after the item relating to section 47137 the following:

''47138. Competition enhancement program''.

Mr. MCCAIN. Mr. President, today I join my colleague, Senator HOLLINGS, in introducing the Aviation Competition Restoration Act. This legislation would give the Department of Transportation additional authority to review airline industry mergers and to enhance competition and access at dominated hub airports. If Congress does not act quickly to address the problems of industry consolidation and the reduction in meaningful competition, consumers will suffer as air fares inevitably increase and choices decline.

Not since deregulation of the airline industry have we faced such a critical point in the history of air transportation in this country. We are closer than ever to seeing an industry totally dominated by three mega-airlines. Last year, United proposed purchasing US Airways. Earlier this year, American Airlines announced that it would purchase a faltering TWA and join with United to carve up US Airways. Since then, Delta and Continental have talked about some type of combination if the other mergers occur. These developments do not bode well for consumers.

I recognize that there may be some benefits to these mergers. But the harm that will be inflicted on consumers far outweighs any gains. As the number of competitors dwindles, air travelers are almost certain to get squeezed. The Commerce Committee has held numerous hearings since the first deal was announced. I continue to believe that these proposals are not good for the consumer.

Last year, the Commerce Committee approved a Senate Resolution expressing deep concern about the proposed United-US Airways deal. Expressions of

concern are no longer enough. We must act to ensure that the Executive Branch has the tools to thoroughly evaluate these proposals and their effect on competition. We must also give them the tools to effectuate a more competitive environment. The Airline Competition Restoration Act would give the Department the authority to ensure that carriers have competitive access to critical airport markets by reallocating gates, facilities and other assets used or controlled by an air carrier prior to approving a merger or in other non-competitive circumstances.

This bill is just one piece of a potential solution to the tremendous problems that air travelers face on a daily basis. More people are flying now than ever before. That means that more people are affected by the lack of capacity, antiquated air traffic control, and over scheduling that continue to plague aviation travel. We had 674 million people fly last year. That number is expected to reach one billion within 10 years. One billion air travelers in a system that has basically reached gridlock today should be of great concern to all of us.

This is not a partisan issue. This is not a rural or urban issue. This is an issue that affects the business traveler and the leisure traveler. We must act to enhance competition and prevent further gridlock and delay in our aviation system. I look forward to working with my colleagues to try and address these issues in the coming months.

By Mr. KERRY (for himself, Mr. DEWINE, Mrs. BOXER, and Mr. KOHL):

S. 416. A bill to amend the Consumer Product Safety Act to confirm the Consumer Product Safety Commission's jurisdiction over child safety devices for handguns, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KERRY. Mr. President, today I am introducing legislation, along with Senator DEWINE, Senator BOXER, and Senator KOHL, that will set minimum standards for gun safety locks. Discussion is swirling around the U.S. Congress, in state legislatures throughout the country, and in our cities and towns about the use of handgun safety locks to prevent children from gaining access to dangerous weapons. To date, eighteen states have Child Access Protection, or CAP laws in place, which permit prosecution of adults if their firearm is left unsecured and a child uses that firearm to harm themselves or others.

An important element that is largely missing from the debate over the voluntary or required use of gun safety locks is the quality and performance of these locks. Mr. President, a gun lock will only keep a gun out of a child's hands if the lock works. There are many cheap, flimsy locks on the market that are easily overcome by a child. There are 12 safety standards for every toy, but there is not even a single safety standard for a gun lock.

Earlier this month the Consumer Product Safety Commission, CPSC, and the National Sport Shooting Foundation announced a voluntary recall of 400,000 gun safety locks that were distributed by Project HomeSafe, a nationwide program whose purpose is to promote safe firearms handling and storage practices through distribution of gun locks and safety education messages. And last July the CPSC and MasterLock joined together in another voluntary recall of 752,000 gun locks. Both of the gun locks recalled could be easily opened with paper clips, tweezers, or by banging it on a table. When testing gun locks to replace the recalled locks, the CPSC found that all but two of the 32 locks tested could be opened without a key. I find this astonishing. Millions of Americans have come to depend on gun locks as a way to prevent their children from gaining access to a handgun, and it is extremely disturbing to learn that so many locks could be overcome.

The legislation that we are introducing today requires the Consumer Product Safety Commission to set minimum regulations for safety locks and to remove unsafe locks from the market. Our legislation empowers consumers by ensuring that they will only purchase high-quality lock boxes and trigger locks. The legislation does not require the use of gun safety locks. It only requires that gun safety locks meet minimum standards. The legislation does not regulate handguns. It applies only to after-market, external gun locks.

Storing firearms safely is an effective and inexpensive way to prevent the needless tragedies associated with unintentional firearm-related death and injury. And I am pleased that several states, including my home state of Massachusetts, have required the use of gun safety locks. During the 106th Congress, the Senate passed an amendment that would require the use of gun safety locks by a vote of 78–20.

While I am encouraged by this trend of increasing the use of gun safety locks, I am genuinely concerned that with the hundreds of different types of gun locks on the market today it is difficult, probably impossible, for consumers to be assured that the lock they purchase will be effective. In early February President Bush announced the Administration's support for a five-year, $75 million-a-year federal program to distribute free gun locks to every gun owner. I commend the President's proposal to distribute free gun locks, but believe that it is critically important that the locks function as intended.

The latest data released by the Centers for Disease Control in 1999 revealed that accidental shootings accounted for 7 percent of child deaths and that more than 300 children died in gun accidents, almost one child every day. A study in the Archives of Pediatric and Adolescent Medicine found that 25 percent of 3- to 4- year olds and 70 percent of 5- to 6- year olds had sufficient finger strength to fire 59, or 92 percent, of the 64 commonly available handguns examined in the study. Accidental shootings can be prevented by simple safety measures, one of which is the use of an effective gun safety lock.

The Senate has been gridlocked over the issue of gun control. And you can be sure that young lives have been needlessly lost due to our inaction. This legislation, which I truly believe every Senator can support, would make storing a gun in the home safer by ensuring safety devices are effective. It would empower consumers. And most importantly it would protect children and decrease the numbers of accidental shootings in this country.

Mr. DEWINE. Mr. President, I rise today as an original cosponsor of the Gun Lock Consumer Protection Act being introduced by my friend from Massachusetts, Senator KERRY. I support this bill because I believe it will save lives.

Recently, we have all borne witness to a disturbing trend. Increasingly, we are hearing shocking news reports that another child has died because of his or her access to a loaded, unlocked firearm. In 1999 alone, this was an almost daily occurrence. Last year, more than 300 children died in gun accidents. Most of these accidents occurred in a child's own home, or the home of a close friend or relative. Places where these children should feel the safest.

The mixture of children and loaded firearms is certainly extremely combustible. An estimated 3.3 million children in the United States live in homes with firearms that are always or sometimes kept loaded and unlocked. Now, I believe that the majority of parents with firearms believe they are being responsible about gun storage and other safety measures dealing with firearms. But, the fact is that, some parents have a fundamental misunderstanding of a child's ability to gain access to and fire a gun, distinguish between real and toy guns, make good judgements about handling a gun, and consistently following rules about gun safety. In fact, nearly two-thirds of parents with school-age children who keep a gun in the home believe that the firearm is safe from their children. However, one study found that when a gun was in the home, 75 to 80 percent of first and second graders knew where the gun was kept.

Many gun owners, State and local governments, as well as this Senate, have begun to recognize the combustible relationship between children and loaded, accessible firearms. This recognition has led many gun owners to purchase gun safety locks to ensure safe storage of their handguns and to prevent children from gaining access to weapons. In some States, gun locks are required at the time handguns are purchased. At least seventeen States have laws that require or encourage the use of gun locks that deter child access to handguns. And, finally, the Senate

passed an amendment to the juvenile justice bill last Congress that would require the use of gun safety locks.

Despite the facts that gun owners are buying more firearm safety devices and governments are rushing to mandate their use, there are no minimal safety standards for these devices. There are many different types of trigger locks, safety locks, lock boxes, and other devices available. There is a wide range in the quality and effectiveness of these devices. Some are inadequate to prevent the accidental discharge of the firearm or to prevent a child access to the firearm.

As governments move toward mandated safety devices, I believe it is important that consumers know that the device they are buying is actually adequate to serve its intended purpose. If States are going to prosecute adults when a child uses a firearm, these gun owners should have at least some peace of mind that their gun storage or safety lock device is adequate.

Many of the safety lock devices currently on the market will not provide that peace of mind. Over the past year, the Consumer Product Safety Commission has tested thirty-two different lock devices. Thirty did not work as they were intended to work. In other words, 90 percent of the lock devices tested by the CPSC do not work! To date, CPSC has worked with two organizations to recall faulty locks. Because of the organizations' willingness to work with the CPSC, over 1.1 million safety locks have been recalled and replaced.

The legislation I am introducing today with Senator KERRY would help responsible gun owners and parents know that the safety device they are buying is at least minimally adequate. This legislation is just common sense. It simply requires the Consumer Product Safety Commission, CPSC, to formulate minimum safety standards for gun safety locks and to ensure that only adequate locks meeting that standard are available for purchase by consumers. The standard to be used by the Commission requires that gun safety locks are sufficiently difficult for children to deactivate or remove and that the safety locks prevent the discharge of the handgun unless the lock has been deactivated or removed.

It is important to note what this bill does not do. First of all, it does not give CPSC any say in standards of firearms or ammunition. In other words, it is not intended to regulate firearms themselves in any way whatsoever. Second, it will not have the effect of mandating what gun lock device is used. As I said earlier, there are many different types of gun locks currently available. Some of these allow for easy access and use of firearms for adults should they decide that is important to them. Other devices are more cumbersome and do not provide quick and easy access. Gun owners would be free to decide what device is best for them. This legislation would have no effect on that issue. Finally, this legislation does not require the use of gun safety locks. While the Senate has already passed legislation to do this, if that language is removed in conference, this legislation will not affect that.

As I said earlier, I support this legislation because I believe it will save lives. But, more than that, this legislation will empower parents who decide that they want to have a gun safety lock but are awash in a sea of different devices, to purchase only gun safety locks that provide adequate protection for their children. I urge my colleagues to join Senator KERRY and I in support of this bill.

By Mr. INOUYE:

S. 418. A bill to repeal the reduction in the deductible portion of expenses for business meals and entertainment, to the Committee on Finance.

Mr. INOUYE. Mr. President, I rise to introduce legislation to repeal the current 50 percent tax deduction for business meals and entertainment expenses, and to restore the tax deduction to 80 percent gradually over a five-year period. Restoration of this deduction is essential to the livelihood of small and independent businesses as well as the food service, travel, tourism, and entertainment industries throughout the United States. These industries are being economically harmed as a result of the 50 percent tax deduction.

The business meals and entertainment expenses deduction was reduced from 80 percent to 50 percent, in the Omnibus Budget Reconciliation Act of 1993, and went into effect on January 1, 1994. Its results have been detrimental to small businesses, the self-employed, and independent and traveling sales representatives. These groups rely on one-on-one meetings, usually during meals, for their marketing strategy, and the reduction of the business meals and entertainment deduction has impacted their marketing efforts.

Many small business organizations have shown their support for an increase in this deduction. The National Restaurant Association, National Federation of Independent Business, National Employees and Restaurant Employees International Union, National Association of the Self-Employed, and the American Hotel and Motel Association, have all spoken of the need for the reestablishment of the 80 percent deduction for business meal and entertainment expenses.

For example, traveling and independent sales representatives incur substantial travel and entertainment expenses from spending, annually, an average of 150 nights on the road. Home-based businesses also rely heavily on meeting with clients outside of the home and over meals. Such businesses have been harmed by the reduction of this deduction to 50 percent.

Currently, there are approximately 23.2 million persons who spend money on business meals in the U.S., down from 25.3 million in 1989. The total economic impact on small businesses of restoring the business meal deduction from 50 percent to 80 percent ranges from $5 to $690 million, depending on the state. In the state of Hawaii, the estimated economic impact ranges from $32 to $43 million.

I urge my colleagues to join me in cosponsoring this important legislation. Mr. President, I ask unanimous consent that the bill text be printed in the RECORD.

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

S. 418

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

SECTION 1. REPEAL OF REDUCTION IN BUSINESS MEALS AND ENTERTAINMENT TAX DEDUCTION.

(a) IN GENERAL.—Section 274(n)(1) of the Internal Revenue Code of 1986 (relating to only 50 percent of meal and entertainment expenses allowed as deduction) is amended by striking ''50 percent'' and inserting ''the applicable percentage''.

(b) APPLICABLE PERCENTAGE.—Section 274(n) of the Internal Revenue Code of 1986 is amended by striking paragraph (3) and inserting the following:

''(3) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the term 'applicable percentage' means the percentage determined under the following table:

''For taxable years beginning in calendar year—	The applicable percentage is—
2001	68
2002	74
2003 or thereafter	80.''.

(c) CONFORMING AMENDMENT.—The heading for section 274(n) of the Internal Revenue Code of 1986 is amended by striking ''ONLY 50 PERCENT'' and inserting ''PORTION''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

By Mr. TORRICELLI (for himself and Mr. CORZINE):

S. 419. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House, Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. TORRICELLI. Mr. President, I rise today to introduce legislation to recognize the historical significance of the Abel and Mary Nicholson House, located in Salem County New Jersey. I am pleased to have Senator CORZINE join me in this important effort, and would like to announce that Congressman LOBIONDO will introduce companion legislation in the House of Representatives.

The Nicholson House was built in 1722 and is a rate surviving example of an early 18th century patterned brick building. It is a classic example of architecture of this period. The original portion of the house has survived for over 280 years with only routine maintenance. It is a unique resource which

can provide significant opportunities for studying our nation's history and culture. As one of the most significant ''first period'' houses surviving in the Delaware Valley, the Nicholson House represents a piece of history from both Southern New Jersey and early American life.

In addition, it is situated in an area known for its early American economy. Delaware Bay schooners patrolled the waters of the Delaware River throughout the 18th and 19th centuries harvesting clams and oysters. This industry was an integral part of the region's economy, and contribute to the culture and history of New Jersey.

The site is listed on the New Jersey Register of Historic Places, as well as the National Register of Historic Places. In addition, the National Park Service recognized the importance and historical value of the this site by designating the Nicholson House and a National Historic Landmark.

The Salem County Historical society and the Salem County Department of Economic Development both endorse the establishment of a national park at this site. A national park would encourage ecotourism in the area and spur economic growth. In addition, the site is located at the southern end of the New Jersey Coastal Heritage Trail. This theme trail runs along the New Jersey coastline and introduces visitors to the region and encourages them to take full advantage of the many natural and cultural attractions. The Nicholson House National Park would be the southern anchor of this interpretive trail and would enhance tourism and understanding of the culture and history of the region.

This area is truly a valuable asset to the State of New Jersey, and I feel it is only proper to share this wonderful resource with the entire nation by establishing the Nicholson House as a unit of the National Park Service, (NPS).

The Federal Government has already acknowledge the significance of the Nicholson House, by designating the area a national historic landmark. Establishing it as a unit of the NPS would increase the presence the site, and the NPS would provide staff and tours, and allow for a better, more educational interpretation.

My legislation would take the first step towards this important designation by directing the NPS to study the feasibility of establishing a national park at the Nicholson House. I ask that my colleagues join me in support of this worthy effort, so that an important element of our culture may be preserved for future generations.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. LUGAR submitted the following resolution; from the Committee on Agriculture, Nutrition, and Forestry, which was referred to the Committee on Rules and Administration.

S. RES. 31

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committees on Agriculture, Nutrition and Forestry is authorized from March 1, 2001, through September 30, 2001; October 1, 2001 to September 30, 2002; and October 1, 2002 through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $1,794,378, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) The expenses of the committee for the period October 1, 2001, through September 30, 2002, under this resolution shall not exceed $3,181,922, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 212(j) of the Legislative Reorganization Act of 1946).

(c) The expenses of the committee for the period October 1, 2002, through February 28, 2003, under this resolution shall not exceed $1,360,530, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 212(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the distribution of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationary, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001, October 1, 2001, through September 30, 2002, and October 1, 2002 through February 28, 2003 to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 32—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration.

S. RES. 32

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations, is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $2,495,457, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $4,427,295, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $1,893,716, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization

Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

S. RES. 33

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such Rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Special Committee on Aging is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $1,240,422, of which amount (1) not to exceed $117,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $2,199,621, of which amount (1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $940,522, of which amount (1) not to exceed $85,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SENATE RESOLUTION 34—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SMITH of New Hampshire submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Environment and Public Works.

S. RES. 34

Resolved,

SECTION 1. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works (referred to in this resolution as the ''committee'') is authorized from March 1, 2001, through February 28, 2003, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2001.—The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this section shall not exceed $2,318,050, of which amount—

(1) not to exceed $24,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2002 PERIOD.—The expenses of the committee for the period October 1, 2001, through September 30, 2002, under this section shall not exceed $4,108,958, of which amount—

(1) not to exceed $8,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2003.—For the period October 1, 2002, through February 28, 2003, expenses of the committee under this section shall not exceed $1,756,412, of which amount—

(1) not to exceed $3,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 2. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003, respectively.

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees of the committee who are paid at an annual rate;

(B) the payment of telecommunications expenses provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee for the period March 1, 2001, through September 30, 2001, for the period October 1, 2001, through September 30, 2002, and for the period October 1, 2002, through February 28, 2003, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SENATE RESOLUTION 35—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration.

S. RES. 35

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $3,895,623, of which amount (1) not to exceed $32,500 may be expanded for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expanded for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $6,910,215, of which amount (1) not to exceed $32,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $2,955,379, of which amount (1) not to exceed $32,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2002 and February 28, 2003, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001, October 1, 2001 through September 30, 2002; and October 1, 2002 through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 36—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCAIN submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration.

S. RES. 36

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2001, through September 30, 2001, October 1, 2001, through September 30, 2002, and October 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $2,968,783, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $5,265,771, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $2,251,960, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2002, and February 28, 2003, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001, October 1, 2001, through September 30, 2002, and October 1, 2002, through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 37—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. GRASSLEY submitted the following resolution; from the Committee on Finance; which was referred to the Committee on Rules and Administration.

S. RES. 37

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rules XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2001, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $3,230,940, of which amount (1) not to exceed $17,500 may be expended for the

procurement of the services of individual consultants, or organizations thereof (as authorized by section 201(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $5,729,572, of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $2,449,931, of which amount (1) not to exceed $12,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4,167 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946.)

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the Committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001; October 1, 2001 through September 30, 2002; and October 1, 2002 through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquires and Investigations.''

SENATE RESOLUTION 38—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. WARNER submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration.

S. RES. 38

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period Marchd 1, 2001, through September 30, 2001, under this resolution shall not exceed $3,301,692, of which amount (1) not to exceed $60,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period of October 1, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed $5,859,150, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed $2,506,642, of which amount (1) not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations of legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2003.

SEC. 4. The Committee on Armed Services is authorized from March 1, 2001, until otherwise provided by law, to expend not to exceed $10,000 each fiscal year to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments, foreign armed forces, and intergovernmental organizations.

SEC. 5. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Se4rgeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States, Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 6. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002 through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquires and Investigations.''

SENATE RESOLUTION 39—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL submitted the following resolution; from the Committee on Rules an Administration; which was placed on the calendar.

S. RES. 39

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and, Oct. 1, 2002, through February 28, 2003, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2001, through September 30, 2001, under this resolution shall not exceed $1,183,041, of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $6,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2001, through September 30, 2001, expenses of the committee under this resolution shall not exceed $2,099,802, of which amount (1) not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2001, through February 28, 2003, expenses of the committee under this resolution shall not exceed $898,454, of which amount (1) not to exceed

$21,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4,200 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2002, through February 28, 2003, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE CONCURRENT RESOLUTION 19—HONORING THE ULTIMATE SACRIFICE MADE BY 28 UNITED STATES SOLDIERS KILLED BY AN IRAQI MISSILE ATTACK ON FEBRUARY 25, 1991, DURING OPERATION DESERT STORM, AND RESOLVING TO SUPPORT APPROPRIATE AND EFFECTIVE THEATER MISSILE DEFENSE PROGRAMS

Mr. SANTORUM submitted the following concurrent resolution; which was referred to the Committee on Armed Services.

S. CON. RES. 19

Whereas during Operation Desert Storm, Iraq launched a Scud missile at Dhahran, Saudi Arabia early in the evening of February 25, 1991;

Whereas 1 Patriot missile battery on a Dhahran airfield was not operational and another nearby battery did not track the Scud missile effectively;

Whereas the Scud missile hit a warehouse serving as a United States Army barracks in the Dhahran suburb of Al Khobar, killing 28 soldiers and injuring 100 other soldiers;

Whereas the thoughts and prayers of Congress and the American people remain with the families of those soldiers;

Whereas this single incident resulted in more United States combat casualties than any other battle during or since Operation Desert Storm;

Whereas Scud missile attacks paralyzed the country of Israel during Operation Desert Storm;

Whereas the Patriot missile batteries, which were used in Operation Desert Storm for missile defense, were not originally designed for missile defense;

Whereas the United States and our allies still have not fielded advanced theater missile defenses;

Whereas missile technology proliferation makes missile attacks on United States forces increasingly possible; and

Whereas February 25, 2001, is the 10th anniversary of the Scud missile attack which caused the deaths of these brave soldiers who died in service to their country: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) on behalf of the American people, extends its sympathy and thanks to the families of Specialist Steven E. Atherton, Corporal Stanley Bartusiak, Specialist John A. Boliver, Jr., Sergeant Joseph P. Bongiorni III, Sergeant John T. Boxler, Specialist Beverly S. Clark, Sergeant Allen B. Craver, Corporal Rolando A. Delagneau, Specialist Steven P. Farnen, Specialist Duane W. Hollen, Jr., Specialist Glen D. Jones, Specialist Frank S. Keough, Specialist Anthony E. Madison, Specialist Steven G. Mason, Specialist Christine L. Mayes, Specialist Michael W. Mills, Specialist Adrienne L. Mitchell, Specialist Ronald D. Rennison, Private First Class Timothy A. Shaw, Specialist Steven J. Siko, Corporal Brian K. Simpson, Specialist Thomas G. Stone, Specialist James D. Tatum, Private First Class Robert C. Wade, Sergeant Frank J. Walls, Corporal Jonathan M. Williams, Specialist Richard V. Wolverton, and Specialist James E. Worthy, all of whom were killed by an Iraqi missile attack on February 25, 1991, while in service to their country; and

(2) resolves to support appropriate and effective theater missile defense programs to help prevent attacks on forward deployed United States forces from occurring again.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing which was previously scheduled before the Committee on Energy and Natural Resources on Thursday, March 1, 2001, at 9:30 a.m., in room SD–106 of the Dirksen Senate Office Building, has been rescheduled for Thursday, March 15, 2001, at 9:30 a.m., in room SH–216 of the Senate Hart Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 26, a bill to amend the Department of Energy Authorization Act to authorize the Secretary of Energy to impose interim limitations on the cost of electric energy to protect consumers from unjust and unreasonable prices in the electric energy market, S. 80, California Electricity Consumers Relief Act of 2001, and S. 287, a bill to direct the Federal Energy Regulatory Commission to impose cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market, and amendment No. 12 to S. 287.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SRC–2 Senate Russell Courtyard, Washington, DC 20510–6150.

For further information, please call Trici Henninger at (202) 224–7875.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, February 28, 2001. The purpose of this hearing will be to review the statutes conservation programs in the current farm bill and to conduct a committee business meeting to discuss the committee rules and budget.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, February 28, 2001, at 10:30 a.m., to conduct a business meeting to act on the following agenda items:

1. Committee rules for the 107th Congress.

2. Committee funding resolution for the 107th Congress.

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

COMMITTEE ON FINANCE

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, to hear testimony regarding the nomination of Mark A. Weinberger.

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

COMMITTEE ON FINANCE

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, to hear testimony regarding Revenue Proposals in the President's Budget.

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

COMMITTEE ON FINANCE

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, to organize for the 107th Congress.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent

that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, February 28, 2001, at 9:30 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, February 28, 2001, at 9 a.m., in room 485 of the Russell Senate Office Building to conduct a hearing to receive the views of the Department of the Interior on matters of Indian Affairs.

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

COMMITTEE ON THE JUDICIARY

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Wednesday, February 28, 2001, at 9:30 a.m., The markup will take place in Dirksen Room 226.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, at 9:30 a.m., to conduct its organizational meeting for the 107th Congress.

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

COMMITTEE ON SMALL BUSINESS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, beginning at 9 a.m., in room 428A of the Russell Senate Office Building to hold its Organizational Meeting for the 107th Congress.

Immediately following the Organizational Meeting, we will turn to official Committee business including: (1) S. 295, Small Business Energy Emergency Relief Act of 2001; (2) S. 174, Microloan Program Improvement Act of 2001; (3) The Independent Office of Advocacy Act of 2001; and (4) The White House Quadrennial Small Business Summit Act of 2001.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentations of the Veterans of Foreign Wars. The hearing will be held on Wednesday, February 28, 2001, at 10 a.m., in room 345 of the Cannon House Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 28, 2001, at 2 p.m., to hold a closed hearing on intelligence matters.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the nominations at the desk just reported by the Armed Services Committee.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, and any statements relating to the nominations be printed in the RECORD.

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

The nominations were considered and confirmed, as follows:

DEPARTMENT OF THE TREASURY

John M. Duncan, of the District of Columbia, to be a Deputy Under Secretary of the Treasury.

DEPARTMENT OF DEFENSE

Paul D. Wolfowitz, of Maryland, to be Deputy Secretary of Defense.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Albert H. Konetzni Jr., 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Timothy W. LaFleur, 0000

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) James S. Allan, 0000
Rear Adm. (lh) Howard W. Dawson Jr., 0000
Rear Adm. (lh) Karen A. Harmeyer, 0000
Rear Adm. (lh) Maurice B. Hill Jr., 0000
Rear Adm. (lh) James M. Walley Jr., 0000

IN THE AIR FORCE

The following named officer for appointment to the grade indicated in the United States Air Force, under title 10, U.S.C., section 1552:

To be major

Robert V. Garza, 0000

Air Force nominations beginning Linda M. Christiansen, and ending Robert M. Monberg, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Air Force nominations beginning Charles G. Beleney, and ending Michele R. Zellers, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Air Force nominations beginning Jay O. Aanrud, and ending Daniel S. Zulli, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

IN THE ARMY

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

To be colonel

Marcus G. Coker, 0000

The following named officer for appointment as a Permanent Professor of the United States Military Academy in the grade indicated under title 10 U.S.C. section 4333(b):

To be colonel

Eugene K. Ressler Jr., 0000

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

To be colonel

Kenneth W. Smith, 0000

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 12203 and 12211:

To be colonel

Timothy I. Sullivan, 0000

Army nominations beginning Virginia G. Barham, and ending James C. Butt, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Felix T. Castagnola, and ending Aaron R. Kenneston, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning William P. Blaich, and ending Ira K. Weil, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Gregory O. Block, and ending Robert D. Teetsel, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Moses N. Adiele, and ending Horace J. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Norman F. Allen, and ending Daria P. Wollschlaeger, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Army nominations beginning Stephen C. Allison, and ending Stacy Young McCaughan, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

The following named Army National Guard of the United States officer for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., section 12203 and 12211:

To be colonel

Robert M. Nagle, 0000

Army nominations beginning James M. Ivey, and ending Douglas C. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be lieutenant colonel

Steven L. Powell, 0000

The following named officer for Regular appointment to the grade indicated in the United States Army Medical Corps under title 10, U.S.C., sections 531, 624 and 3064:

To be lieutenant colonel

Mark R. Withers, 0000 MC

Army nominations beginning Danny W. Agee, and ending Ronald K. Taylor, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Army nominations beginning Arthur D. Bacon, and ending Richard T. Vann Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

IN THE MARINE CORPS

Marine Corps nominations beginning Ronald S. Culp, and ending Christopher J. Loria, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

Marine Corps nominations beginning Eduardo A. Abisellan, and Ending Richard D. Zyla, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

IN THE NAVY

The following named officer for original Regular appointment as a permanent limited duty officer to the grade indicated in the United States Navy under title 10, U.S.C., sections 531 and 5589:

To be lieutenant

Kevin D. Sullivan, 0000

The following named officer for Regular appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 531:

To be lieutenant commander

Stephen L. Cooley, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Brian J.C. Haley, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

William J. Nault, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

James P. Scanlan, 0000

Navy nominations beginning Douglas J. Adams, and ending Gregory J. Zacharski, which nominations were received by the Senate and appeared in the Congressional Record on January 3, 2001.

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be captain

Mark R. Munson, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Thomas K. Kolon, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be commander

Bernadette M. Semple, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

John D. Carpenter, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Darren S. Harvey, 0000

The following named officer for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624:

To be lieutenant commander

Travis C. Schweizer, 0000

Navy nominations beginning Frances R. Baccus, and ending Scott W. Stuart, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2001.

Mr. LOTT. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the nomination of BILL FRIST, and that the Senate immediately proceed to its consideration, the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

Mr. LOTT. This is so Senator FRIST will be the representative of the United States to the 55th Session of the General Assembly of the U.N.

The nomination was considered and confirmed, as follows:

DEPARTMENT OF STATE

Bill Frist, of Tennessee, to be a Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: The Senator from Iowa (Mr. GRASSLEY); the Senator from Utah (Mr. HATCH); the Senator from Alaska (Mr. MURKOWSKI); the Senator from Montana (Mr. BAUCUS); and the Senator from West Virginia (Mr. ROCKEFELLER).

UNANIMOUS CONSENT AGREEMENT—COMMITTEE BUDGETS AND RULES

Mr. LOTT. Mr. President, I ask unanimous consent that in accordance with the provisions of S. Res. 189 of the 106th Congress, there be authorized for the period of March 1, 2001, through March 10, 2001, funds for the expenses of each of the standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs, and such sums as may be necessary for agency contributions related to the compensation of the employees of such committees for the above described period, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

I further ask unanimous consent that such sums be 1/15 of the amount provided the committees under S. Res. 189 for the period of October 1, 2000, through February 28, 2001.

I further ask unanimous consent that notwithstanding the provisions of rule XXVI of the Standing Rules of the Senate, for the purposes of the 107th Congress, the publication date for committee rules shall not be later than March 10, 2001.

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

AUTHORITY FOR JUDICIARY COMMITTEE TO FILE BANKRUPTCY LEGISLATION

Mr. LOTT. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, the Judiciary Committee have until 8 p.m. tonight to file the bankruptcy legislation.

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

HONORING DALE EARNHARDT

Mr. LOTT. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Res. 29, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 29) honoring Dale Earnhardt and expressing condolences of the U.S. Senate to his family on his death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SHELBY. Mr. President, last October, Dale Earnhardt drove his familiar black Goodwrench Chevrolet, with the silver No. 3 painted on each side, past a waving checkered flag to win the Winston 500 at Talladega Superspeedway. The victory was Earnhardt's tenth first place NASCAR Winston Cup race at Talladega, a feat no other driver has accomplished. It was the 76th win of his career; sadly, it was his last.

A week ago Sunday, Dale Earnhardt died in a tragic accident on the last turn of the last lap of one of the last

great American traditions, the Daytona 500. NASCAR lost one of its greatest drivers who was in large part responsible for the tremendous growth of the sport from a regional pastime to an international success. Winston Cup drivers lost a fierce competitor whose aggressive style set the standard for a generation. Millions of fans lost the ''Intimidator,'' a hero admired as much for his charismatic demeanor as his talent as a driver and tenacity during a race. Whether you cheered for him or against him, you couldn't help but admire the passion with which he pursued the checkered flag.

There is a bittersweet irony in that Dale Earnhardt finished his career at Daytona. The track at Daytona defined Earnhardt as a racer. He won 34 races there, more than any other driver. This earned him the reputation as the best superspeedway racer of all time. The Intimidator, however, did not win the Daytona 500 until the 1998 season. It took 20 years, but he finally took the greatest of all superspeedway races.

No other measure of success was as elusive to Dale Earnhardt. In 1979, he beat Harry Gant, Terry Labonte, and Joe Milliken for the Rookie of the Year in one of the most competitive rookie battles ever. He joined Richard Petty as the only other driver to win the NASCAR Winston Cup Championship seven times. He was voted National Motorsports Press Association Driver of the Year five times. Dale Earnhardt was the only driver to win the Winston Cup title the year after winning the rookie title.

Although he did his best to live up to his nickname the ''Intimidator'' during a race, Dale Earnhardt was the first to extend a hand and offer congratulations after it was over. This is the mark of a true champion.

Dale Earnhardt often expressed frustration at the practice of NASCAR to require artificial devices to reduce speeds on some tracks and the type of racing it produced. Nevertheless, he excelled at these so-called restrictor-plate races. In fact, Dale Earnhardt mastered the draft so well at these races that the fellow racers he passed remarked, ''it was like he can see air.''

In Alabama, we look forward to seeing the black No. 3 car on the high banks at Talladega twice a year. No matter where he started at the beginning of the race, you could count on Dale Earnhardt to be near the front by the end. His victories at the world's biggest and fastest track include, as I mentioned earlier, ten NASCAR Winston Cup races, as well as one NASCAR Busch Grand national race and three IROC races where he bested the greatest drivers of his time.

Dale Earnhardt was intensely loyal to his family. He was a father whose pride in his children was greater than his desire in winning races. Our thoughts are with his wife Teresa, and his children: Kerry, Kelly, Dale, Jr. and Taylor Nicole. May God bless all of them and watch over them in this time of need.

Former driver and now television analyst Darrell Waltrip perhaps best captured the sentiment of drivers and fans alike when he said, ''The scariest thing on the track used to be seeing Dale Earnhardt in your rear view mirror. Now the scariest thing is not seeing him there at all.''

The world will miss Dale Earnhardt and his competitive spirit. We pray that his family and friends find some comfort in the way his fans admired this truly unique American sports icon.

Mr. CARPER. Mr. President, today we stand and honor the life and accomplishments of ''The Man'' Dale Earnhardt.

Millions of Americans will remember him as a NASCAR legend, perhaps the best that ever raced. But the people I've spoken with and read about who knew him well remember better a kind father, a loving husband, and a trusted friend.

For over 21 years, Dale Earnhardt delighted hundreds of thousands of people at the Dover Downs, International Speedway in my state of Delaware. Like most of the places Dale raced, at Dover Downs he won, and won big.

But the people of my State honor him for more than his wins at our NASCAR track, three first-place finishes, or the money he earned there, the most of any Winston Cup driver in history.

The reverence and respect from NASCAR fans stems from his constant pursuit of excellence and his refusal to give less than his all every time he took to the track.

They called him ''The Intimidator,'' and on the track, that was true, but to the fans in Dover that he spent time with signing autographs, shaking hands, and in some cases sharing dinner at their kitcken table, Dale Earnhardt was known as ''The Man.''

Last Friday, Dover Downs opened up to those who needed a chance to say ''good bye.'' Even though a blizzard had blown through our State the night before, over 5,000 people turned out to pay their respects. In a moving display of affection, families created in the winner's circle a shrine of flowers, posters, hats, pictures, and poems honoring their hero.

I was told once that the greatest measures of a man's life are the people he has touched, the difference he has made and the standards he has set for others to follow.

Despite his passing, Dale Earnhardt's legacy of excellence will forever influence his sport and its millions of fans. We honor him today for the lives he touched and the Children he inspired.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 29) was agreed to.

The preamble was agreed to.

(The text of the resolution is located in the RECORD of February 27, 2001, under ''Statements on Submitted Resolutions.'')

Mr. LOTT. This is a resolution by Senator EDWARDS of North Carolina.

RECOGNIZING THE ACHIEVEMENTS AND CONTRIBUTIONS OF THE PEACE CORPS

Mr. LOTT. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 18, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 18) recognizing the achievements and contributions of the Peace Corps over the past 40 years, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, en bloc, with no intervening action, and any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 18) was agreed to.

The preamble was agreed to.

(The text of the concurrent resolution is located in the RECORD of February 27, 2001, under ''Statements on Submitted Resolutions.'')

ORDERS FOR THURSDAY, MARCH 1, 2001

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Thursday, March 1. I further ask unanimous consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business until 1 p.m., with Senators speaking for up to 10 minutes each, with the following exceptions:

Senator MURKOWSKI from 10 a.m. until 10:15 a.m.; Senator ENSIGN from 10:15 a.m. to 10:30 a.m.; Senator THOMAS from 10:30 a.m. to 11 a.m.; Senators WELLSTONE and DAYTON from 11 a.m. to 11:25 a.m.; Senator CLINTON from 11:25 a.m. to 11:40 a.m.; Senator DORGAN from 11:40 a.m. to 12 p.m.; Senator HUTCHISON from 12 p.m. to 12:30 p.m.; and Senator DURBIN, or his designee, from 12:30 p.m. to 1 p.m.

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

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will be in a period for morning business until 1 p.m. Following morning business, the Senate hopes to begin consideration of the bankruptcy bill which was reported out today by the Judiciary Committee. We will consult with Senators and see if we can find a way to proceed to that. We also may consider other nominations that will be available for floor action. We believe there will be some who will be available, so there is a strong possibility there will be a vote or votes tomorrow. We will let the Senators know, after I consult with Senator DASCHLE, exactly when those votes might occur and when the business for the week will be completed.

ADJOURNMENT UNTIL TOMORROW AT 10 A.M.

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Thursday, March 1, 2001, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 28, 2001:

DEPARTMENT OF THE TREASURY

DAVID AUFHAUSER, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY, VICE NEAL S. WOLIN, RESIGNED.

JOHN M. DUNCAN, OF THE DISTRICT OF COLUMBIA, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY, VICE RUTH MARTHA THOMAS.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 2001:

DEPARTMENT OF THE TREASURY

JOHN M. DUNCAN, OF THE DISTRICT OF COLUMBIA, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

DEPARTMENT OF DEFENSE

PAUL D. WOLFOWITZ, OF MARYLAND, TO BE DEPUTY SECRETARY OF DEFENSE.

DEPARTMENT OF STATE

BILL FRIST, OF TENNESSEE, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. ALBERT H. KONETZNI, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TIMOTHY W. LA FLEUR, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) JAMES S. ALLAN, 0000
REAR ADM. (LH) HOWARD W. DAWSON, JR., 0000
REAR ADM. (LH) KAREN A. HARMEYER, 0000
REAR ADM. (LH) MAURICE B. HILL, JR., 0000
REAR ADM. (LH) JAMES M. WALLEY, JR., 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTION 1552:

To be major

ROBERT V. GARZA, 0000

AIR FORCE NOMINATIONS BEGINNING LINDA M. CHRISTIANSEN, AND ENDING ROBERT M. MONBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

AIR FORCE NOMINATIONS BEGINNING *CHARLES G. BELENY, AND ENDING MICHELE R. ZELLERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

AIR FORCE NOMINATIONS BEGINNING JAY O. AANRUD, AND ENDING *DANIEL S. ZULLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARCUS G. COKER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10 U.S.C. SECTION 4333 (B):

To be colonel

EUGENE K. RESSLER, JR., 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

KENNETH W. SMITH, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

TIMOTHY I. SULLIVAN, 0000

ARMY NOMINATIONS BEGINNING VIRGINIA G. BARHAM, AND ENDING JAMES C. BUTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING FELIX T. CASTAGNOLA, AND ENDING AARON R. KENNESTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING WILLIAM P. BLAICH, AND ENDING IRA K. WEIL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING GREGORY O. BLOCK, AND ENDING ROBERT D. TEETSEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING MOSES N. ADIELE, AND ENDING HORACE J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING NORMAN F. ALLEN, AND ENDING DARIA P. WOLLSCHLAEGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

ARMY NOMINATIONS BEGINNING STEPHEN C. ALLISON, AND ENDING STACEY YOUNGMCCAUGHAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROBERT M. NAGLE, 0000

ARMY NOMINATIONS BEGINNING JAMES M. IVEY, AND ENDING DOUGLAS C. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN L. POWELL, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 624 AND 3064:

To be lieutenant colonel

MARK R. WITHERS, 0000 MC

ARMY NOMINATIONS BEGINNING DANNY W. AGEE, AND ENDING RONALD K. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

ARMY NOMINATIONS BEGINNING ARTHUR D. BACON, AND ENDING RICHARD T. VANN JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING RONALD S. CULP, AND ENDING CHRISTOPHER J. LORIA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

MARINE CORPS NOMINATIONS BEGINNING EDUARDO A. ABISELLAN, AND ENDING RICHARD D. ZYLA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR ORIGINAL REGULAR APPOINTMENT AS A PERMANENT LIMITED DUTY OFFICER TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

To be lieutenant

KEVIN D. SULLIVAN, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

STEPHEN L. COOLEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN J.C. HALEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

WILLIAM J. NAULT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JAMES P. SCANLAN, 0000

NAVY NOMINATIONS BEGINNING DOUGLAS J. ADAMS, AND ENDING GREGORY J. ZACHARSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 3, 2001.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARK R. MUNSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

THOMAS F. KOLON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BERNADETTE M. SEMPLE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOHN D. CARPENTER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DARREN S. HARVEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TRAVIS C. SCHWEIZER, 0000

NAVY NOMINATIONS BEGINNING FRANCES R. BACCUS, AND ENDING SCOTT W. STUART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2001.

EXTENSIONS OF REMARKS

IN RECOGNITION OF RUBEN PABON, JR., HONOREE OF NOSOTROS MAGAZINE'S 33RD ANNIVERSARY GALA AWARD BANQUET

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Ruben Pabon, Jr., who will be honored at the 33rd anniversary Gala Award Banquet of Nosotros Magazine on Saturday, February 21, 2001. The Banquet is an annual event that honors distinguished Hispanic leaders for their important contributions to society. This is an opportune time for today's Hispanic leaders to reflect on the economic, political, and cultural contributions that Hispanics have made to American society.

Ruben Pabon, Jr. was born in New York City and currently resides in New Jersey. He served in the United States Army during the Korean War, rising to the rank of sergeant. After being honorably discharged, he accepted a position with Pan American World Airways, from which he retired in 1987.

Mr. Pabon has continually exhibited a great passion for community service, which began when he joined the Newark Borinquen Lions Club, helping to establish outreach programs for the Hispanic community in Newark, New Jersey. He was later elected President of the Club, and received the Governor's and President's Awards for his hard work and dedication.

Mr. Pabon serves on several housing boards that seek to address the problems faced by Hispanic senior citizens and those in need of affordable housing in Newark. He currently serves as an active member of a task force created by Bergen County Executive Pat Schuber to recommend strategies for the implementation of a multi-cultural center in Bergen County, New Jersey. In addition, Mr. Pabon is treasurer of the Spanish American Cultural Association; a member of the Knights of Columbus; a member of the Hispanic Business and Professional Association; and a volunteer for the Association for Retarded Citizens in Bergen County.

In honoring Ruben Pabon, Jr., Nosotros Magazine is promoting the most important values in American Society today: hard work, dedication, and compassion. Mr. Pabon embodies these American ideals; and, throughout his career, he has worked tirelessly to provide others with the opportunity to meet the standard of excellence he has set.

Because of community leaders like Mr. Pabon, the Hispanic community is not only experiencing economic empowerment, but also political strength. Today, we prepare for a future that reflects our years of hard work, and our commitment to each other.

Today, I ask my colleagues to join me in recognizing Ruben Pabon, Jr. for his invaluable contributions to the Hispanic community.

TRIBUTE TO JERRY R. POER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Jerry R. Poer, a salon and cosmetology school owner from my district. On January 26, 2001, he was inducted into the National Cosmetology Association's Board of Directors Hall of Renown.

Mr. Poer was recently honored at the International Beauty Show in Long Beach, California. The award acknowledges his many years of contributions to the cosmetology industry. Poer has received numerous other awards and honors during his distinguished career. He has received the Charleston Cosmetologist of the Year and the South Carolina Cosmetologist of the Year honors. He has also served as President of the National Cosmetology Association of South Carolina and Styles Director of the South Carolina Fashion and Education Committee. While a member of Hair America he served as coordinator for the NCA Montage Collection.

Mr. Poer has been a platform artist, lecturer, and consultant for state shows, modeling agencies, and many educational classes. Modern Salon, American Salon, Passion, and Men's Passion have each featured Mr. Poer during his career. Mr. Poer has been inducted into the South Carolina Cosmetology Hall of Fame and served on the Governor's Advisory Board. Students and staff of his cosmetology school have received nine State Hair Styling Championships.

Mr. Speaker, I ask you to join me and my colleagues today in paying tribute to an individual whose dedication to his field is extremely noteworthy. Mr. Jerry R. Poer continues to this day to support the growth and advancement of the cosmetology industry and he deserves our praise.

CELEBRATION OF 75TH ANNIVERSARY OF THE SACRED HEART PARISH IN EAST CHICAGO

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. VISCLOSKY. Mr. Speaker, it is with tremendous pleasure and admiration that I congratulate the parishioners of the Sacred Heart Parish in East Chicago, Indiana, as they celebrate their 75th anniversary as a congregation, as well as the 60th anniversary of the opening services in their current sanctuary, on March 4, 2001. The day will begin with a special Mass conducted by Bishop Dale Melczek to be followed by a celebratory luncheon.

Originally known as Mission of Assumption Slovak Parish, Sacred Heart was founded in order to service the spiritual needs of Slovaks in East Chicago and Whiting, Indiana. Services were held at several churches in the two cities until Father Clement Mlinarovich saw a great need for the Mission in East Chicago. From 1926 to 1941, the Sacred Heart Parish conducted Masses, confessions, and missions at various churches throughout the city.

After many years of relying on other churches' facilities, the dedicated parishioners decided to build their own sanctuary. The beautiful church was dedicated in May 1941 by Bishop John Francis Noll of the Fort Wayne Diocese, with many delighted Slovak priests and lay citizens from around Lake County attending. The Sacred Heart congregation was overjoyed that they finally had their own house of worship. They also took special pride in the building because many of the parishioners volunteered to assist with its construction.

Father Andrew G. Grutka was the first resident pastor at the newly completed church. He preached to the Sacred Heart congregation from 1942 to 1944, after which he became the first Bishop of the Diocese of Gary. Father Louis Duray and Father Milan Bach succeeded Father Grutka and made significant improvements, including beautifying the sanctuary and purchasing a home for the priest. Father Joseph Semancik was later sent to Sacred Heart as the pastor, a position he maintains today.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating the congregation of Sacred Heart parish in East Chicago, Indiana as they celebrate the 75th anniversary of their founding and the 60th anniversary of the construction of their church. Sacred Heart Parish has undergone many changes from the time it began as the Mission of Assumption Slovak Parish. They have settled in East Chicago, built a beautiful sanctuary, and expanded the congregation to include a variety of ethnic backgrounds. What has remained the same is the dedication, loyalty, and love for their fellow man the parishioners have displayed throughout the parish's many years of service to the community. May God continue to bless the parishioners and the church leaders for many years to come.

FEDERAL EMPLOYEE HEALTH BENEFITS FOR MILITARY RETIREES: LET'S CARRY OUT A CREDIBLE DEMONSTRATION

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CUNNINGHAM. Mr. Speaker, today I am reintroducing legislation that will address deficiencies in the ongoing demonstration project to assess the viability of a Federal Employees Health Benefit Program (FEHBP) option for military retirees. Since Congress authorized that demonstration in the FY99 Defense Authorization, I have raised concerns that the limits on it would prevent us from

gaining adequate data on which to judge this option. Unfortunately, those concerns have been validated over the past years, and I am resubmitting corrective legislation to put us back on the right track.

While many in Congress have been pushing for an FEHBP option for military retirees for years, that effort has been stymied because some believe that it would be too costly. That is because budget analysts made some illogical assumptions in projecting the cost of FEHBP for military retirees. For example, the budgeteers incorrectly calculated that all eligible military retirees would select this option. But that is not logical. Some people may be satisfied with their access to care under Tricare, or opt out based on cost calculations. Moreover, budget analysts did not account for the savings that would accrue in other health programs for those who participate in FEHBP.

Given these unrealistic assumptions, I joined other FEHBP supporters in pushing a demonstration so that we could validate the true cost and viability of this option. Unfortunately, even the demonstration was scaled back, creating a ''Catch 22'' situation.

Congress authorized a three-year demonstration limited to 66,000 participants at up to ten sites. Because the number of eligibles that could be offered this option was capped at 69,663, it has been almost impossible to attract a credible pool of participants on which to judge the viability and cost. To achieve anything close to our intent, we would have to have one hundred percent participation—something no one but the budget analysts ever assumed possible. Set up for failure, this effort could provide opponents the perfect fodder to kill the FEHBP option.

DOD never began any real marketing of the option to potential beneficiaries until August 1999—two months before the pilot was to begin. And the effort that was made was completely inadequate. Notification consisted of a postcard mailer without any detailed information so that eligible participants could compare costs to their current arrangements. People who have Medicare Part B coverage were not informed that under some plans, they wouldn't have to make copayments or meet deductibles. The Department was slow to announce health fairs conducted by FEHBP insurers, leaving less than a week in most cases for potential participants to plan.

The artificial limits, combined with inadequate marketing of FEHBP to military retiree, led to unusually low participation. At the end of 1999, less than one thousand people in eight sites nationwide have signed up for the FEHBP option. Fortunately, a renewed marketing effort and extension for signup last year increased participation to 7200. But almost two years were lost in getting this demonstration off the ground, and it is set to expire at the end of 2002. Meanwhile, DOD still must spend money to market to this small group of eligible participants.

Those who participate in the FEHBP program are also prohibited from getting any further care in a military treatment facility. MTFs such as Walter Reed Army Medical Center need the older patients to keep up their full range of medical skills and they have the space to accommodate retirees. We should allow MTFs to bill health care plans for services—as we are now starting to do with Medicare Subvention.

My bill would address these limitations by:

Removing the limits on the number of people and areas of the country in which the demonstration may be carried out.

Removing the restriction, which prevents participants from using military treatment facilities (MTFs), and allows MTFs to charge the FEHBP plans for retiree services. That balances cost considerations, and ensures a steady mix of older patients so that the military medical personnel are able to keep up their full range of skills.

Extending the current demonstration two years so that we have the benefit of solid data and a credible program on which to judge the viability of the FEHBP option.

Mr. Speaker, these fixes are no substitute for comprehensive military retiree health care reform. In my view, the time for demonstrations and patchwork fixes to the DOD health care system is over. Congress took a major step in that direction last year by authorizing the ''Tricare for Life'' benefits. But we need comprehensive action to ensure a menu of affordable heath care options for military retirees. I am confident that an honest assessment will confirm the viability of an FEHBP option for all military retirees.

We cannot continue to punt on that because of budget concerns. We provide FEHBP to millions of civilian federal employees throughout their careers and in retirement. Military personnel and their families make many sacrifices throughout their careers. The least we can do is provide them with the same level of care that other federal workers have. They deserve no less.

INTRODUCTION OF THE ENERGY EFFICIENT BUILDINGS INCENTIVES ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MARKEY. Mr. Speaker, I am pleased to join my colleague the gentleman from California (Mr. CUNNINGHAM) and a bipartisan coalition of other Members in introducing the ''Energy Efficient Buildings Incentives Act.''

Energy use in buildings in this country accounts for approximately 35% of polluting air emissions nationwide about twice as much as the pollution from cars. It costs the average American $1500 to heat and cool their homes every year, which amounts to an annual cost of $150 billion nationwide. Commercial buildings and schools incur $100 billion in annual utility bills. And yet, the tax code fails to provide sufficient incentives to reduce wasteful and unnecessary energy use. This is bad policy, and it must be changed. in these times of ''brown outs'' and ''black outs'' in communities across this nation and in times of rising fuel prices, we should be looking for ways to ensure that energy is never wasted.

That is why we have introduced the ''Energy Efficient Buildings Incentives Act.'' Our bill would spur use of energy efficient technologies, such as super-efficient air conditioning units, which could result in a substantial drop in peak electricity demand of at least 20,000 megawatts—the equivalent of the output of 40 large power plants. At a time when many communities are currently facing electricity supply shortages, and the local political issues involved with siting and building new power plants are difficult and contentious, our bill provides a way to reduce pressures on the nation's electricity grid. Specifically, our bill provides tax incentives for:

Efficient residential buildings, saving 30% or 50% of energy cost to the homeowner compared to national model codes, with a higher incentive for the higher savings.

Efficient heating, cooling, and water heating equipment that reduces consumer energy costs, and, for air conditioners, reduces peak electric power demand, by about 20% (lower incentives) and 30%–50% (higher incentives) compared to national standards.

New and existing commercial buildings with 50% reductions in energy costs to the owner or tenant, and solar hot water photovoltaic systems.

If only 50% of new buildings reach the energy efficiency goals of this legislation, air pollution emissions in this country could be reduced by over 3% in the next decade, and decrease even more dramatically over time. In that same ten-year period, this legislation could result in direct economic savings of $40 billion to consumers and businesses. For example, a family that installs an energy efficient water heater can get $250 to $500 back from the tax code changes and an additional $50 to $200 every year in reduced utility bills. Or a family that purchases a new home that meets the standards in this bill can get as much as $2,000 returned to them by the tax incentives, in addition to the $300 or more in continuing energy savings.

I urge other Members to join us in saving American consumers money, improving the air we breathe and the water we drink, increasing the competitiveness of American industries, and eliminating inefficiencies in the tax code by encouraging energy efficiency in our schools and our commercial and residential buildings.

IN RECOGNITION OF JUDGE JULIO FUENTES, HONOREE OF NOSOTROS MAGAZINE'S 33RD ANNIVERSARY GALA AWARD BANQUET

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Judge Julio Fuentes, who will be honored at the 33rd Anniversary Gala Award Banquet of Nosotros Magazine on Saturday, February 21, 2001. The Banquet is an annual event that honors distinguished Hispanic leaders for their important contributions to society. This is an opportune time for today's Hispanic leaders to reflect on the economic, political, and cultural contributions that Hispanics have made to American society.

Judge Fuentes was born in Puerto Rico and raised in Toms River, New Jersey. He served in the U.S. Army from 1966 to 1969 as a military police officer. He earned his Bachelor's Degree at Southern Illinois University and his Juris Doctor at the State University of New York at Buffalo. While serving as a judge, Fuentes earned two Master's Degrees, one in Latin American Affairs at New York University and one in Liberal Arts at Rutgers University.

Throughout his career, Judge Fuentes has served with distinction and honor. For over 20 years, he has proven to be an impartial, open-minded, bright, and dedicated public servant at the Municipal, Superior, and Appeals Court levels.

Judge Fuentes's recent appointment to the 3rd U.S. Court of Appeals resonates with historic significance: He is the first Hispanic ever to be appointed to this prestigious court. As a result, the judicial branch is one step closer to reflecting America's rich diversity.

In honoring Judge Julio Fuentes, Nosotros Magazine is promoting the most important values in American society today: Hard work, dedication, and compassion. Judge Fuentes embodies these American ideals; and, throughout his career, he has worked tirelessly to provide others with the opportunity to meet the standard of excellence he has set.

Because of community leaders like Judge Fuentes, the Hispanic community is not only experiencing economic empowerment, but also political strength. Today, we prepare for a future that reflects our years of hard work, and our commitment to each other.

Today, I ask my colleagues to join me in recognizing Judge Julio Fuentes for his many contributions to the Hispanic community.

TRIBUTE TO D.E. SUMPTER AND ASSOCIATES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to D.E. Sumpter and Associates (DESA) for the contributions they have made to the landscape of the South Carolina business community. This month the company commemorated its 15th anniversary.

DESA, Inc., an African American woman-owned business, has grown to 150 employees from its humble beginnings in 1986. In addition to its headquarters in Columbia, SC, the company now has regional offices in Charleston, SC, Atlanta, GA, and Falls Church, VA. DESA specializes in development education for minority businesses, conference management, technical assistance, construction management, and hospital management.

The State newspaper named DESA's founder, Diane Sumpter, one of the ''People to Watch in Business in the Midlands in 2001.'' She contributes to her community through service on the Cultural Council of Richland and Lexington Counties. She has served on the boards of the South Carolina Chamber of Commerce and the Greater Columbia Chamber of Commerce. Ms. Sumpter is also a founding member of the Minority Contractors Association for the State of South Carolina. She is a Life Member of the NAACP, and has recently joined the Board of Directors of the South Carolina Small Business Chamber of Commerce.

DESA has worked with numerous small minority and women owned businesses through mentor protégé programs. The company has been awarded SBA's 1990 Advocate of the Year, Midland Minority Supplier Development Council's 1991 Vendor of the Year, SBA's 1992 South Carolina Minority Business Person, and the YWCA Tribute to Women in Industry Award. Most recently, DESA received the 2000 BB&T Trailblazer Award.

Mr. Speaker, please join me in paying tribute to DESA and its proprietor, my good friend, Ms. Diane Sumpter for the contributions she and her company have made to our State and Nation.

TRIBUTE TO SUSAN REHRER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I congratulate Ms. Susan Rehrer as she retires after 21 years of dedicated service to the Visiting Nurse Association (VNA) of Northwest Indiana. A retirement celebration will be held for her on Tuesday, March 6, 2001 at the Center for the Visual and Performing Arts in Munster, Indiana.

As Executive Director of the VNA for the past 13 years, Susan has been directly responsible for the management and administration of the agency's programs and services. She has been instrumental in leading the VNA through many different changes, including industry upheaval, market influx, new innovative programming and financial viability. Through her diligence the VNA has not only survived through these difficult changes, but it has thrived in the midst of the industry's transition.

Susan's leadership helped to successfully develop the Critical Pathways program. This program is an individualized patient care plan which relies on precise, detail-oriented information. It has revolutionized the industry by allowing each patient to receive the care needed. Susan is extremely proud of the development of this program, and her hard work has helped to ensure its success.

During her years at the VNA, Susan has demonstrated a sincere love for the community in which she lives. In addition to improving the lives of others through her professional career, she has also volunteered her time to champion many causes aimed at bringing comfort to those in need of assistance. She has played an active role in the Healthy Start program, a community-based infant mortality reduction plan employed in many areas of Northwest Indiana and throughout the country. Susan is also involved in the Healthy East Chicago program, designed to mobilize individuals and resources to promote a healthy community.

For all of her conscientious efforts, both professionally and voluntarily, Susan has been recognized by her peers. She has earned numerous state and national awards for excellence in the health care industry. Her dedication to the VNA movement and home health care in Indiana has been extraordinary. She is a true believer in the industry's importance and its ability to improve the lives of those who otherwise would live in discomfort.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in congratulating Ms. Susan Rehrer for her 21 years of service to the Visiting Nurse Association, and the last 13 years as the Executive Director. Susan has shown impeccable leadership abilities as well as an undying love for her community. The people of Northwest Indiana will surely miss her enthusiasm, but we thank her for her years of service and wish her happiness in her well-deserved retirement.

INTRODUCTION OF THE MORRIS K. UDALL ARCTIC WILDERNESS ACT OF 2001

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MARKEY. Mr. Speaker, one of the most magnificant wildlife reserves in America has been targeted for oil and gas development. It is threatened as never before, and will lose its wild, untrammeled character forever if we do not organize to fight this threat. Today, Rep. NANCY JOHNSON and I are introducing the Morris K. Udall Arctic Wilderness Act of 2001, with more than 120 cosponsors, Republican and Democrat, all united in their goal to preserve this precious wilderness in its current pristine, roadless condition for future generations of Americans.

We have a bipartisan legacy to protect, and we take it very seriously. It is a legacy of Republican President Eisenhower, who set aside the core of the Refuge in 1960. It is a legacy of Democratic President Carter, who expanded it in 1980. It is the legacy of Republican Senator Bill Roth and Democratic Representative Bruce Vento and especially Morris Udall, who fought so hard to achieve what we propose today, and twice succeeded in shepherding this wilderness proposal through the House. Now is the time to finish the job they began—now is the time to say ''Yes'' to setting aside the Coastal Plain as a fully protected unit of the Wilderness Preservation System.

Every summer, the Arctic coastal plain becomes the focus of one of the last great migratory miracles of nature when 130,000 caribou, the Porcupine caribou herd, start their ancient annual trek, first east away from the plain into Canada, then south and west back into interior Alaska, and finally north in a final push over the mountains and down the river valleys back to the coastal plain, their traditional birthing grounds. This herd, migrating thousands of miles each year and yet funneling into a relatively limited area of tundra, contrasts sharply with the non-migratory Central Arctic herd living near the Prudhoe Bay oil fields.

The coastal plain of the Refuge is the biological heart of the Refuge ecosystem and critical to the survival of a one-of-a-kind migratory species. When you drill in the heart, every other part of the biological system suffers.

The oil industry has placed a bull's eye on the heart of the Refuge and says ''hold still. This won't hurt. It will only affect a small surface area of your vital organs!''

Nevertheless, the oil industry has placed a bull's eye on the very same piece of land that Congress set aside as critical habitat for the caribou. The industry wants to spread the industrial footprint of Prudhoe Bay into a pristine area. Let's take a look at the industrial footprints that have already been left on the North Slope. Look at Deadhorse and Prudhoe Bay. They are part of a vast Industrial Complex that generates, on average, one toxic spill a day of oil, or chemicals, or industrial waste of some

kind that seeps into the tundra or sits in toxic drilling mud pits. It is one big Energy Sacrifice Zone that already spews more nitrogen oxide pollution into the Arctic air each year than the city of Washington, DC.

Allowing this industrial blight to ooze into the Refuge would be an unmitigated disaster. It would be as if we had opened up a bottle of black ink and thrown it on the face of the Mona Lisa.

But why invade this critical habitat for oil if we don't have to?

The fact is, it would not only be bad environmental policy, it is totally unnecessary. Here's why:

1. Fuel economy. According to EPA scientists, if cars, mini-vans, and SUV's improved their average fuel economy just 3 miles per gallon, we would save more oil within ten years than would ever be produced from the Refuge. Can we do that? We already did it once! In 1987, the fleetwide average fuel economy topped 26 miles per gallon, but in the last 13 years, we have slipped back to 24 mpg on average, a level we first reached in 1981! Simply using existing technology will allow us to dramatically increase fuel economy, not just by 3 mpg, but by 15 mpg or more—five times the amount the industry wants to drill out of the Refuge.

2. Natural Gas: The fossil fuel of the future is gas, not gasoline, because it can be used for transportation, heating and, most importantly, electricity, and it pollutes less than the alternatives. The new economy needs electricity, and it isn't looking to Alaskan oil to generate it. California gets only 1 percent of its electricity from oil; the nation gets less than 3 percent, while 15 percent already comes from natural gas and its growing. Alaska has huge potential reserves of natural gas on the North Slope, particularly around Prudhoe Bay and to the west, in an area that has already been set aside for oil and gas drilling called the National Petroleum Reserve. Moreover, we have significant gas reserves in the lower 48 and the Caribbean. The Coastal Plain of the Refuge has virgually none.

3. Oil not in the Refuge: The National Petroleum Reserve in Alaska has been specifically set aside for the production of oil and gas. It is a vast area, 15 times the size of the Coastal Plain, and relatively under-explored by the industry. Anything found there is just as close to Prudhoe Bay as the Refuge, but can be developed without invading a critical habitat in a national refuge. In fact, just last October, BP announced the discovery of a field in this Reserve that appears to be as large as Kuparuk, the second largest field on the North Slope. While the potential for oil in the Refuge still appears larger than in the Reserve, the Reserve holds much greater promise for natural gas, so that every exploratory well has a greater chance of finding recoverable quantities of one fuel or the other.

Our dependence on foreign oil is real, but we cannot escape it by drilling for oil in the United States. Energy legislation introduced this week in

We consume 25 percent of the world's oil but control only 3 percent of the world's reserves. 76 percent of those reserves are in OPEC, so we will continue to look to foreign suppliers as long as we continue to ignore the fuel economy of our cars and as long as we continue to fuel them with gasoline.

The public senses that a drill-in-the-Refuge energy strategy is a loser. Why sacrifice something that can never be re-created—this one-of-a-kind wilderness—simply to avoid something relatively painless—sensible fuel economy?

The latest poll, done by Democratic pollster Mark Mellman and Republican pollster Christine Matthews, shows a margin of 52–35 percent opposed to drilling for oil in the refuge.

The public is making clear to Congress that other options should be pursued, not just because the Refuge is so special, but because the other options will succeed where continuing to put a polluting fuel in gas-guzzling automobiles is a recipe for failure.

Sending in the oil rigs to scatter the caribou and shatter the wilderness is what I Call ''UNIMOG energy policy.'' You may have heard about the UNIMOG. It is a proposed new SUV that will be 9 feet tall, 7½ feet long, 3½ inches wider than a Humvee, weight 6 tons and get 10 miles per gallon.

That's the kind of thinking that leads not just to this refuge, but to every other pristine wilderness area, in a desperate search for yet another drop of oil. And it perpetuates a head-in-the-haze attitude towards polluting our atmosphere with greenhouse gases and continuing our reliance on OPEC oil for the foreseeable future.

Now that our energy woes have forced us to think about the interaction of energy and environmental policy, it is a good time to say no to a UNIMOG energy policy and yes to a policy that moves us away from gas-guzzling automobiles to clean-burning fuels, hybrid engines, and much higher efficiency in our energy consumption.

If we adopt the UNIMOG energy policy, we will have failed twice—we will remain just as dependent on oil for our energy future, and we will have hastened the demise of the ancient rhythms of a unique migratory caribou herd in America's last frontier.

We have many choices to make regarding our energy future, but we have very few choices when it comes to industrial pressures on incomparable natural wonders. Let us be clear with the American people that there are places that are so special for their environmental, wilderness or recreational value that we simply will not drill there as long as alternatives exist. The Arctic Refuge is federal land that was set aside for all the people of the United States. It does not belong to the oil companies, it does not belong to one state. It is a public wilderness treasure, we are the trustees.

We do not dam Yosemite Valley for hydropower.

We do not strip mine Yellowstone for coal.

We do not string wind turbines along the edge of the Grand Canyon.

And we should not drill for oil and gas in the Arctic Refuge.

We should preserve it, instead, as the magnificent wilderness it has always been, and must always be.

IN HONOR OF KAREN SMITH, 20TH GRAND MARSHAL OF THE BAYONNE ST. PATRICK'S DAY PARADE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Karen Smith, who has been selected as the 20th Grand Marshal of the Bayonne St. Patrick's Day Parade. Ms. Smith was selected as the Grand Marshal in recognition of her years of dedicated service to Bayonne's Irish American community.

Karen Smith was born in Bayonne, New Jersey to Philip and Frances O'Donnell. She attended St. Vincent's School and the Holy Family Academy. After receiving her BS in Nursing from the College of Mt. St. Joseph in Ohio, Ms. Smith returned home in 1974 and began her nursing career in Bayonne Hospital, where she cares for the sick to this day in the Endoscopy Department.

Ms. Smith takes great pride in serving the Irish American community. She is a member of Ireland's 32 Club, the County Corkmen's Association, the Ticket and Raffle Committee for the annual New Jersey Irish Festival, and the Women of Irish Heritage of the Jersey Shore. She also works for Project Children, which promotes understanding and tolerance by allowing Catholic and Protestant children from Ireland to interact peacefully with each other while temporarily living with American families.

Ms. Smith's many contributions to the Irish American community are a result of her great love for America, Ireland, and the community of Bayonne.

Today, I ask my colleagues to join me in honoring Karen Smith for being selected as the 20th Grand Marshal of the Bayonne St. Patrick's Day Parade.

TRIBUTE TO JOYCE RHENEY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to ask my colleagues to join me in paying tribute to Joyce Rheney who on February 14, 2001 was honored as South Carolina Mother of the Year 2001. The Mother of the Year Committee recognizes the dignity of motherhood and the influence that mothers have on their families, professions, communities and churches.

Along with her duties as mother and wife, Mrs. Rheney manages to find time to donate her talents to her community in several capacities. She is a member of Orangeburg City Council, serving her 12th year in office. She is an active representative of the Downtown Orangeburg Revitalization Association board and served as co-chair on the committee to renovate Steyenson Auditorium. She volunteered to serve on the Foundation Board of TRMC and was the 1997 co-chair of the fundraising gala. The funds raised by this gala are used in the community for hospice cancer patient care and Camp Catch-A-Breath. She was elected president of the foundation for 2000–2001.

Mrs. Rheney is a 1949 graduate of Jefferson-Hillman School of Nursing in Birmingham, Alabama. Her first job was as director of nursing at a tuberculosis sanitarium in Decatur, Georgia. After her move to South Carolina, she accepted positions in the surgical unit of Roper Hospital and later as pediatric head nurse at Saint Francis Hospital in Charleston, South Carolina.

Upon moving to Orangeburg, South Carolina in 1954, Mrs. Rheney immediately became active in the community. She held memberships in the Junior Service League, the Medical Alliance, and the Salvation Army Advisory Board. In the 1960's and 1970's she was an active supporter and volunteer for many activities at Wade Hampton Academy, where her children were students. Mrs. Rheney and her husband, Dr. John Rheney, Jr. are the parents of four children: John III, a local dentist; Betsy, a human resources representative in Aiken; Bruce, a local bank vice-president; and David, a Greenville attorney. The Rheneys raised their children in a loving, Christian home, encouraging them to love God, one another, and themselves.

As South Carolina's Mother of the Year, Mrs. Rheney will represent the state in Portland, Oregon in April at the national convention of American Mothers, Inc., a non-profit, interfaith organization founded for the purpose of developing and strengthening the moral and spiritual foundation of America's families. I am privileged to serve parts of Orangeburg county in this august body, a county which has seen three other of its outstanding women attain the state's Mother of the Year honor. Mr. Speaker, please join me in honoring Mrs. Joyce Rheney, for her outstanding work as an exemplary mother and unselfish community servant.

HONORING GEORGE BECKER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. VISCLOSKY. Mr. Speaker, on February 28, 2001, one of this nation's most distinguished and able labor leaders will officially retire. George Becker, the president of the United Steelworkers of America, will formally mark the conclusion of a career that spans 57 years.

During his tenure as the president of the Steelworkers union, he has reinvigorated the union's political presence as a force in the national debate about trade, globalization, and its effects on working men and women. He has been an outspoken critic of free trade agreements, such as NAFTA, that have resulted in the loss of tens of thousands of American manufacturing jobs and a weakening of America's manufacturing and industrial base. He has been a fierce proponent of workers' rights and human rights, especially in China, Mexico, and other developing nations around the world.

George Becker literally grew up across the street from a steel mill; the Granite City mill in his hometown of Granite City, Illinois. He went to work in the mill in the summer of 1944. Besides Granite City Steel, Becker also worked as a crane operator at General Steel Castings, and as an assembler at Fisher Body. He also served on active duty in the U.S. Marine Corps.

Becker became active in USWA Local 4804 at Dow Chemical's aluminum rolling mill in Madison, Illinois, where he worked as an inspector. Over the years, he was elected by his co-workers as local union treasurer, vice president, and president. As a result of his hard work and leadership, Becker was later appointed as a USWA staff representative.

In 1975, Becker came to the USWA's International headquarters in Pittsburgh as a staff technician in the union's Safety and Health Department. He helped to establish some of the first national health standards adopted later by the Occupational Safety and Health Administration (OSHA) for workers exposed to lead, arsenic, and other toxic substances.

Becker also led the union's collective bargaining in the aluminum industry as chair of the USWA's Aluminum Industry Conference. Later, he also headed the Steelworkers' organizing program and led major corporate campaigns, including a worldwide campaign against Ravenswood Aluminum Corporation and the return to work of 1,600 Steelworkers after a 20-month lockout. The Ravenswood struggle was later chronicled in the 1999 book, titled, ''Ravenswood: The Steelworkers' Victory and the Revival of American Labor,'' by Tom Juravich and Kate Bronfenbrenner.

In 1985, Becker was elected as international vice president for administration. He was reelected to that position in 1989. He also served as administrative assistant to Lynn Williams after Williams became international secretary in 1977 and international president in 1983.

In November, 1993, Becker was elected international president of the United Steelworkers and was reelected to a second term in November, 1997.

Becker's presidency of the Steelworkers has included many milestones for the union.

In June, 1995, Becker won the support of his Board of Directors to reorganize the Steelworkers from 18 districts in the U.S. into nine districts, increasing efficiency and political strength. In July, 1995, Becker engineered the merger of the 98,000-member United Rubber Workers with the Steelworkers. In 1997, the 40,000-member Aluminum, Brick, and Glass Workers Union also merged with the Steelworkers.

Under George Becker's leadership, the Steelworkers won significant settlements in strikes at Bridgestone/Firestone, Wheeling-Pittsburgh Steel, and Newport News Shipbuilding Company. The struggle at Wheeling-Pittsburgh Steel restored a defined benefit pension plan for 4,500 members. The struggle at Newport news Shipbuilding also won significant increases in workers' wages and pension benefits.

Becker also expanded the Steelworkers' political strength by creating a Rapid Response program, which informs and activates local union members to lobby Congress on issues crucial to working men and women. In 1998, Steelworkers generated over 170,000 letters to Congress opposing so-called ''fast track'' trade negotiating authority, which played a major part in defeating the measure. Becker also initiated a Washington internship program for the union, which brings rank and file members to Washington for an intensive 12-week long session of education about the workings of Congress along with practical experience in the art of lobbying on behalf of the union's legislative agenda.

Becker has become a regular fixture in Washington with frequent appearances and testimony before Congressional committees, the U.S. International Trade Commission, the Administration, and other government agencies. As one of the vice-presidents of the AFL–CIO, he was instrumental in reforming the labor federation and was a key supporter of John Sweeney as AFL–CIO president in 1995.

On the world stage, Becker is an executive committee member of the International Metalworkers Federation (IMF) and chairman of the world rubber council of the International Federation of Chemical, Energy, Mine, and General Workers' Unions (ICEM).

In 1998, Becker was appointed by President Clinton to the President's Export Council and the U.S. Trade and Environmental Policy Advisory Committee; both important forums which he used to speak out on behalf of workers' rights. Becker also served as a member of the Congressional Trade Deficit Review Commission, which conducted extensive hearings in Washington and across the nation on the causes and consequences of the nation's burgeoning trade deficits. Becker's leadership ensured that Steelworkers were prominent in the protests marking the Seattle WTO Ministerial meeting in December, 1999.

Mr. Speaker, George Becker's success as a labor leader has been because of his intelligence, skills, and tenacity. Because of all of those attributes and above all, because he has never forgotten where he came from, his career has improved the lives of millions of American workers and their families. I hope my colleagues will join me in congratulating Steelworkers union president George Becker upon his retirement and for a lifetime of dedicated service to not only the men and women of his beloved Steelworkers union, but all working men and women.

SALUTING THE TUSKEGEE AIRMEN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. ISRAEL. Mr. Speaker, February marks Black History Month and its arrival has afforded us the opportunity to spotlight some of the most courageous men in our nation's history. I am referring to the Tuskegee Airmen, African-Americans who were asked to simultaneously fight the institutionalized segregation of their homeland and the battle hardened pilots fielded by the Luftwaffe of dreaded Nazi Germany.

On the very site where some nine thousand Republic Thunderbolt fighters were built during World War II, a permanent tribute has been created by the American Airpower Museum in Farmingdale, Long Island that salutes the valor and sacrifice of the Tuskegee Airmen. A full size replica of their P–51 fighter welcomes the museum visitor and helps explain the story of these amazing airmen.

I was honored and pleased to be able to join members of the Tuskegee Airmen, and the many friends of Republic Airport and my constituents in dedicating this exhibit during Black History Month.

Tuskegee Airmen flew more than 15,500 sorties and completed nearly 1,600 missions

and they are credited with never losing an American bomber to enemy fighters while flying escort. This tribute at the American Airpower Museum at Republic will forever remind us that racism did not deter these brave men from serving their country, defending our freedoms and protecting our future.

In addition, credit must be offered to two companies that came forward to underwrite this effort—Equal and Avirex—whose support made this tribute possible. These firms reflect the type of public-private partnership that is ensuring our nation's heritage is preserved, protected, and celebrated. I congratulate them for their efforts and publicly salute their commitment to this task.

The remarks of Lee Archer, a Tuskegee Airman ace who is credited with five kills, will ring forever at this historic defense plant. He repeated the words of fellow African-American Air Force pilot Chappie James, "you agitate, you demand, you argue but when the country is in trouble you hold her hand."

JANUARY 31, 2001 SPEECH TO THE UNIVERSITIES RESEARCH ASSOCIATION

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. BOEHLERT. Mr. Speaker, I had the honor to present my maiden speech as Chairman of the House Science Committee to the Universities Research Association on January 31, 2001.

In my remarks, I outlined my goals and initial priorities for the 107th Congress. As I said in the speech: I want to ensure that we have a healthy, sustainable and productive R&D establishment—one that educates students, increases human knowledge, strengthens U.S. competitiveness and contributes to the well-being of the nation and the world. With those goals in mind, I intend to concentrate initially on three priorities—science and math education, energy policy and the environment—three areas in which the resources and expertise of the scientific enterprise must be brought to bear on issues of national significance.

Mr. Speaker, for the information of my colleagues, I submit herewith the full text of my remarks into the CONGRESSIONAL RECORD.

CONGRESSMAN SHERWOOD BOEHLERT (R–NY) SPEECH TO UNIVERSITIES RESEARCH ASSOCIATION—JANUARY 31, 2001

It's a pleasure to be with you this morning. This is actually my first speech as chairman of the House Science Committee, so I want to use this opportunity to give you a general sense of where I hope to take the Committee. You can think of this "maiden speech" as a kind of experiment—if it works, you'll be the only people to have heard these themes when they were fresh; if it doesn't work, you'll be the only people to have heard them—period.

Actually, though, after serving on the Committee for 18 years and having worked with many of you, the issues before the Science Committee are hardly virgin territory for me.

I even think I know the recipe for becoming a popular chairman. My formula was prompted by Clark Kerr's famous advice on how to become a popular university president. He said that to be successful at running a university you just had to provide three things—"football for the alumni, parking for the faculty and sex for the students." Committees are supposed to be a bit more tame, so I figure the three things I have to provide to be popular are: press coverage for the Members, parking for the staff, and money for the scientific community.

I do indeed intend to provide those three items, but I want to go beyond that. I want to build the Science Committee into a significant force within the Congress and, with that momentum, I want to ensure that we have a healthy, sustainable, and productive R&D establishment—one that educates students, increases human knowledge, strengthens U.S. competitiveness and contributes to the well-being of the nation and the world.

With those goals in mind, I intend to concentrate initially on three priorities—science and math education, energy policy and the environment—three areas in which the resources and expertise of the scientific enterprise must be brought to bear on issues of national significance.

Education is perhaps the most pressing dilemma of the three. I imagine that by now we can all recite the litany of evidence that our education system is not performing adequately—particularly—but not exclusively—at the K–12 level. There are the TIMSS surveys showing

The evidence is easy to adduce because it's been familiar for so long. In fact, I dare say, the concerns have not changed appreciably since I first joined the Science Committee in 1983. Unfortunately, a familiar list of solutions doesn't spring as readily to our lips.

Now, I hope you won't be surprised to learn that I don't have a ready set of solutions. I have not been holding back on providing answers all these years just so I could offer them up the moment I became chairman. What I do have is a set of questions that I hope will frame the Committee's agenda as we put together an education program, in concert with the Administration and other House committees.

Here are some of my questions. First, how can we attract more top students into science and math teaching?

This is a fundamental question. No curriculum, no piece of technology, no exam is going to cure our education ills if we don't have teachers who are conversant with the subject matter they are teaching, and who can communicate their excitement and their comfort, to the students. I think scholarships are part of the answer, but clearly we need something move systemic.

Second, how can we ensure that technology actually improves education? The government's focus needs to shift from merely providing access to technology to figuring out how to use it in a manner that truly offers education, not distraction or empty entertainment or even mere information.

Third, how can we use exams in a way that promotes critical thinking, retention of knowledge and a love of learning? The current mania for measurement is a necessary antidote to an era marked by a lack of accountability. But the wrong kinds of tests will not only mask evidence of a continuing decline; they could contribute to it.

This isn't a speech on education policy, so I'll leave the matter there, for now—except to say that the question I've raised—and indeed the entire national discussion about education—must be of active concern to your institutions.

And one of my goals will be to find new ways to draw on the resources of our great research universities to help answer the kinds of questions that I just posed. The partnership between universities and industry has grown markedly closer in recent years; the relationship between universities and our nation's school systems must do the same.

Universities can also play a role in addressing my second priority area—energy policy. Clearly, as President Bush has said, we need a comprehensive energy policy that looks at all aspects of supply and demand, in both the short- and long-term.

But my focus will be on ensuring that we concentrate sufficiently on alternative sources of energy—wind, solar, fuel cells, etc.—and on conservation and efficiency. These are areas that have been underfunded in terms of both research and deployment.

Moreover, we have spent so much time over the past 20 years having philosophical battles over government energy programs that we haven't devoted enough effort to figuring out how to make the programs work better. The energy supply programs of the Department of Energy (DOE) are due for a good, hard look from people who unequivocally support their goals.

In the area of environment, as well, our government research programs need to be reviewed by people who genuinely want to improve them, by folks who want more reliable results, not more convenience ones. We need to ensure that research in ecology and other environmental sciences—fields in which we know astonishingly little—that such research is adequately funded and is conducted by top scientists both inside and outside the government.

But in making environment a focus of the Science Committee's work, I want to do more than explore the workings of government research programs. I want the Committee to be a central forum to learn about the science behind ongoing—and, even more importantly, brewing—controversies in environmental policy.

Two prominent examples spring to mind immediately. First, global climate change, where the scientific consensus is growing all the time that we face serious consequences from human-generated emissions of greenhouse gases; and second, biotechnology, where I believe more serious attention needs to be paid to concerns about possible ecological impacts even as we acknowledged the potential benefits of genetically modified organisms.

Now, I realize, of course, that I have been speaking to you for a while without mentioning any of the science policy issues usually discussed at URA gatherings. Well, I did say that this was an experiment—but it's not supposed to be one that tests your patience.

But I wanted to start with my three immediate priorities because they will be the subject of our first three full Committee hearings—probably in early March—and because I think that the entire research community needs to think more about such issues, about the intersection of research with our national goals and concerns.

But I don't mean to indicate the Committee will turn away from the equally critical concerns about the health of the research enterprise itself.

So let me say unambiguously that I will fight to increase research funding, in general, and funding for the physical sciences, in particular. Unique and vital DOE facilities, like Fermilab, must continue to prosper, even as we participate in international projects like the Large Hadron Collider.

With that commitment in mind, I want the Committee, early on, to take a serious look

at the balance within the federal research portfolio. Now we all know that that is a somewhat euphemistic way of raising the question, ''Is biomedical research bulking too large in the federal research budget?'' Those who believe that the National Institutes of Health (NIH) are eating up a disproportionate share of the federal budget have two solid facts on their side: the extraordinary growth in that share, and the dependence of the American economy, and of biomedical research itself, on a wide range of research disciplines. And a cursory look at the numbers certainly gives one the feeling that things may be a little out of whack.

But if we are to take action, we're going to need to dig a little deeper and ask some tougher question. How would we know if NIH was over-funded in either relative or absolute terms? Given the public concern with health and the advances in biology why shouldn't NIH

These are not meant, in the least, as merely rhetorical questions. They are difficult questions that ought to be explored further if we're going to make a case for either limiting NIH's growth or greatly increasing the budget for every other field.

Similarly, we need to ask tough questions, if we're really thinking about doubling the entire federal civilian science budget. Questions like: Why double? What are we going to get for that money? How will we know if we are under- or over-spending in any field?

The science policy debate sometimes seems composed entirely of randomly generated numbers. We really need to push for more data.

I don't say this out of any opposition to the proposed bill that would set a goal of doubling the science budget. In fact, I'm kindly disposed toward that bill. I would like to find a way to pass it. The bill might do some real good because it would put Congress on the record as saying that science spending is a real priority.

But that shouldn't obscure the fact that doubling will never become a reality if we can't make a much more solid case to the appropriators.

It's a case that is going to have to be made agency by agency, as well as in general terms. Looking at DOE, for example, I want to get a much clearer sense of the Department's needs as it tries to upgrade aging facilities and replace a retiring workforce. And despite years of post-Cold War studies, my sense is that we still don't have a clear policy regarding the role of the national laboratories.

If we're going to increase the federal science budget, we also need to take a much harder look, brushing aside all cant, at the changing nature of our research universities. I'm thinking here especially of the questions raised by the growing partnership between universities and industry.

That partnership, encouraged by legislation, is having many beneficial effects. But it's time we make sure that we understand better how it's affecting the university—in terms of education, the free flow of information, the nature of university research, and the development of intellectual property, to name just a few matters of concern.

This is the time to review that relationship, when it is still developing and fluid. Neither partner has been sufficiently willing to do that. University officials sometimes simultaneously argue, on the one hand, that partnerships are at the cutting-edge of organizational arrangements and, on the other, that their hallowed institutions are still seeking the truth in the time-honored way that has not changed appreciably since the Middle Ages. I exaggerate, of course, but the discussion really does have to be a little bit more open.

Universities ran into trouble in undergraduate education, in part, because they were unwilling for too long to acknowledge that the rise of the modern research university had changed the nature of the campus. That reluctance stemmed from the understandable fear that raising questions would lead some to argue that research and education could not productively co-exist. But in the end, the lack of discussion hurt undergraduate education in a way that put research at greater risk. An honest, open look at partnerships now should help make them more productive rather than hampering them.

Obviously, there are many more issues before the Committee, but what I've discussed should give you a good sense of my approach and concerns.

My goal is to be your staunchest ally and your fairest critic. To be Shakespearean about it, my role model will be Cordelia—King Lear's daughter who would not utter false professions of love, but who stood by her father when everyone else had deserted him. I won't press the analogy—I don't want to imply that university presidents will become crazed, naked old men wandering helplessly about the moors.

All I mean to say is that you can count on me to fight for the nation's interest by bolstering, and drawing on the expertise of the scientific community. You can also count on me to ask tough and uncomfortable questions to ensure that the scientific community is acting in its and the nation's long-term interests. I intend to do that openly, fairly, cooperatively and with true intellectual curiosity.

I want to run the Committee in a way that would make Einstein smile. I want to make sure that as long as I'm chairman, no one plays dice with your universe.

I look forward to working with all of you.

IN HONOR OF GOV. RICK PERRY, BORDERFEST TEXAN OF THE YEAR RECIPIENT

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HINOJOSA. Mr. Speaker, every year since 1977, the City of Hidalgo in my district has held BorderFest. This is a four day event celebrating the diverse ethnic groups in South Texas. Not only are there entertainment, educational and cultural events, but each year a recipient is chosen for the prestigious Texan of the Year award.

Past recipients of the award have included business and community leaders, college presidents, and government officials. This year's recipient is Texas Governor Rick Perry.

Governor Perry was recently sworn in as the 47th Governor of the State of Texas. He previously served as Lieutenant Governor, Texas Commissioner of Agriculture, and a representative to the Texas Legislature. He is a graduate of Texas A&M University and served in the U.S. Air Force.

As a fifth generation Texan, Governor Perry has devoted his public life to serving his fellow Texans. He is committed to public school reform, and has pledged to make the Texas higher education system the best in the nation. He has also recognized the need to rebuild the state's infrastructure and take advantage of new technology. He is known for his willingness to work with members from both parties to get the job done.

Rick Perry is well-deserving of this honor, and I commend the BorderFest Award committee for its selection of Gov. Perry.

ARCTIC REFUGE WILDERNESS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Ms. SLAUGHTER. Mr. Speaker, although nearly 95 percent of Alaska's North Slope is available for drilling, international petroleum companies are still pushing Congress to open the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) to oil and gas exploration and development.

I am pleased to join my colleagues Representative MARKEY and Representative NANCY JOHNSON as we continue efforts to permanently protect the Arctic National Wildlife Refuge.

My constituents in Rochester, New York are hurting due to the high energy prices.

But opening up the Arctic National Wildlife Refuge to oil and gas development is not the answer.

Forget for the moment that this area is the heart of a refuge which serves as critical breeding or migratory habitat for over 200 species of animals and more than 180 bird species and that exploration could cause significant environmental damage.

I would like to remind my colleagues that studies by the U.S. Geological Survey and the General Accounting Office have concluded there is probably far less oil in the Arctic Refuge than previously believed.

And if we allowed drilling for oil in the Alaskan wildlife refuge, it would not produce any oil for an estimated 10 years.

Even then, it would not significantly reduce our nation's dependence on foreign oil.

During full operating capacity, ANVRR would supply only about 2 percent of America's oil demand in a given year.

Finally, none of the North Slope oil reaches the East Coast because it is too far to transport.

Therefore, development in ANWR would not have any measurable impact on home heating oil shortages or prices in the Northeast.

The Energy Department's National Renewable Energy Laboratory (NREL) in Golden, Colorado claims that 100% of U.S. electricity needs could be met by installing just 17 square miles of rooftop solar panels in each state. The possibilities are endless if we devote the necessary resources and expertise to meeting our domestic energy demand.

IN RECOGNITION OF GEORGE A. CASTRO, II, RECIPIENT OF THE HISPANIC AMERICAN RECOGNITION AWARD

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize George A. Castro, II, President of

the Hispanic American Association for Political Awareness, for his personal achievements and for his outstanding contributions to his community. Mr. Castro will receive the Hispanic American Recognition Award from Mayor Jim McGreevey on February 25, 2001.

George A. Castro, II emigrated to the United States from Colombia in 1985 with only his lucky quarter and a strong desire for success. A short time later, he started his first business, a cleaning company, which grew to 60 employees in just a few years. The rapid growth of the company allowed it to bid on the state's largest jobs.

In 1989, Mr. Castro received his real estate license and gained employment at an ERA office in Union County, where he became the top-producing seller with more than $10 million in sales after his first year and $27 million the following year. In 1991, Mr. Castro opened his own office, Countywide-Realty, as an independent broker. Within a year and a half, Countywide was one of the most successful real estate offices in New Jersey. The office joined the Century 21 franchise in 1995, eventually changing its name to Century 21 Atlantic.

Recently, Century 21 Atlantic received Century 21's prestigious Double Centurion Office award for achieving more than $90 million in sales in 1999, a 300% increase over the previous year.

Mr. Castro is an accomplished businessman and community activist. The success of Century 21 Atlantic and the Ritz Theatre and Performing Arts Center, which he purchased in 1994, has made him a role model for the Hispanic community. Mr. Castro serves as the Chairman of the Hispanic Political Action Committee and is a member of the Zoning Board of Adjustment for the City of Elizabeth. He also participates in the Boy Scouts of America, Eastern Union County.

Today, I ask my colleagues to join me in recognizing George A. Castro, II for all he has accomplished and for all he has contributed to his community.

HONORING THE ULTIMATE SACRIFICE MADE BY 28 UNITED STATES SOLDIERS KILLED DURING OPERATION DESERT STORM

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2001

Mr. KUCINICH. Mr. Speaker, today I rise to express concern over the second section of H. Con. Res. 39, honoring the sacrifices of the heroic U.S. soldiers killed by an Iraqi missile attack ten years ago.

Mr. Speaker, in this section, Congress ''resolves to support appropriate and effective theater missile defense programs to help prevent attacks on forward deployed United States forces from occurring again.'' Undoubtedly, we must work to ensure that American service men and women are never again victim to such a tragedy. But would the most futuristic theater missile defense system the Pentagon is currently working on the Theater High-Altitude Area Defense system, or THAAD, have helped our soldiers ten years ago? Probably not: the system failed six consecutive tests before finally intercepting a target missile for the first time in June 1999. Many experts believe this system will be no more effective than our patriot missiles at defending an attack like the one on American troops in Saudi Arabia ten years ago. Meanwhile, Mr. Speaker, projected costs for construction of THAAD are now estimated at $9.5 billion.

Mr. Speaker, for those who believe in the necessity of missile defense, there are other less expensive and more effective theater missile defense programs in development that might represent an improvement on the system that failed the twenty-eight soldiers we honor today. To the extent we promote such cost-effective weaponry through this resolution, we duly recognize the valor of these men and women. To the extent, however, this resolution supplies blanket endorsement of any theater missile defense system, we do not accomplish a lofty purpose.

HONORING DR. MARGARET DRICKAMER FOR OUTSTANDING SERVICE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Ms. DELAURO. Mr. Speaker, it is with great pleasure, though a sad heart, that I pay tribute to an outstanding leader in geriatric medicine and a tremendous asset to the VA Connecticut Health System, Dr. Margaret Drickamer, as she retires from her service to the United States Veterans Administration.

It has been nearly fifteen years since Dr. Drickamer first came to the VA Medical Center in West Haven, Connecticut as the Medical Director of the then Nursing Home Care Unit. In that time, Dr. Drickamer has been responsible for the complete reorganization of the department as well as the expansion of services available to Connecticut veterans—-making a real difference in lives of many. Today, the section of Geriatrics and Extended Care is a multi-faceted program which provides a continuum of inpatient, outpatient and consultative services.

When Dr. Drickamer first came to the VA, she was charged with the oversight of the Nursing Home Care Unit, an inpatient unit which provided long-term, residential nursing care for several dozen veterans. Under her leadership, this small unit has been transformed into a successful continuum of care, including an extended inpatient care unit, a geriatric day hospital program, an expanded geriatrics clinic, a homebased primary care program and a palliative care program. The multitude of services now offered by the Geriatrics and Extended Care section have had an extraordinary impact on thousands of Connecticut veterans.

Dr. Drickamer's success can be attributed to her endless commitment to the patients of the Medical Center and the outstanding compassion she demonstrates each day. Each time I visit the Medical Center, I am told by patients how much they depend on Dr. Drickamer, both as their doctor and, more importantly, their friend. Equally important is her dedication to her staff. Their enthusiasm and generosity a reflection of the example she has set for over a decade. Led by her innovative vision, Dr. Drickamer has ensured that Connecticut's veterans are receiving quality care.

In addition to her work at the VA Medical Center, Dr. Drickamer is widely recognized for her work as an educator in her field. Articles and abstracts published in the American Journal of Medicine, the New England Journal of Medicine, and the Annals of Internal Medicine are only a few of her many professional accomplishments. She has been honored with a myriad of awards and honors—-a true testament to her unparalleled dedication.

It is my great honor to join friends and colleagues in thanking Dr. Margaret Drickamer for her many years of service to the West Haven VA Medical Center and our community. Her innumerable efforts on behalf of our country's veterans have left an indelible mark on our nation. My best wishes to you on your future endeavors.

HONORING THE ULTIMATE SACRIFICE MADE BY 28 UNITED STATES SOLDIERS KILLED DURING OPERATION DESERT STORM

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of this resolution.

It's been ten years since the Persian Gulf War and the allied victory in Operation Desert Storm. We learned a great deal during the war, perhaps most importantly that strong relationships with our allies and others were critical to building the kind of support necessary to see the war through. Those relationships have also been critical in maintaining pressure on Saddam Hussein in the years following the allied victory. The war also taught us that we can achieve our objectives—with minimal loss of life—thanks to our professionally trained troops and technologically advanced weapons systems.

While we know that war inevitably entails loss of life, and that soldiers assume the risks of war, this realization doesn't make it easier to bear the news when a loved one is killed in service to our country. Today we honor the sacrifices of the 28 servicemen killed in February 1991 when an Iraqi Scud missile hit a U.S. Army barracks in Saudi Arabia. We extend our sympathy and thanks to their families, and we honor their memories. In the same spirit, we honor the contributions of those serving today in our armed forces. Every day they brave hardships in the name of defending our country and our freedom. We can never be grateful enough for what they do.

This resolution also asks us to resolve to support ''appropriate and effective theater missile defense programs to help prevent attacks on forward deployed United States forces from occurring again.'' I am supporting this resolution for what it says and not for what some may believe it says.

Just to be clear: Theater missile defense systems are different from the proposed national missile defense system, which continues to raise many questions and concerns that I believe must be addressed before deployment can be considered.

There is no question that we must do all we can to defend our troops in the field. We should provide them with the best training, equipment, and weapons. We should also develop better technologies to protect them from incoming enemy fire. This means doing all we can to be better able to counter the kind of threat posed by Iraq's Scud missiles back in 1991.

Mr. Speaker, this ten-year anniversary presents us with a duty and an opportunity. We have the duty to look back in honor of our servicemen, but we also have the opportunity to look forward to identify possible new solutions to longstanding regional problems. This is an opportunity for us to consider anew questions about our overall Persian Gulf policy—the viability of our current sanctions regime on Iraq, the importance of working with our allies in the region, and our overdependence on foreign oil. Along those lines, I was encouraged to learn today of Secretary Powell's proposal to refocus sanctions more narrowly on Saddam Hussein's military capabilities and ease the economic sanctions that have placed an unfair burden on Iraq's population, This is a step in the right direction.

If we can help to bring stability to the region, we can rest assured knowing that our servicemen will be less likely to be put in harm's way in the future.

Again, I stand with my colleagues here today to honor the memories of the U.S. soldiers lost in Operation Desert Storm. We will not forget their sacrifice.

TRIBUTE TO RICKEY GELB

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. GALLEGLY. Mr. Speaker, today I pay tribute to Rickey Gelb, recipient of the 2000 Fernando Award.

The Fernando Award is awarded annually in recognition of an individual's lifetime achievement of volunteerism in California's San Fernando Valley. Rickey Gelb is a most worthy recipient.

Rickey has lived in the San Fernando Valley nearly all of his life. He is the managing general partner of development and management company Gelb Enterprises and owner of RMG Properties. He is also a licensed general contractor in California.

Rickey and his wife Robbi are longtime close personal friends of my wife Janice and I. I know firsthand that Rickey's success is well-eamed. He graduated from Valley Junior College with an associate's degree in 1967. With that, he went to work for ATA Stores, where over the next 25 years he worked his way up from truck driver and repairman to senior corporate officer and major stockholder. During that time, he also founded Gelb Enterprises.

Since 1985, Rickey has devoted his entrepreneurial efforts exclusively to the development and expansion of Gelb Enterprises.

He has also been an extraordinary volunteer.

Rickey Gelb serves on the board of the First Commerce Bank and is a past president of the West Valley Police Activity League (PALS). He is currently CFO of the Encino Chamber of Commerce, a member of the Los Angeles Department of Transportation Mobile Action Committee, a Commissioner for the City of Los Angeles, a member of the Ventura/Cahuenga Boulevard Review Board and Treasurer of Mayor Richard Riordon's Valley Job Recovery Corporation.

In addition, Rickey is on the Board of Directors of the Mid-Valley Jeopardy Foundation, on the Police, Fire and Public Safety Committee, Encino/Tarzana Hospital Community Foundation and on Councilwoman Cindy Miscikowski's Encino Community Council.

Rickey Gelb is a recipient of the Criminal Justice Award and has received numerous appreciation awards from City, County, State and Federal agencies and charitable foundations. He now serves as a member of the Patrons Association of LAVC and is president of the Alumni Association. He received the Distinguished Alumni Award at the 50th Anniversary celebration.

Mr. Speaker, I know my colleagues will join me in congratulating Rickey Gelb for the honor of receiving the 2000 Fernando Award and thank him and Robbi for decades of service to our community.

THE PARITY FOR PART-TIME WORKERS ACT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CARDIN. Mr. Speaker, unemployed part-time workers who meet monetary eligibility requirements are precluded from receiving Unemployment Insurance (UI) in at least 31 States merely because they seek part-time, rather than full-time employment. This means that a laid-off parent who wants to continue to work part-time to care for a child is denied UI benefits while looking for employment, despite having earned sufficient past wages to be eligible for such assistance.

For this reason, I am reintroducing the Parity for Part-time Workers Act. This legislation would prohibit the denial of UI based solely on the fact that an individual is seeking part-time work, if the individual: (1) Otherwise qualifies for unemployment compensation based wholly or mostly on part-time work; and (2) seeks at least 20 hours of work a week. In short, this family-friendly legislation will help level the playing field for part-time workers.

In 1995, the non-partisan Advisory Council on Unemployment Compensation recommended prohibiting discrimination against part-time workers. More recently, a working group on UI issues with members representing businesses, workers and the State and Federal UI agencies also recommended that part-time workers be treated more fairly. And finally, a Government Accounting Office (GAO) report released last month clearly illustrates the inequitable barriers standing between part-time and other low-wage workers and UI benefits. I do not think we need any additional evidence that this problem demands an immediate solution.

I urge my colleagues to support this effort to prevent discrimination against unemployed part-time workers.

IN SUPPORT OF THE BLUNT-BENTSEN RETIREMENT PLAN ACT

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. BENTSEN. Mr. Speaker, it is with great pleasure that I wish today, to join with my distinguished colleague, Mr. Blunt, in introducing legislation to give small employers the chance to show how much they care for their employees. The Blunt-Bentsen Retirement Plan Act would establish the ''qualified small employer plan,'' a new kind of design-based plan available exclusively to employers with fewer than 100 employees.

Today, we, as a nation, are experiencing the lowest unemployment rate in a generation. This recent boom in job creation has been driven in large part by growth in the number of small businesses created. However, even as incomes rise, we have an abysmally low savings rate of 3.8 percent of disposable personal income. There is broad consensus that a substantial number of American workers will be unable to afford a retirement that maintains their current lifestyle, at least not without working more years than currently planned. According to the nonpartisan Employee Benefit Research Institute (EBRI), 36 percent of American workers are not saving for retirement.

Americans think of retirement income in terms of a ''three-legged stool,'' consisting of Social Security, personal savings, and employer-sponsored benefits. Unfortunately, employer-sponsored retirement plans are not available to all American workers. In fact, only 21 percent of all individuals employed by small businesses with less than 100 employees participate in an employer-sponsored plan, compared to 64 percent of those who work for businesses with more than 100 employees. Moreover, only 11.1 percent of working family heads who work at business with 10 or fewer employees actually participate in employer-sponsored plans. According to EBRI's 2000 survey of small employers, thirty-nine percent who currently do not offer plans, contemplate starting a plan in the next two years.

Under current law, small business employers who want to offer a retirement plan to their employees are forced to choose between unappealing options. They can either establish a traditional qualified plan, and manage the prohibitively high compliance and administration costs or set up a highly restrictive design-based plan (such as the SIMPLE or SEP). The Blunt-Bentsen Retirement Plan offers a third option. The Blunt-Bentsen bill would establish the ''qualified small employer plan,'' a new kind of design-based plan available exclusively to small employers (those with fewer than 100 employees). The Blunt-Bentsen bill seeks to offer small businesses and their employees with opportunities for pension savings commonly available to large corporations and public sector employees. Characteristics of the qualified small employer plan include 100 percent coverage, accelerated vesting, and minimum non-integrated benefits.

The most important aspect of this legislation is that the employer must make an annual, mandatory contribution of at least three percent of an employee's compensation if that employee is at least 21-years-old and has

worked more than 1,000 hours in the preceding calendar year. It does not matter whether the employee contributes. Employers have the option of contributing as much as 10 percent. This will undoubtedly give small business employees not only a stake in equity, but a larger stake in the success of that business. In a world largely absent of retirement plans where employers alone make annual contributions, I believe this measure provides a third practical alternative to government mandated pensions and no pension coverage at all. In turn, small business employers are allowed to contribute a higher percentage of their salary to a retirement plan than they would otherwise be allowed under current law.

Second, for a variety of reasons, the number of companies offering defined benefit plans has fallen dramatically. Between 1970 and 1990, the percentage of private sector workers covered by a pension plan decreased by 2 percent from 45 percent in 1970 to 43 percent in 1990. This is not progress.

Finally, an aging population where most men and women who reach age 65 can expect to live at least another decade will surely place some stress on Social Security's ability to pay out benefits. Today, Social Security is the main source of income for 80 percent of retirees. While Social Security is currently strong, it faces challenges to its solvency as the Baby Boom generation nears retirement.

In short, the three-legged stool of retirement security is in jeopardy without a correction. Plans where employers make automatic, mandatory contributions have been replaced by plans where employees make voluntary contributions. No longer do companies automatically bear the risks and costs of professionally made investment decisions, Today, workers have to bear the risks and costs of their investment decisions. Investment decisions can be quite scary for inexperienced, first time, lower- and middle-income investors, who have a lot more to lose than wealthy investors. Employees in these pension plans not only have to take a crash course in ''Investing 101'' but are less likely to accomplish personal savings with stagnant or slowly rising wages.

It is imperative that Congress put in place new, innovative and cost-effective ways to expand pension coverage. The Blunt-Bentsen bill put a new critical tool in the hands of small businesses to create greater security against the risks and burdens of old age, inflation, and economic downturns for their employees.

REFORMING THE ESTATE TAX

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mrs. MINK of Hawaii. Mr. Speaker, yesterday I introduced H.R. 759, a bill that would reform the estate tax and provide an immediate exclusion equivalent deduction of $5 million.

Clearly the estate tax has a deleterious effect on successful persons who hope to pass along property to their children. In my State of Hawaii, property values are highly inflated and properties which would not result in any estate tax on the mainland are subject to estate tax in Hawaii. In 1997, the latest figures available, 2.5 percent of estates in Hawaii were subject to Federal estate taxes, compared to only 1.9 percent nationwide.

Existing inheritance taxes unfairly penalize ordinary individuals who work hard their entire lives so they can leave something for their children. The tax scale hits family farmers and businesses disproportionately. I have received many letters from constituents detailing the burden the tax has had on their small business.

Currently, the first $675,000 of estates are exempt from tax. The exemption level will increase to $1,000,000 in 2006. Family businesses have an exemption of $1,300,000, These numbers are too low. No small family-owned farm or small family-owned business should have to be sold by the children to pay an inheritance tax.

I agree that a full repeal of the estate tax would give too much tax relief to the wealthiest Americans. My bill merely increases the exemption for estates to $5 million and makes that change effective immediately.

I urge my colleagues to cosponsor this legislation.

IN HONOR OF BLACK HISTORY MONTH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. ENGEL Mr. Speaker, since 1976 Black History Month has been celebrated in February to recognize the heritage and achievements of African-Americans.

I rise in honor of Black History Month and its 2001 theme—Creating and Defining the African-American Community: Family, Church, Politics, and Culture. As I reflect on this year's theme, I feel we must come together to remember the struggle of African-Americans and honor all of their accomplishments.

At one time, this country erected every conceivable legal, societal and cultural roadblock to prevent African-Americans from having access to education, wealth and politics in our society. In overcoming these roadblocks, they have contributed greatly to America's identity, community, culture and politics. We must recognize the African-American community and the critical role African-Americans have and will continue to have in the development of our country.

But, we must always remember that so much more must be done. I have been horrified by the reports from Florida about voter disenfranchisement. From poor staffing, inadequate explanations of voting procedures, to outright voter intimidation, these issues must be addressed. To truly move into the 21st century, we must end the practices of the 19th century.

We must also end, once and for all, the despicable practice of racial profiling. The process of singling out people who ''may''—and I underline and emphasize may—be engaged in criminal activity solely because of race is infuriating. There is just no logic behind it—but instead there is hate and discrimination. I was pleased to learn of President Bush's move to end racial profiling. I plan to hold him and his administration to this commitment.

I represent the great state of New York and a district rich in history. From early politicians to famous athletes, African-Americans in the Bronx have been pioneers in many different fields. From scientists, to members of the clergy, to entertainers, more and more African-Americans are represented in leadership positions in our society.

I am always inspired by the community spirit and leadership I witness from African-Americans in the 17th Congressional District of New York. It is my hope that as we celebrate Black History Month in the future, we will be able to celebrate the many more achievements of African-Americans.

IN MEMORY OF THE HONORABLE LYNN M. EWING, JR.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SKELTON. Mr. Speaker, it is with sadness that I inform the House of Representatives of the passing of my good friend The Honorable Lynn M. Ewing Jr. of Nevada, Missouri. He was 70.

Lynn, a son of the late Lynn M. Ewing Sr. and Margaret Blair Ewing Coffey, was born in Nevada, Missouri, on November 14, 1930. After graduating from Nevada High School in 1948, Lynn attended Princeton University. He received an AB in 1952 and a Juris Doctor degree in 1954 from the University of Missouri-Columbia, graduating second in his law school class. Mr. Ewing was a member of Phi Beta Kappa, Sigma Nu fraternity and Order of the Coif.

He entered the United States Air Force and served as an attorney in the Judge Advocate General Corps until returning to Nevada in 1956 and joining the law firm Ewing, Ewing, Ewing, Carter and Wight. He continued to practice law with the Ewing law Firm until his death.

Lynn was involved with the Farm and Home Savings Association for 24 years, serving as general counsel, board member and president. He was a life member of the American Bar Association, a member of the Missouri Bar Association and the Vernon County Bar Association, and a fellow of the American College of Mortgage Attorneys. He served on the Missouri Bar Disciplinary Committee. He was admitted to practice before the United States Supreme Court in 1961. He was elected to the Missouri House of Representatives in 1959 and served three terms representing the citizens of Vernon and Barton counties.

Lynn formerly served as chairman of the Vernon County Democratic Central Committee. He was elected to the Nevada City Council in 1967 and served the city for six years, including two terms as mayor. He served on the board of directors of the Nevada Regional Medical Center, the Nevada Library Board, the Nevada Chamber of Commerce, the Nevada Planning commission and the Nevada Economic Development Corporation. He also served as a board member of Citizens State Bank, Nevada, Missouri. He was a member of the Nevada Rotary Club and was named citizen of the year in 1975. He received the Paul Harris Fellow Award from the Rotary.

Lynn was a member of the All Saints Episcopal Church and served the church as a vestry member, senior warden and lector. Mr.

Ewing was appointed by Governor Warren Hearnes to serve on the Missouri Land Reclamation Commission and by Governor Mel Carnahan to serve on the Coordinating Board for Higher Education, where he served as chairperson. He was a member of the Missouri Academy of Squires. He was a member of the Missouri Savings and Loan Association and the U.S. League of Saving and Loan Associations. He received a Faculty Alumni Award from the University of Missouri. He served on the Missouri Law School Foundation board of directors and was a member of the University of Missouri-Columbia Jefferson Club. He was a charter member of the University of Missouri-Columbia Law Society and Mosaic Society.

Mr. Speaker, Lynn Ewing Jr. will be missed by all who knew him. I know the Members of the House will join me in extending heartfelt condolences to his family: his wife, Peggy; his brother, Blair; his two daughters, Margrace Buckler and Melissa Arnold; his son, Lynn M. Ewing III—and his grandchildren.

CELEBRATING THE LIFE AND ACCOMPLISHMENTS OF BEN BARKIN

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. BARRETT of Wisconsin. Mr. Speaker, I would like to take this opportunity to share my admiration for my longtime friend and constituent, Mr. Ben Barkin, who passed away recently at the age of 85.

Ben Barkin is fondly remembered as the father of Milwaukee's Great Circus Parade. The parade features circus wagons from the Circus World Museum in Baraboo, Wisconsin, some more than one hundred years old. It celebrates America's history of the circus by recreating old-fashioned circus parades in an authentic manner, along a three-mile route through downtown Milwaukee.

In 1963, Ben Barkin and Charles ''Chappie'' Fox organized Milwaukee's first Great Circus Parade. Ben convinced the Joseph Schlitz Brewing Company to be the parade's exclusive sponsor. In 1973, Schlitz was no longer able to sponsor the parade, and the parade shut down for twelve years, but in 1985, Ben was able to bring it back. The Great Circus Parade was made an annual event the following year, after Ben raised more than $900,000. Mr. Barkin retired as the chairman of the Great Circus Parade in 1995, but he remained its guiding light. His greatest accomplishment was promotion of the parade at a national level, and securing funding to keep the parade free to the public.

The Great Circus Parade now brings in hundreds of thousands of visitors from all over the United States. It is also shown on 200 public television stations nationwide and worldwide on the U.S. Information Agency's Worldnet System and the Armed Forces Television Network.

A Milwaukee Journal Sentinel article describing the 2000 Great Circus Parade captured the parade's magic for children of all ages. Seven-year-old Terry Parks told the newspaper, ''I got to see a real lion, not something on TV.'' Sixty-two-year-old Richard Czaja said, ''I love the horses, and the wagons were unbelievable the way they restored them and kept them up.'' Circus Parade fans come to Milwaukee and camp out every year near the city's lakefront. The resulting tent city is affectionately known as Barkinville, and each year Mr. Barkin would go down and meet the people camping out for the parade.

Throughout his life, Ben focused his endless energy to other things other than the Great Circus Parade. During World War II, Ben volunteered with the U.S. Treasury to sell war bonds, and he helped make Milwaukee the standard for war bond fund raising. He was invited to Washington to present the model that was soon adopted by the rest of the country. After the war he founded the nationally recognized public relations firm of Barkin, Herman, Solochek, and Paulsen. In 1970, he was named as the ''best publicist in the country'' by 100 of the nation's largest newspapers. That same year he helped Bud Selig bring the Brewers to Milwaukee.

Ben Barkin was an advocate for civil rights by looking past religious and racial differences. He was the chairman of the B'nai B'rith Youth Commission, and spoke out advocating better race relations. He also supported religious causes, whether they were Catholic, Jewish, or Protestant. Ben was also a devoted husband to Shirley for more than fifty years, and a loving father to his son Coleman.

On February 2, 2001, Wisconsin lost one of its greatest citizens, and children lost a friend. I ask my colleagues to join me in remembering this great American and in celebrating his life and his legacy.

TRIBUTE TO HERITAGE HIGH SCHOOL HURRICANES—STATE GROUP AAA DIVISION 5 FOOTBALL CHAMPIONS

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SCOTT. Mr. Speaker, I rise today with great pride to call attention to a group of young students from Newport News, Virginia who have distinguished themselves, their school, their community and the Commonwealth of Virginia.

The Heritage High School Hurricanes football team had a remarkable season and I believe the Hurricanes deserve formal recognition for their accomplishments. On December 2, 2000, the Heritage High School Hurricanes won its first state Group AAA Division 5 Football Final at the University of Richmond Stadium. The Heritage Hurricanes completed the 2000 season with a truly impressive record, 14–0. It was the only unbeaten team in the AAA.

Established in 1996, Heritage High School is a magnet school specializing in engineering and technology. Heritage High School was named in honor of five former high schools located in Newport News. Students must meet rigorous academic requirements, take responsibility for academic progress, behavior and attendance, and they are expected to participate in school and community activities. This drive for excellence has now been extended into the field of athletics.

To quote from our hometown newspaper, the Daily Press,

> [s]ome high school defenses have big kids. Some have fast kids. Some have smart kids. Once in a blue moon a Heritage comes along. A team with kids who are big, fast and smart.

Their remarkable 2000 season carries on the tradition of championship football in Newport News, started by Newport News High School in 1931, and continued by Carver High School in 1961 and our last state champion—the 1966 Huntington High Vikings.

I want to extend my enthusiastic congratulations for a job well done to the Heritage High School Hurricanes—the Group AAA Division 5 2000 Virginia High School League State Football Champions.

THE SSI MODERNIZATION ACT OF 2001

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. STARK. Mr. Speaker, today I support ''The SSI Modernization Act of 2001,'' for which I am an original cosponsor. In 1972, the Congress passed legislation to create the Supplementary Security Income (SSI) Program to help the most vulnerable in our society. The SSI Program provides a base level of a support to the elderly, disabled and blind who do not qualify for Social Security or whose Social Security benefits are inadequate. Currently, about 6.6 million of these individuals rely on SSI to provide income for the basic necessities of food, clothing, and shelter.

Unfortunately, Congress has done little since the creation of SSI to ensure that the program serves the recipients in the 21st century as well as it did in the 20th century. As a result, the program now serves a population living at a level of 70 percent of poverty and does not serve those at or near the poverty line. This bill does six items to modernize SSI:

1. It rewards SSI recipients who want to work by increasing the amount of earned income excluded from reducing the SSI benefit from $65 to $130 a month and indexes it to inflation in future years. This limit has not been increased since 1972 and would be $260 a month if they had kept pace with inflation.

2. It increases the General Income exclusion from $20 to $40 of income per month and would index the amount to inflation in future years. This exclusion means that the first $40 of income received by an SSI recipient will not be used to reduce their benefit check. For recipients who have a significant work history and receive a Social Security benefit, they will be able to retain more of their Social Security benefit. This limit has not been increased since 1972 and would be $80 if it had kept pace with inflation.

3. The bill increases the amount of resources that recipients are allowed to own from $2,000 to $3,000 for an individual and from $3,000 to $4,500 for a couple and then indexes it for inflation in future years. If these resources limits had kept pace with inflation they would be $6,000 for an individual and $9,000 for a couple.

4. The amount of infrequent or irregular income that recipients are allowed to earn before benefit reduction is increased from $10 to

$20 a month for earned income and $20 to $40 a month for unearned income. These limits have not been changed since 1981.

5. The bill delays SSI eligibility redeterminations for disabled children from 18 years old until one of two things occur first: either the person becomes 21 years old or finishes secondary school.

6. SSI would exclude the entire amount of educational grants, scholarships from SSI income determinations and exclude it for up to 9 months for SSI resource determinations.

This is a small incremental bill that makes some long overdue technical improvements to SSI. I look forward to working with my colleagues to quickly enact this legislation to improve the lives of the most economically vulnerable Americans who depend on SSI.

TRIBUTE TO JOURNALIST BERNARD SHAW

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Ms. NORTON. Mr. Speaker, today is a sad day for the news junkies of the world. Bernard Shaw, one of the industry's most respected journalists, is stepping down from the CNN anchor desk after 20 years on the job.

Shaw was there when the fledgling cable network first turned on the lights and rolled tape in 1980. And he has remained with CNN, reporting some of the century's most exciting national and international events.

How many of us recall the Persian Gulf War and Shaw's reports of bombs falling over Baghdad. And who can forget his pointed questioning of politicians, who often found it difficult to be as pointed in their response.

For many of us, the really difficult part begins as Bernard Shaw takes his leave and ''stands down,'' as he says, from CNN. But how do we say goodbye to someone who, after so many years, has become a fixture in our homes and offices?

Bernie Shaw will be missed because of his special brand of professionalism and nononsense reporting. He will be missed because we have enjoyed sharing his love of politics and world events.

And, for many of us, Bernard Shaw will be missed because over the years, he has been the lone African American, who has anchored national broadcasts and major events. He has moderated presidential debates, anchored coverage of primaries and national elections, and traveled the world reporting breaking international news. It is unlikely that Bernard Shaw's job description included the term, ''role model,'' but it is certain that his skill and tenacity have inspired many and engendered considerable respect and pride among us all.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 16, on motion to suspend the rules and agree to the resolution H. Con. Res. 39. Had I been present I would have voted ''yea.''

STATEMENT TO ACCOMPANY THE INTRODUCTION OF THE ENERGY EFFICIENT BUILDINGS INCENTIVES ACT

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce the Energy Efficient Buildings Incentives Act. I am joined in this effort by a substantial and diverse coalition of my colleagues including Mr. MARKEY of Massachusetts, as well as Mr. SMITH of New Hampshire in the Senate, and many others. This bill is supported by a strong coalition of industries and organizations. I have submitted a list of supporters below.

My constituents in San Diego have been suffering from outrageously high-energy prices for nearly a year. Our citizens and city have been forced into a crisis by the State legislature's deregulation of the electricity market. While I and my colleagues from San Diego are seeking solutions to this terrible crisis, I am introducing this bill in an effort to formulate a long-term energy plan.

The Energy Efficient Buildings Incentives Act will provide tax incentives for the construction of energy efficient buildings. Structures of this nature could potentially cut energy usage by as much as 50 percent. This would result in a nearly 6 percent reduction in air emissions over the next 10 years—equivalent to taking 40 percent of the automobiles off the road.

The bill will offer tax incentives to encourage the production and sale of technologically advanced, energy-efficient buildings and equipment. The legislation is structured to promote the creation of competitive markets for new technologies and designs that are not widely available today, but have the possibility of being cost effective to the consumer in the future. The incentives will apply to:

Efficient new residential buildings that save 30 percent to 50 percent in energy costs compared to national model codes, including a higher incentive for higher savings.

Efficient heating, cooling, and water heating equipment that reduce emissions and peak electric loads by about 20 percent (lower incentives) and 30 percent–50 percent (higher incentives) compared to national standards.

Efficient commercial buildings with 50 percent energy and power cost savings.

Residential-scale solar hot water and photovoltaic equipment.

The design and administration for these energy efficient structures is based on the track record of successful state programs over the past decade. Buildings account for some 35 percent of air pollution emissions nationwide, and cost their owners over $250 billion a year in energy costs. They also contribute to well over half of peak electric power demand. If enacted promptly the incentives in this bill will begin to mitigate electric peak reliability problems by the summer of 2001.

This bill will help both families and businesses reduce annual energy costs, saving over $80 billion in present value over the next decade. Energy costs of businesses are tax deductible under current law, so reductions in energy costs means billion of dollars in saving to the Federal government.

I urge all my colleagues to join me in supporting the energy Efficient Buildings Incentives Act. Together we can provide for a cleaner environment and help reduce energy needs, thus postponing the need for building new power plants as well as helping to save our environment.

THE ENERGY EFFICIENT BUILDINGS INCENTIVES ACT

Natural Resources Defense Council, Environmental Defense, Consumer's Choice Council, U.S. PIRG, World Wildlife Federation, Defenders of Wildlife, American Oceans Campaign, Environmental and Energy Study Institute, American Council for an Energy-Efficient Economy, Legal Environmental Assistance Foundation, Inc., Michigan Environmental Council, Minnesotans for an Energy Efficient Economy, American Rivers, and World Wildlife Fund.

ENRON, Pacific Gas and Electric Company, Sacramento Municipal Utility District, PacificCorp, Northern California Power Agency, CA Municipal Utilities Association, and Northeastern Public Power Association.

American Portland Cement Alliance, Air Conditioning Contractors of America, Foamed Polystyrene Alliance, North American Insulation Manufacturers Association, Polyisocyanurate Insulation Manufacturers Association, American Energy Technologies, American Solar Energy, and Energy Conservation Services of North Florida.

National Association of State Energy Officials, Home Builders Association of Central Vermont, Inc., Insulation Contractors Association of America, California Building Industry Association, California Association of Building Energy Consultants, National Council of the Housing Industry, National Association of State Energy Officials, and Florida Solar Energy Industries Association.

Union of Concerned Scientists, National Wildlife Federation, Sierra Club, The Wilderness Society, National Environmental Trust, Physicians for Social Responsibility, Global Green USA, Friends of the Earth, Alliance to Save Energy, League of Conservation Voters, American Oceans Campaign, Consumer's Choice Council, National Environmental Trust, and Izaak Walton League of America.

Massachusetts Electric, Southern California Edison, Montana Power, California ISO, Sempra Energy, City of Los Angeles, and Los Angeles Water & Power.

Siemens Solar Industries, TRANE, Climatic-Solar Corp., Energy Partners, Solar Systems of Florida, AllSolar Service Company Inc., Solar-Fit, and Solar Source.

National Insulation Association, California Energy Commission, Florida Solar Energy Center, Solar Energy Industries Association, California Air Resources Board, and Manufactured Housing Assoc.

TRIBUTE TO JEAN N. CHAMBERLAIN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. LEVIN. Mr. Speaker, today I reflect on the outstanding accomplishments of Ms. Jean Chamberlain, as she is honored by the Oak Park Business & Education Alliance of Oak Park, Michigan.

The Oak Park Business & Education Alliance is dedicated to the empowerment of urban schools. Their decision to honor Jean is a reflection of her long-time dedication to the communities of South Oakland County.

For over 40 years, Jean has been a resident of Royal Oak, Michigan. She began her public career after raising a family. Her valuable leadership has helped bring together the cities, the county government and local businesses of southern Oakland County.

Since March of 1993, Jean Chamberlain has served as the first and only South Oakland Governmental Liaison. She previously acted as the Executive Manager of the Greater Royal Oak and Oak Park Chambers of Commerce. She continues to work with a variety of organizations including the Woodward Dream Cruise Board of Directors; the Eight Mile Boulevard Association; and the Salvation Army Advisory Council, among others.

Her tireless work resulted in the Michigan Women's Commission naming her, in 1998, as one of the 20 most outstanding women in Michigan.

Mr. Speaker, I ask my colleagues to join my salute to an exceptional leader, Jean Chamberlain. I wish her continued success.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Ms. SANCHEZ. Mr. Speaker, during Rollcall vote No. 16, on February 27, 2001 on H. Con. Res. 39 I was unavoidably detained. Had I been present, I would have voted ''yea.''

CENTRAL NEW JERSEY RECOGNIZES ROCKY L. PETERSON FOR HIS SERVICE TO OUR COMMUNITY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HOLT. Mr. Speaker, I speak to recognize Rocky Peterson for his dedication to the cause of social justice for Central New Jersey. I join with the Metropolitan Trenton African American Chamber of Commerce in recognizing the achievements Rocky has made fighting prejudice as an active member of his community and a positive contributor to our society.

Mr. Peterson is a Partner at the Princeton law firm of Hill Wallack, where he serves as the partner-in-charge of the School and Municipal Law practice group. Mr. Peterson concentrates his practice in general litigation, municipal law and labor and employment issues on behalf of both public entities and educational organizations.

Throughout his distinguished career a lawyer Rocky Peterson has been a tireless advocate for central New Jersey's diverse communities. Mr. Peterson is an active member in many local professional and community organizations. He takes special interest in the arts as a founder and organizer of the Trenton Jazz Festival.

Once again, I applaud the efforts of Rocky Peterson and ask my colleagues to join me in recognizing his steadfast commitment to serving our community.

IN SUPPORT OF THE IRA CHARITABLE ROLLOVER INCENTIVE ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CRANE. Mr. Speaker, today I am introducing legislation entitled the ''IRA Charitable Rollover Incentive Act of 2001''. This is one of three bills I am introducing today to correct certain peculiarities in the tax code that discourage charitable giving. I introduced a similar bill in the 106th Congress, which garnered 125 co-sponsors. The essence of this bill was included in the tax bill vetoed by President Clinton in 1999 and was included again in the pension reform bill that passed last year.

This legislation would allow individuals age 59½ or older to contribute amounts currently held in Individual Retirement Accounts (IRAs) directly to qualified charities without having to first recognize the income for tax purposes and then take a charitable deduction. This legislation will give individuals more freedom to allocate their resources as they see fit while providing badly needed resources to churches, colleges and universities, and other social organizations.

All IRA withdrawals are generally taxed as ordinary income. Currently, individuals may withdraw funds from an IRA without incurring an early withdrawal penalty once they reach age 59½. Under so-called minimum distribution rules, an individual must begin making withdrawals by April Ist following the year he or she reaches age 70½. The IRA was intended to encourage individuals to save for retirement, but due to the strong economy in recent years and the general increase in asset values, many individuals have more than sufficient funds to retire comfortably. Thus it is a common practice for retirees to transfer some of their wealth to charities and, in some cases, that wealth is held in an IRA.

If our tax code were not so laden with peculiarities and oddities, this legislation would not be needed. A taxpayer could readily recognize the income for tax purposes and take a charitable deduction. Unfortunately, in many cases under current law such a simple arrangement results in a loss of some portion of the charitable deduction. For example, charitable contributions are subject to the itemized deduction ''haircut'' under which certain taxpayers lose a portion of their charitable deduction. I have introduced separate legislation to address this problem.

Another problem results when a donation exceeds 50 percent of the taxpayer's adjusted gross income—30 percent if the gift is to a private foundation. In this case the taxpayer cannot take the full deduction immediately; it must be spread over a period of years. Given the time value of money, delaying the timing of the deduction means the taxpayer call only effectively deduct a fraction of the value of the total gift.

It is impossible to know how much capital is trapped by the current rollover rules and thus unavailable to our nation's charities. According to one report, there is over $1 trillion held in IRA accounts. If only I percent of this would be donated to charity but for the tax problems associated with charitable rollovers, this represents a $10 billion loss of resources to these organizations that do so much good.

This is sound legislation that has consistently received strong bi-partisan support. I hope we can finally see its enactment in 2001.

Charity benefits both the giver and the receiver in like proportions. The act of giving elevates the heart of the giver. The act of receiving elevates the condition of the recipient. Charity is thus a blessed act that should suffer no discouragement from something so mean as the tax code.

RECOGNIZING THE MEN AND WOMEN WHO SERVED IN THE GULF WAR

SPEECH OF

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2001

Ms. BALDWIN. Mr. Speaker, I rise today, on the 10th Anniversary of the cease-fire that ended the Gulf War, to recognize those who served in our country's military during this conflict. Across this nation families and friends will honor the many who served and sacrificed for our nation. I'm deeply honored to observe this day and I salute all those who served in our nation's military during this time of war, of containment, and of peace-making, and peacekeeping.

I believe that we must take every opportunity possible to honor our service members, veterans, and their families. We must honor them for giving their time and energies and, too often, their lives in the service of our nation. In addition to honoring them through words, we must also honor them through action. Too many Gulf War service members and their families have been forgotten in the years that have followed the War. They have been left on their own to discover why their lives have changed forever because of fatigue and sickness that cannot be explained. Today, I ask that we all commit ourselves to honoring those who served in the Gulf War by doing everything within our power to solve this ongoing mystery. We must do everything within our power to assure that the men and women who have served our nation in its time of need are being served in their time of need.

To all who served in our nation's military and their loved ones who waited and worried at home, we honor your service and your sacrifices. Not just today, but every day.

H.R. 775: IMPROVING OUR ELECTION LAWS

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HORN. Mr. Speaker, I am pleased to join today with our colleague, Mr. HOYER, and others in introducing the Voting Improvement Act of 2001. As we all know, the past election

produced a great deal of confusion, turmoil and uncertainty. Although there were a number of factors in producing that confusion, one major factor in Florida and other states was the continuing use of outdated and even antiquated punch-card voting systems.

The bill we are introducing today tackles this problem immediately and directly by establishing a grant program for the states to replace all punch card systems before the next federal election in 2002. In short, this bill provides a practical solution for solving some of our most troublesome voting equipment problems.

As Mr. HOYER has noted, punch card systems have the highest rate of error among all voting methods—one study by MIT and Caltech recently estimated that the nationwide error rate for punch cards is 2.5 percent. In a national election, that would mean that nearly I million votes are thrown out and never counted due to mistakes caused by punch card systems. Clearly, we need to make replacement of these antiquated systems a high priority.

In addition to immediate equipment replacement, this bill establishes an ongoing grant program to assure that new voting systems are developed and deployed so that voters have up-to-date systems in the future. The bill also assures that voter education and training of poll workers are given increased attention and support. And, it establishes a permanent bipartisan commission to act as a nationwide resource for information gathering and studying the ''best practices'' for ballot design and other basic election needs.

Mr. Speaker, the Voting Improvement Act is one of several proposals being introduced for overhauling our election laws and making certain that we never repeat the chaos of the past election. All of these demand careful review and the development of a bipartisan consensus for sound reform. This bill sets clear priorities and offers practical solutions that must be part of any final reform plan. I urge our colleagues to join us in this effort.

CENTRAL NEW JERSEY RECOGNIZES JAMES B. GOLDEN, JR. FOR HIS SERVICE TO OUR COMMUNITY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HOLT. Mr. Speaker, today I speak in recognition of James B. Golden, Jr. and his ongoing dedication to serving the growing needs of Central New Jersey families. I join with the Metropolitan Trenton African American Chamber of Commerce in recognizing the dedication Director Golden has shown working to address the needs of a diverse community.

On March 13, 2000, James was appointed Director of the Trenton Police Department. In this capacity he oversees a department of 511 sworn and civilian employees who protect and serve more than 88,000 citizens in and around New Jersey's capital city.

Prior to joining the force in Trenton, Director Golden held the position of Chief of Police with the Saginaw, Michigan Police Department.

Director Golden comes to Trenton with a long and outstanding career. He is a graduate of the 179th session of the FBI National Academy, the Senior Management Institute for Police (SMIP) at Harvard University, and the Temple University Public Service Management Institute.

He is a Past President of the National Organization of Black Law Enforcement Executives (NOBLE). While in Saginaw, he served on the Advisory Board of the St. Mary's Medical Center; he was a member of Boys and Girls Club Board of Trustees and was the immediate Past Chairman of the Saginaw County Crime Prevention Council.

Once again, I applaud the efforts of Director Golden and ask all my colleagues to join me in recognizing his steadfast commitment to serving our community.

INTRODUCTION OF THE CHARITABLE CONTRIBUTIONS GROWTH ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CRANE. Mr. Speaker, today I am introducing legislation to help our charitable organizations and promote fairness in our tax code by encouraging charitable giving. This is one of three bills I am introducing today to correct certain peculiarities in the tax code that discourage charitable giving.

Many taxpayers today contribute to charitable organizations out of the goodness of their hearts and in the expectation that they will not be subject to federal income tax on their gifts. However, in some cases taxpayers suffer a reduction in the amount of their charitable deductions. For example, under current law itemizing taxpayers with incomes above a certain threshold ($128,950 this year for a married couple filing jointly) suffer a phase-down in the total amount of charitable contributions they can take. The phase-down is at the rate of 3 percent of their itemized deductions for every $1,000 over the threshold, up to a total in lost deductions of 80 percent. Thus, a taxpayer making a $10,000 contribution and subject to this phase-down could lose up to $8,000 in charitable deduction. This is part of the itemized deduction ''haircut'' administered as part of the 1986 Tax Reform Act.

Obviously, most individuals give to charity because the act of charity is a blessing for both the giver and the receiver. It is hard to imagine the individual who gives for the purpose of getting a tax deduction. Nevertheless, taxes can affect the amount an individual is willing to give. When the tax burden overall increases, individuals have less discretionary income and thus less income to give to charity. And when the effective price of charitable giving rises, which is exactly the consequence of the phase-down in itemized deductions, there is a disincentive to give.

The legislation I am introducing today is very simple. It excludes from the itemized deduction ''haircut'' all qualified charitable contributions. Qualified medical expenses, certain investment interest expense, and deductions for casualty losses already receive this treatment. Certainly charitable contributions should be treated no worse.

This legislation is good social policy because it provides additional, private resources to charitable organizations. It also helps to develop the strength of our social fabric by encouraging more individuals to become involved in their communities through charitable organizations. In many instances, individuals first become involved through financial contributions before applying their personal time, energy, and creativity.

This legislation is also good economic policy because charitable organizations help to build up those on the paths to success while acting as an effective safety net to those in trouble or need. As welfare reform has taught us abundantly, given the right incentives and the proper assistance, almost every individual can evolve from being a ward of society to being a productive member.

And this legislation is sound tax policy. Whether we have an income tax or a consumption tax, one principle remains clear and unchanging. No one should be taxed on property given to someone else.

This legislation is an important step toward increasing the resources of our charitable organizations. I hope my colleagues will join me as co-sponsors. I hope President Bush will endorse this legislation as part of his faith-based program. And I hope it can find its way to his desk this year for his signature.

Charity benefits both the giver and the receiver in like proportions. The act of giving elevates the heart of the giver. The act of receiving elevates the condition of the recipient. Charity is thus a blessed act that should suffer no discouragement from something so mean as the tax code.

BLACK HISTORY MONTH

HON. ADAM SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SCHIFF. Mr. Speaker, as we celebrate Black History Month, I would like to recognize several African American leaders from my district in California: Loretta Glickman Hillson, Ruby McKnight Williams and Ralph Riddle.

Loretta Glickman Hillson began her political career in the 1960s as President of the Human Relations Committee at Pasadena City College. As President of this organization, she led the fight to ensure equal access for all in the Rose Queen tryouts sponsored by the Tournament of Roses Association. Subsequently in 1978, Hillson became the first African American woman to become a member of the Tournament of Roses Association.

In 1977, Hillson became the first African American woman to be elected to the Pasadena City Council. After serving three years on the City Council, Hillson then became Pasadena's first African American vice-mayor. In 1982, Hillson won a momentous victory in the Pasadena mayoral election, once again breaking the color barrier by becoming the first African American woman to become Mayor of Pasadena. Hillson's selection as Mayor also marked the first time in the history of the United States, that a black woman became Mayor of a city with a population over 100,000. During her political career in Pasadena, Hillson was successful in making local government more accessible to residents in black neighborhoods, resulting in increased political activism and heightened interest in civil affairs among the black community.

Prior to beginning her political career, Hillson sang professionally with the New Christy Minstrels. She also spent several years as a choir director, English teacher and investment counselor. She is currently living in Lubbock, Texas with her husband Reverend William B. Hillson, whom she married in 1991. Hillson's career paved the road for a more equal and representative government in Pasadena. Her strength and character will continue to be admired by generations to come.

Although Loretta Hillson certainly faced opposition and adversity during her tenure in city politics, many civil rights leaders of the past are responsible for the opportunities which African Americans like Hillson have enjoyed.

Rudy McKnight Williams is one of those leaders whose undaunting courage helped shape the society we live in today. Williams was born in 1894 in Topeka, Kansas, and as a young adult moved to California just as the Depression swept the nation. As a single woman in 1930, Williams had moved to California with the hope of becoming a kindergarten teacher as she had been in Topeka. Yet, the Pasadena school district denied employment to Williams because of her race. Although she faced an extremely segregated community with discriminatory laws, Williams refused to let her dreams be destroyed by racism and prejudice. Leaving her teaching career behind, Williams became a founding member of the Pasadena branch of the NAACP. She became a leader of the Civil Rights Movement in Southern California, petitioning for municipal and school employment, home ownership and access to public swimming pools for African Americans.

In addition to her work with the NAACP, Williams also volunteered with the League of Women Voters, and served as Commission Chairman of the Pasadena Recreation Commission. She was also President of the Tuesday Morning Club, The Women's Democratic Club, and the Interracial Women's Club. Yet, her greatest service was to the NAACP where she served for over 65 years, including two terms as President in 1959 and from 1969–1982. In addition, Williams served for six years as an advisor to the NAACP National Youth Work Committee. During Williams' leadership in the NAACP, the Pasadena branch backed two precedent-setting school integration cases in which Williams visited the U.S. Supreme Court to witness the decisions. Mrs. Williams was also involved in other organizations, including Co-Op Village, Citizens Urban Renewal Advisory Committee, Pasadena Head Start, and the Pasadena Commission on Human Needs and Opportunities. Williams remained active with the NAACP as President Emeritus of the NAACP Executive Board until her death in 1999.

Williams contributed much to the spirit of Pasadena. Her community activism and work with our youth will be sorely missed. Yet, Williams' legacy lives on as Pasadena pays her tribute in an annual awards banquet in her name honoring those who exhibit excellence in community service.

In addition to Loretta Glickman Hillson and Ruby McKnight Williams, I would like to honor Ralph Riddle, another Pasadena community leader who assisted in changing the Pasadena Police Department. Ralph Riddle was born on June 9, 1916 in Pasadena, California. He attended Pasadena High School and then completed his university education in Arizona. In 1942, Ralph joined the military and spent four years as an Army Sergeant stationed throughout the world. After returning to Pasadena, Riddle joined the Pasadena Police Department on November 12, 1946, becoming the first African American police officer in the history of the Pasadena Police Department.

Although Riddle was assigned to various units within the Pasadena Police Department, his first love was community relations. Prior to the late 1960s, the Pasadena Police Department was without a community relations department. Under the leadership of Police Chief Bob McGowan, Riddle helped establish a community relations department and was subsequently chosen to lead the unit. In this position, Riddle acted as a liaison between the Pasadena Police Department and the African American community. He remained in this position until 1974, when he retired from the Pasadena Police Department and became the Pasadena City College security chief until the early 1980s. In addition to Riddle's community service efforts, he volunteered extensively with the Pasadena NAACP.

Although Mr. Riddle passed away in January of 1990, his life continues to touch the Pasadena community through his shining example and through the career of his daughter-in-law, Lt. Phlunte Riddle, the first African American Sergeant and First African American Lieutenant in the history of the Pasadena Police Department.

Mr. Speaker, I am pleased to participate in Black History Month as well as to pay tribute to Loretta Glickman Hillson, Ruby McKnight Williams and Ralph Riddle. I am extremely proud of the rich history in my district and of the leadership, humanity, and compassion exhibited by Mrs. Hillson, Mrs. Williams and Mr. Riddle. In closing, I would like to wish Loretta and Reverend Hillson the very best. To the family of Ruby McKnight Williams and Ralph Riddle, a grateful community gives thanks that both Ruby's and Ralph's lives touched so many. And to Lt. Phlunte Riddle, I wish you the very best in all your endeavors.

BLACK HISTORY MONTH

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CANTOR. Mr. Speaker, February is a national celebration of the role of black Americans in all segments of life in the United States. It is a time to celebrate the achievement of blacks in every field from science and the arts to government and politics. February gives us a chance to reflect on how much black Americans have contributed to America and an opportunity to learn from the past in order to look confidently toward the future. Black history in the United States has been a proving ground for America's ideals and this month we celebrate our nation's diversity.

The story of black Americans is one of valor in the face of hardship. Because of the struggles they have endured, we have become better people. Through their sacrifice, we have become a better nation. All Americans must be reminded of their undying dedication to the ideals of freedom and liberty upon which our nation was founded. Their progress throughout American history is a true testament to the reality of the American dream.

Understanding our past allows us to pursue a bright future as a diverse, but united nation. For this reason, I commend the deserved attention February brings to African-Americans who have shaped our history and who will be an integral part of our destiny. I seek the day when the tragic side of the black legacy in America can be laid to rest once and for all and applaud black Americans for their tremendous contributions to the history of our great nation.

CENTRAL NEW JERSEY RECOGNIZES LARRY A. SHEFFIELD FOR HIS SERVICE TO OUR COMMUNITY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HOLT. Mr. Speaker, today I recognize Larry Sheffield for his ongoing dedication to serving the diverse needs of Central New Jersey. I join with the Metropolitan Trenton African American Chamber of Commerce in recognizing the achievements Larry has made fighting prejudice as an active member of his community and a positive contributor to our society.

Mr. Sheffield is the President and CEO of Universal Consulting Group, Inc., a management consulting firm specializing in emerging, growth and ethnic markets. Prior to establishing the consulting group, Mr. Sheffield was responsible for managing practices in the New Jersey office of Goodrich and Sherwood.

Throughout his distinguished career, Larry Sheffield has been a tireless advocate for Central New Jersey's diverse communities. Mr. Sheffield is an active member in many local professional and community organizations. Larry's achievements have won him praise from such organizations as the Jaycee's, the Harlem YMCA and the Boys Club of America.

Once again, I applaud the efforts of Larry Sheffield and ask my colleagues to join me in recognizing his steadfast commitment to serving our community.

IN SUPPORT OF THE CHARITABLE GIVING TAX RELIEF ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. CRANE. Mr. Speaker, today I am introducing legislation entitled the ''Charitable Giving Relief Act''. This is one of three bills I am introducing today to correct certain anomalies in the tax code that discourage charitable giving.

Specifically, this bill will allow nonitemizers to deduct 100 percent of any charitable contributions up to the amount of the standard deduction. Under current law, while nonitemizers receive the standard deduction, only itemizers can take a deduction for their charitable contributions.

Non-itemizers are predominantly low- and middle-income taxpayers who as a group give generously to charitable causes. However,

lacking a specific deduction for their charitable contributions, there can be no question that they face a disincentive to making charitable contributions relative to itemizers, who tend to be upper-middle income and upper-income taxpayers. This certainly appears unfair. But, more importantly, it means charitable organizations supported predominantly by lower-income individuals are even more strapped for financial support than they need be. For example, churches serving lower-income communities have fewer resources to address the needs of their congregations as a result of this disincentive.

I introduced similar legislation in the 106th Congress, and 149 Members signed on as cosponsors. I have made two important changes to last year's bill, however. First, taxpayers would now be able to deduct the full amount of their contribution, rather than only half And, second, to prevent certain individuals from gaming the system I limit the amount a nonitemizer can take to the amount of the standard deduction.

Along with the two other bills I am introducing today preserving the charitable deduction against the itemized deduction phasedown and allowing IRA rollovers to charity, we have an excellent opportunity to advance sound tax policy and sound social policy by returning to our Nation's historical emphasis on private activities and personal involvement in the well-being of our communities. These bills will significantly increase the resources available to our charitable organizations.

Charity benefits both the giver and the receiver in like proportions. The act of giving elevates the heart of the giver. The act of receiving elevates the condition of the recipient. Charity is thus a blessed act that should suffer no discouragement from something so mean as the tax code.

A TRIBUTE TO MR. H. LEE DIXSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. LEWIS of California. Mr. President, today I recognize an outstanding civil servant, Mr. H. Lee Dixson, who has served with distinction for the past seven years for the Secretary of the Navy as the Assistant Deputy Commandant for Programs and Resources under the Commandant of the Marine Corps and as the Fiscal Director of the Marine Corps. It is a privilege for me to recognize his many outstanding achievements in this capacity and to commend him for a career spanning more than 35 years of superb service to the Department of the Navy, the Congress, and our great Nation as a whole.

During his tenure as Assistant Deputy Commandant for Programs and Resources and as Fiscal Director, which began in March 1994, Mr. Dixson has provided Members of the Senate Appropriations Committee, as well as our professional and personal staffs with timely and accurate support regarding United States Marine Corps plans, programs and budget decisions. His valuable contributions have enabled the committee, the Department of the Navy and the Marine Corps to strengthen their close working relationship and to ensure that the most modern, well-trained and well-equipped Marine forces are attained for the defense of our great Nation.

Mr. President, Lee Dixson and his wife, Carolyn, have made many sacrifices during his career, and as they embark on the next great adventure beyond their beloved Marine Corps, I call upon my colleagues to wish him every success and to thank him for his long, distinguished and ever-faithful service to God, country and the Department of the Navy. Semper Fidelis.

BRISTOL-MYERS SQUIBB COMPANY ABUSE OF AVERAGE WHOLESALE PRICE SYSTEM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. STARK. Mr. Speaker, I have recently sent the following letter to Bristol Myers Squibb highlighting the extent to which this company has been inflating its drug prices and engaging in other deceptive business practices.

The evidence provided shows that Bristol-Myers Squibb Co. has knowingly and deliberately inflated their representation of the average wholesale price (''AWP'') which is utilized by the Medicare and Medicaid programs in establishing drug reimbursements to providers.

In doing so, Bristol-Myers Squibb Co. is abusing the public trust, endangering patients by affecting physician prescribing practices, and exploiting America's seniors and disabled who are forced to pay 20 percent of these inflated drug costs. And American taxpayers are picking up the rest of the tab.

To help bring an end to these harmful, misleading practices, I have called on the FDA to conduct a full investigation into such business practices.

These practices must stop and these companies must return the money to the public that is owed because of their abusive practices.

I submit the following letter to Bristol-Myers Squibb Co. to the CONGRESSIONAL RECORD.

February 22, 2001.

Mr. PETER DOLAN,
President, Bristol-Myers Squibb Co., New York, NY.

DEAR MR. DOLAN: Ongoing Congressional investigations have uncovered compelling evidence that Bristol-Myers Squibb (''Bristol'') has for many years deliberately overstated the prices of some of its prescription drugs in order to cause the Medicare and Medicaid programs to pay inflated amounts to Bristol's customers. Bristol's participation in this scheme is costing American taxpayers billions of dollars in excessive drug costs and is jeopardizing the public's health safety and welfare. Bristol touts itself as ''America's Most Admired Pharmaceutical Company'' and says it is 11 out of 1,025 companies measured for ''social responsibility''. Yet, I think it is outrageous that your company would falsely inflate prices at a time when Medicare and the states' Medicaid Programs battle the crisis of spiraling prescription drug prices.

The price manipulation scheme is executed through Bristol's falsely inflated representations of average wholesale price (''AWP''), direct price (''DP'') and wholesaler acquisition cost (''WAC''), which are utilized by Medicare, Medicaid and most private third party payers in establishing drug reimbursements to providers. The difference between the inflated representations of AWP, DP and WAC versus the true prices that providers are paying is regularly referred to in your industry as ''the spread''.

Bristol has control over the AWP's, DP's and WAC's published for its drugs and directs national publishers to change their prices. An internal Bristol document directing a national publisher of drug prices to increase all of Bristol's AWPs for oncology drugs by multiplying Bristol's supplied direct prices by a 25% factor rather than the previous 20.5% factor. A variance of 16% to 20% between direct drug prices and AWPs represents a range that would more than generously cover inventory costs, normal price variances and any reasonable mark-up on oncology drugs occurring in the wholesale marketplace [Bristol sold the vast majority of its infusion oncology drugs directly to oncologists through its wholly owned OTN subsidiary, and while OTN did not mark up drug prices or at any time own the drugs, it was instead paid a commission directly from Bristol without the occurrence of any significant mark-ups at the wholesale level]. None of the 4.5% price increase was intended to provide more revenues to Bristol or enable wholesalers to charge higher prices to oncologist. There were no significant price markups at the wholesale level. Instead, the increase in the AWP created a spread that, in itself, provided a financial kickback to oncologists for prescribing Bristol's cancer drugs.

Since the additional 4.5% orchestrated by Bristol in 1992, the Medicare Program has needlessly paid more than an estimated $60 million dollars for just two of Bristol's cancer drugs-this taxpayer abuse does not even account for additional Medicare beneficiary co-payments. To add insult to injury, one of the drugs Taxol (Paclitaxel) was significantly developed with taxpayer funds by the National Institute of Health.

A similar AWP increase by Glaxo drew the following objection from its competitor, Smith Kline Beecham: In an apparent effort to increase reimbursement to physicians and clinics, effective 1/10/95, Glaxo increased AWP for Zofran by 8.5% while simultaneously fully discounting this increase to physicians . . . The net effect of these adjustments is to increase the amount of reimbursement available to physicians from Medicare and other third party payors whose reimbursement is based on AWP. Since the net price paid to Glaxo for the non-hospital sales of the Zofran multi-dose vial is actually lower, it does not appear that the increase in AWP was designed to increase revenue per unit to Glaxo. Absent any other tenable explanation, this adjustment appears to reflect an intent to induce physicians to purchase Zofran based on the opportunity to receive increased reimbursement from Medicare and other third party payors. In fact, we have had numerous verbal reports from the field concerning Glaxo representatives who are now selling Zofran based on the opportunity for physicians to receive a higher reimbursement from Medicare and other third-party payors while the cost to the physician of Zofran has not changed.

The evidence clearly shows that Bristol has intentionally reported inflated prices and engaged in other improper business practices in order to cause its customers to receive windfall profits from Medicare and Medicaid when submitting claims for certain drugs. The evidence further reveals that Bristol manipulated prices for the express purpose of expanding sales and increasing market share of certain drugs where the arranging of a financial benefit or inducement

would influence the decisions of healthcare providers submitting the Medicare and Medicaid claims. Indeed, Bristol did not falsify published prices in connection with other drugs, where sales and market penetration strategies did not include the arranging of such financial ''kickbacks'' to the healthcare provider.

In the case of the drugs for which Bristol sought to arrange a financial kickback at the expense of the government programs, the manipulated discrepancies between your company's falsely inflated AWP's and DP's versus their true costs are staggering. For example, in the 2000 edition of the Red Book, Bristol reported an AWP of $1296.64 for one 20mg/ml, 50ml vial of Vepesid (Etoposide) for injection [NDC #00015-3062-20], while Bristol was actually offering to sell the exact same drug to Innovatix members (a

In addition to Bristol's unconscionable price manipulation of Vepesid, I am also concerned about Bristol's newer drug Etopophos. As the following excerpts from Bristol's own documents reveal, Bristol's earlier participation in the false price manipulation scheme with respect to Etoposide (Vepesid) interfered with physicians medical decisions to use Etopophos:

''The Etopophos product profile is significantly superior to that of etoposide injection . . .''.

''Currently, physician practices can take advantage of the growing disparity between VePesid's [name brand for Etoposidel list price (and, subsequently, the Average Wholesale Price [AWPI] and the actual acquisition cost when obtaining reimbursement for etoposide purchases. If the acquisition price of Etopophos is close to the list price, the physician's financial incentive for selecting the brand is largely diminished''.

Bristol thus acknowledges that financial inducements influence the professional judgment of physicians and other healthcare providers. Bristol's strategy of increasing the sales of its drugs by enriching, with taxpayer dollars, the physicians and others who administer drugs is reprehensible and a blatant abuse of the privileges that Bristol enjoys as a major pharmaceutical manufacturer in the United States.

Physicians should be free to choose drugs based on what is medically best for their patient. Inflated price reports should not be used to financially induce physicians to administer Bristol's'drugs. Bristol's conduct, in conjunction with other drug companies, has cost the taxpayers billions of dollars and serves as a corruptive influence on the exercise of independent medical judgment.

Bristol employed a number of other financial inducements to stimulate the sales of its drugs at the expense of the Medicare and Medicaid Programs that were concealed from the Government. Such inducements included volume discounts, rebates, off invoice pricing and free goods designed to lower the net cost to the purchaser while concealing the actual cost of the drug from reimbursement officials. Bristol provided free Etopophos to Drs. Lessner and Troner in exchange for the Miami oncologist's agreement to purchase other Bristol cancer drugs. This arrangement had the effect of lowering the net cost of the cancer drugs to the oncologist and creating an even greater spread than would already result from the invoiced prices. The value of the free goods is often significant: Similarly, other exhibits show that Bristol provided free Cytogards in order to create a lower than invoice cost to physicians that purchased other cancer drugs through the Oncology Therapeutic Network.

It is important to note that the above free good examples created financial incentives to the physicians that were over and above the spread created by the difference between Bristol's reported prices and regular prices provided to the market.

Bristol's price manipulation scheme was directed at both the Medicare and Medicaid Programs. Bristol commonly reported prices directly to Medicare carriers as well as State Medicaid Programs. Exhibit 8, attached hereto, contains examples of Bristol's price reports that were routinely directed to State Medicaid Programs and Medicare carriers through Western Union Mailgrams.

This scheme is further illustrated by Bristol's fraudulent price representations about its drug Blenoxane. Bristol's AWP fraud with respect to Blenoxane is clearly demonstrated in Composite Exhibit 9, attached hereto, which consists of invoices relating to sales of the drug by Oncology Therapeutic Network to Jeffery N. Paonessa, MD, an oncologist practicing in St. Petersburg, Florida. In 1995, Bristol caused an AWP to be published of $276.29 when it sold Blenoxane to Dr. Paonessa for $224.22. In 1996, Bristol increased its reports of AWP to $291.49, while continuing to sell the drug to Dr. Paonessa for $224.27. In 1997, Bristol falsely reported that it had increased its AWP to $304.60 when, in reality, it lowered the price to oncologists as reflected by its price to Dr. Paonessa of $155.00. In 1998, Bristol again reported a false AWP of $304.60 while reducing its price to oncologists as reflected by the $140.00 price to Dr. Paonessa. The following chart summarizes this information:

Blenoxane 15—NDC#00015–3010–20

Year	Red Book AWP	Price to Florida oncologist	Spread
1995	$276.29	$224.22	$52.07
1996	291.49	224.22	67.27
1997	304.60	155.00	149.60
1998	304.60	140.00	164.60

It is essential that the Health Care Financing Administration (''HCFA'') and other government reimbursement authorities receive truthful and accurate information from Bristol regarding drugs for which the government reimburses. The evidence uncovered by the Congressional investigations to date seems to reveal a conscious, concerted and successful effort by Bristol to actively mislead HCFA and others about the price of their drugs. I have forwarded this matter to the Department of Justice and request that Bristol's conduct be investigated under the Anti-Kickback and Prescription Drug Marketing Statutes.

Bristol's price manipulation has already caused the Medicare and Medicaid Programs unconscionable damage. The inflation index for prescription drugs continues to rise at a rate of more than twice that of the consumer price index. The American taxpayer, Congress and the press are being told that these increases are justified by the cost of developing new pharmaceutical products. Bristol and several other manufacturers are clearly exploiting the upward spiral in drug prices by falsely reporting that prices for some drugs are rising when they are in truth and in fact failing. This fraudulent price manipulation cannot be permitted to continue. I urge Bristol to immediately examine its corporate conscience, correct its behavior and make amends for the injuries it has caused government programs to date. It is time to earn your claims for social responsibility.

Please share this letter with your Board of Directors and in particular with the Board's Corporate Integrity Committee.

Sincerely,

PETE STARK,
Ranking Member.

BLACK HISTORY MONTH

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. BOYD. Mr. Speaker, the month of February is known as ''Black History Month.'' It celebrates, not only the black race, but also the spirit and contributions of African-American culture.

The beauty and strength of America is rooted in her people. Each ethnicity contributes to the diverse patchwork that is our nation. I find it particularly important that we recognize the history of black Americans during the month of February. From the egregious stories of abduction that brought so many ancestors to this nation, to Jackie Robinson tearing down the barriers of color in Major League Baseball, the story of black America, with its' highs and lows, is one that should be revived and remembered.

As Black History Month in the year 2001 comes to a close, I embrace the future with a stronger knowledge of the past and look forward to the day Dr. Martin Luther King dreamed of ''when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to Join hands and sing in the words of the old Negro spiritual, 'Free at last! Free at last! Thank God almighty, we are free at last!' ''

CENTRAL NEW JERSEY RECOGNIZES DEFOREST B. SOARIES, JR. FOR HIS SERVICE TO OUR COMMUNITY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. HOLT. Mr. Speaker, today I recognize Rev. Dr. DeForest B. Soaries, Jr., and his ongoing dedication to serving the needs of families throughout New Jersey. I join with the Metropolitan Trenton African American Chamber of Commerce in recognizing the many contributions he has made working to address the growing needs of our diverse community.

On January 12, 1999, Governor Christine Todd Whitman presented Rev. Soaries as New Jersey's Secretary of State. Secretary Soaries has since brought new energy to the Department of State and its mission to preserve and promote the story of New Jersey and its citizenry. With his broad experience and extensive abilities, Secretary Soaries oversees one of the leading departments of state government.

In his official capacity, Secretary Soaries oversees the Department of State's operating agencies consisting of the New Jersey State Museum; New Jersey Martin Luther King, Jr., Commission; and the Governor's Office of Volunteerism to name a few. Additionally, Secretary Soaries was charged with advancing a number of Governor Whitman's quality of life programs.

Secretary Soaries is an ordained minister and presently serves as the senior pastor of the very active First Baptist Church of Lincoln Gardens. Since joining the leadership of First Baptist, Secretary Soaries has worked to increase the congregation's membership. Secretary Soaries has aided in the development

of a number of economic, spiritual, and educational programs for church members and local residents.

Once again, I applaud the many ongoing contributions to our community made by New Jersey's Secretary of State DeForest Soaries and ask all my colleagues to join me in recognizing these commitments.

DISTINGUISHED DIRECTOR'S AWARD

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. LIPINSKI. Mr. Speaker, today I personally extend my warmest congratulations to United States Marshal James L. Whigham and the honorable men and women of the Northern District of Illinois' United States Marshals Service.

On February 28, 2001, Marshal James L. Whigham accepted the prestigious 2000 Director's Distinguished District Award on behalf of the Northern District of Illinois' United States Marshals Service. The outstanding achievements of Marshal James L. Whigham and the men and women of the Northern District have brought great pride to my district, and I commend their dedication and commitment to their service.

It is a great achievement and honor to be distinguished among the other United States Marshals Service districts. This honor has truly shown the strong leadership and exemplary performance of the United States Marshals in the Northern District of Illinois.

I am very proud of United States Marshal James L. Whigham and the men and women of the Northern District of Illinois. I wish them the best of luck in their future service to our community.

PERSONAL EXPLANATION

HON. DENNIS REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. REHBERG. Mr. Speaker, I was unavoidably detained due to travel delays and was not able to cast a vote on rollcall No. 16. Mr. Speaker, had I been present and not unavoidably delayed I would have voted ''yea'' on this important House Concurrent Resolution.

IN MEMORY OF CLARENCE MARVIN BLACKMAN, SR.

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. ETHERIDGE. Mr. Speaker, today I honor the life of Clarence Marvin Blackman, Sr. of Benson, North Carolina, who died December 20, 2000. In his passing, Benson lost one of its most outstanding citizens and a man who was instrumental in growing the town to its present state. He was the kind of citizen who had the best interest of his community in mind before he made any decision.

As one of his friends put it, ''If anything good happened in Benson, it was a safe bet that C.M. Blackman would be one of the people behind it.''

Born in Johnston County, Blackman was the son of the late Frank and Callie Altman Blackman. He came to Benson in 1934 to open a farm supply and grocery store with Alton Massengill. He later bought out his partner and in subsequent years added an insurance agency to the business he already owned. In 1950, Blackman and four other Benson men founded the Benson Livestock Market, putting a market in easy reach of the hundreds of farmers in Harnett and Johnston counties.

A man of great energy and widespread interests, Blackman served as a town commissioner for 29 years and was mayor from 1955 to 1959. He was named Citizen of the Year in 1962 and was a charter member of the Benson Lions and the Benson Businessman's Club, which later became the Benson Area Chamber of Commerce. He was also a member of the Benson Junior Order.

After being appointed to the Board of Directors of the Benson Annual Sing in the early 1940's, Blackman served as assistant manager. He also served as announcer for the competitions.

Blackman loved his family and friends and business associates. He hosted a Christmas breakfast for them every year for 31 years. In 1999, the breakfast was named in his honor as the Annual C.M. Blackman Christmas Breakfast.

Blackman's survivors include his wife, Pernella Massengill Blackman; a daughter, Jackie B. Smith of Fayetteville; two sons, C.M. Blackman, Jr., of Raleigh and Danny Blackman of Dunn; six grandchildren and eight great-grandchildren.

Mr. Speaker, C.M. Blackman, Sr. used every minute of his long and productive life to make the world a better place. He was a respected and successful businessman, a dedicated public servant, and a great North Carolinian. It is fitting that we honor him and his family today.

INTRODUCTION OF A BILL TO REPEAL THE 2-PERCENT EXCISE TAX ON PRIVATE FOUNDATIONS

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. STEARNS. Mr. Speaker, the United States is blessed with a deep spirit of philanthropy. Charitable organizations serve the interests of both the individual and the community. Private foundations, in particular, have made a measurable difference in the lives of Americans. From access to public libraries, developing the polio vaccine, and even leading in the creation of Emergency 911, each and every American has experienced the benefits of the tireless efforts of these foundations.

Currently, there are approximately 47,000 foundations in the United States. In 1998, foundations gave away an estimated $22 billion in grants. These foundations were also forced to give the Federal Government a grant of $500 million in 1999.

Under current law, nonprofit private foundations generally must pay a 2-percent excise tax on their net investment income. This requirement was originally enacted in the Tax Reform Act of 1969 as a way to offset the cost of Government audits of these organizations. However, since 1990, the number of IRS audits on private foundations has decreased from 1200 to 191. Yet, excise collections have grown from $204.3 million in 1990 to $499.6 million in 1999.

In addition, private foundations are bound by a 5-percent distribution rule. Foundations must make annual qualifying distributions for charitable purposes equal to roughly 5-percent of the fair market value of the foundation's net investment assets. The required 2-percent excise tax—payable to the IRS—actually counts as a credit to the 5-percent distribution rule.

So, what we have is a private foundation making a charitable grant to the Federal Government every year. Now, the last time I looked, the Federal Government was not in any dire need of charitable contributions. In fact, in the next 10 years, the Federal budget surplus is projected to be $5.7 trillion. In 2002 alone, we are projected to have a $231 billion surplus. Therefore, I believe that Americans have been more than ''charitable'' in giving the Government their hard-earned dollars. It is time that we begin the process of returning that money to the people.

President Bush is working to accomplish that goal with his reduction in tax rates, and allowing for the increased use of charitable deductions and credits. My bill goes one step further, it gives those charitable organizations relief from wasting $500 million on the Federal Government and, instead, giving the money to those who truly need it.

I would also like to emphasize that former President Clinton proposed a reduction in the excise tax in his fiscal year 2001 budget. The Treasury Department noted, ''Lowering the excise tax rate for all foundations would make additional funds available for charitable purposes.'' Common sense dictates that the elimination of this tax would spur additional charitable giving.

I want to thank Congressman CRANE for his support on this bill and ask our colleagues to lend their support as well.

VETERANS' OPPORTUNITIES ACT OF 2001

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SMITH of New Jersey. Mr. Speaker, as Chairman of the Committee on Veterans' Affairs, today I am introducing on behalf of Mr. Evans, Mr. Hayworth, Mr. Reyes and myself the Veterans' Opportunities Act of 2001. This measure would make a number of needed improvements to VA benefits and services including memorial affairs, life insurance, the means-tested pension program, automobile and adaptive equipment and specially adapted housing for seriously disabled veterans. Five different transition and outreach services to servicemembers, veterans, and disabled veterans and their dependents are included in the bill, as well as provisions affecting various veterans' educational assistance programs.

My colleagues and I have also consulted with Armed Services Committee Chairman BOB STUMP and Ranking Democratic Member IKE SKELTON to make certain time-sensitive technical amendments to certain servicemembers' and veterans' education provisions in current law.

Mr. Speaker, veterans' benefits and services indeed are ''earned opportunities.'' They are earned through selfless and often hazardous service to our nation, during war and peace alike. Doing right by America's sons and daughters who have worn the military uniform is firmly ingrained in our national values, our national pride, and our sense of moral responsibility. On behalf of my fellow original cosponsors, I would like to highlight just a few of the 17 provisions in the bill.

Sadly, our nation loses about 1,500 World War II veterans each week. The Department of Veterans Affairs projects that the current death rate for our veterans will continue to increase, peaking in 2008. Our bill would increase the burial and funeral expenses for veterans whose death is service-connected from $1,500 to $2,000; increase burial and funeral expenses for veterans with nonservice-connected disabilities from $300 to $500; and increase the burial plot allowance from $150 to $300. The amount payable for these benefits has remained constant for many years in spite of inflation. The purchasing power associated with these provisions still is limited and I consider these provisions as a starting point for further improvements. I note that VA continues to maintain some 119 veterans cemeteries and 26 States participate in VA's State Cemetery Grants program. Both of these programs provide a final resting place for our veterans, and are separate and independent from the burial benefits in this bill.

Mr. Speaker, VA provides certain severely disabled veterans with grants for the purchase of automobiles or other conveyances. The grant also provides for adaptive equipment necessary for safe operation of these vehicles. Our bill would increase the amount of assistance for automobile and adaptive equipment for severely disabled veterans from $8,000, which Congress established in October 1998, to $9,000. Veterans eligible for the automobile allowance are among the most seriously disabled. I have a deep respect for them. Prior to the 1998 increase, Congress had not adjusted the grant since 1988. We need to ensure that seriously disabled veterans have the opportunity to participate in the everyday freedoms sustained by their service. We owe them nothing less and they ask for nothing more.

VA provides a one-time specially adapted housing grant of up to $43,000 to veterans with service-connected disabilities consisting of certain combinations of loss or loss of use of extremities and blindness or other organic diseases or injuries. Veterans with service-connected blindness alone or with loss or loss of use of both upper extremities may receive a home adaption grant of up to $8,250. Our bill would increase the amount of assistance for specially adapted housing grants for severely disabled veterans from $43,000 to $48,000 and the amount for additional adaptations that may be necessary later in the life of the dwelling from $8,250 to $9,250. I urge my colleagues to support these increases because, unless the amounts of the grants are periodically adjusted, inflation erodes their value and effectiveness.

Whenever we have the opportunity to make our policies family-friendly for Americans who wear the military uniform, I think we should do so. Our bill would extend coverage under the Servicemembers Group Life Insurance program to dependent spouses and children. The amount of coverage for a spouse would not exceed $100,000 and the amount of coverage for each child would be $10,000. The servicemember would not pay premiums on the child's coverage.

Mr. Speaker, I applaud my colleagues LANE EVANS and JERRY MORAN for their efforts on our provision that would revise the rules with respect to the net worth limitation for VA's means-tested pension program. Under our bill, the value of real property owned by the veteran and the veteran's spouse and children would be excluded if such property is used for farming, ranching, or similar agricultural purposes. I believe this provision is a fairer approach to the family farmer who becomes disabled from nonservice connected causes. Further, it would simplify administration of this program.

I appreciate Representatives PASCRELL and DOYLE'S work on our next provisions, which would expand the definition of ''eligible dependent'' for purposes of VA outreach services to mean a spouse, surviving spouse, child, or dependent parent. The bill would require VA to make known through a variety of means such as the Internet, media outlets, and veterans' publications the VA services available, and require VA to provide to the veteran or dependent information concerning benefits and health care services whenever the veteran or dependent first applies for any benefit. My colleagues and I appreciate VA Under Secretary for Benefits Joe Thompson making Ms. Diane Fuller and Mr. Dennis Rhodes available to assist us in drafting this legislation.

Mr. Speaker, the fundamental marker of a successful transition for our servicemembers is timely and suitable employment. The Departments of Labor, Veterans Affairs and Defense operate a Transition Assistance Program, known as ''TAP'' for this and other transition purposes. In its 1999 report to the Veterans' Affairs and Armed Services Committees of the House and the Senate, the bipartisan Congressional Commission on Service members and Transition Assistance made a number of recommendations to improve servicemembers' transition programs and services. The Commission reported that the Department of Defense expects to separate about 238,000 servicemembers annually for the foreseeable future and that during the 10-year period from 1987 to 1997, total unemployment compensation to former servicemembers surpassed $2.9 billion. The Commission also reported that compared with other veterans, Department of Labor Transition Assistance Program participants collected Unemployment Insurance for Ex-Service Members benefits for shorter periods because they found jobs more quickly. About 65 percent of servicemembers are married at the time of transition and many have children.

The issue our bill addresses is one of the timing of the Transition Assistance Program. Although section 1142 of title 10, United States Code, requires the Services to furnish transition assistance no later than 90 days before an individual's separation or retirement, the law does not specify the earliest point at which this service should begin. Transition Assistance Program statistics reveal that the majority of servicemembers are within this three-month window when they first visit a transition office.

The Commission reported that during its visit with servicemembers at military installations in the Continental United States and around the world, servicemembers repeatedly voiced their desire to begin the transition process earlier than 90 days prior to separation—ideally one-year prior for regular separatees and two years prior for retirees. The Commission agreed that this approach gives servicemembers more adequate time to prepare. The Commission's Vice Chairman, G. Kim Wincup, former staff director of the House Armed Services Committee, an Assistant Secretary of the Army during the Persian Gulf War, was the Commission's chief advisor on transition matters. We note the Commission's observation in its report that: ''additionally, it provides commanders flexibility since many servicemembers are deployed during the last six months of their active duty. With additional time, servicemembers could learn the fundamentals of transition and the job search process before deployment and relieve the pressure to compress transition and out processing into the last few weeks.''

This provision in our bill would expand the availability of pre-separation counseling (and Transition Assistance Program assistance for servicemembers) as furnished by the Departments of Defense, Veterans Affairs and Labor to as early as nine months for separatees and 18 months for retirees, but in no event less than 90 days. TAP is so important because often it is the last thing servicemembers remember about their military service and it is what they share with the next generation.

Mr. Speaker, dramatic changes have occurred in both the methods for providing education and in the institutions offering courses over the past several years. As the Transition Commission pointed out, ''postsecondary education is now available on the Internet, through broadcast media and videotape on satellite campuses, and through non-campus programs.'' Our bill would permit veterans to use VA educational assistance benefits for an independent study certificate program offered by an institution of higher learning. I thank the University of Phoenix, Embry-Riddle Aeronautical University, DeAnza Community College, Washington State University and George Washington University for bringing this issue to the Committee's attention.

I strongly urge my colleagues to support this legislation.

INTERNATIONAL TRIBUNAL RULING ON RAPE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Ms. SCHAKOWSKY. Mr. Speaker, I was pleased to hear about the International Criminal Tribunal's conviction of the three Bosnian Serbs for rape, torture, and sexual enslavement of Muslim women during the Bosnian war. I submit into the RECORD the following Washington Post article that appeared on February 23, 2001, which details the outcome of

the verdict. Perhaps most significantly, the judges ruled that mass rape is a crime against humanity, the most serious category of international crimes after genocide.

This is a landmark moment in the struggle for women's rights and in addressing issues of violence against women. For the first time, in the international justice system, sex crimes against women are being specifically identified and punished. In the past, UN war crimes tribunals ignored mass rape and sexual enslavement and considered these crimes to be a natural occurrence in war. Crimes against women like forced prostitution and rape that took place during WWII were never even prosecuted in the international tribunals that followed the war.

Violence against women is unacceptable. We, in the United States, need to recognize the importance of this decision, take it to heart, and make ending violence against women a priority here at home and abroad.

I want to recognize Presiding Judge Florence Mumba for her excellent work in pushing this trial to a just conclusion. It is a milestone decision for women all over the world.

I applaud this decision and hope that we, in Congress, will follow this global legal model and use all of our means and resolve to bring justice and security to the women of our nation and the world.

[From the Washington Post, Feb. 23, 2001]

WATERSHED RULING ON RAPE

SERBS FOUND GUILTY OF 'CRIME AGAINST HUMANITY'

(By Peter Finn)

BERLIN, Feb. 22.—Three Bosnian Serbs were found guilty today by a U.N. war crimes tribunal of the rape, torture and enslavement of Muslim women during the Bosnian war. It was the first time an international court ruled that rape is a ''crime against humanity''

The three men were sentenced to between 12 and 28 yeas in prison for sex crimes committed near the town of Foca, southeast of Sarajevo, in 1992 and 1993, at the height of Bosnia's ethnic conflict. Human rights groups have estimated that tens of thousands of women, mostly Moslems, were raped during the war.

The judges found the three men's crimes to be part of a pattern of violent sexual abuse and intimidation condoned by the wartime Bosnian Serb leadership. ''What the evidence shows is that the rapes were used by members of the Bosnian Serb armed forces as an instrument of terror,'' said Presiding Judge Florence Mumba as she sentenced the men at the International Criminal Tribunal for the former Yugoslavia at the Hague.

Today's decision was also significant for breaking old patterns by which international courts considered rape during war to be some lesser offense, if an offense at all. The decision ''opens a whole new category'' of war crime, said Eugene R. Fidell, of the National Institute of Military Justice, a nonprofit organization in Washington.

During World War II, the Japanese and German armies systematically enslaved thousands of women to serve as prostitutes for their soldiers. Dutch authorities tried Japanese officers who enslaved Dutch nationals, but the international war crimes tribunals that the allies created after the war did not treat the womens enslavement as a war crime, or crime of any kind.

Likewise, international courts have generally not treated as war crimes rape and other sexual violence that soldiers in combat zones commit of their own volition, assuming the soldiers were prosecuted at all.

In today's decision, Dragoljub Kunarac, 40, was sentenced to 28 years on 11 counts, including rape, torture and enslavement as crimes against humanity. Radomir Kovac, 39, was sentenced to 20 years on four counts. And Zoran Vukovic, 45, was sentenced to 12 years after the court dismissed most of the charges against him but convicted him on four counts.

The crimes occurred as Bosnia, formerly a republic of Yugoslavia, was the scene of war between its three main ethnic groups, Serbs, Muslims and Croats.

After Foca, a largely Muslim town, was overrun by Bosnian Serb forces, its mosques were burned and its civilian population rounded up and imprisoned in separate camps for males and females.

Sixteen rape victims and other witnesses testified at the eight-month trial that Serb paramilitary forces entered the women's detention centers and selected women and girls as young as 12 for nightly gang rapes and sexual torture. Many of the women were left with permanent gynecological and physchological damage.

In an impassioned and scathing judgment today, Mumba said, ''Muslim women and girls, mothers and daughters together [were] were robbed of the last vestiges of human dignity.''

''Women and girls [were] treated like chattels, pieces of property at the arbitrary disposal of the Serb occupation forces.''

Lawyers for the convicted men had argued that the women were willing sexual partners.

As Kunarac stood before the three-judge panel, Mumba said, ''You abused and ravaged Muslim women because of their ethnicity, and from among their number, you picked whomsoever you fancied on a given occasion.'' Kunarac briefly bowed his head as his sentence of 28 years was read.

''I remember he was very forceful. He wanted to hurt me,'' one witness testified about Kunarac during the trial. ''But he could never hurt me as much as my soul was hurting me.''

Sentencing Kovac, the court said that it was particularly appalled at his treatment of a 12-year-old-girl, who was identified only as A.B. None of the 16 victims who testified, or other victims, was identified, so as to shield them from further trauma.

A.B., the court said, was ''a helpless little child for whom you showed absolutely no compassion whatsoever, but whom you abused sexually in the same way as the other girls. You finally sold her like an object in the knowledge that this would almost certainly mean further sexual assaults by other men.''

The court noted that eight years later, A.B. has never been heard from.

Sentencing Vukovic to 12 years, the judges found that he raped a 15-year-old girl after threatening her mother with death if she did not tell him where her daughter was hiding. Mumba recalled case after case, summarizing the catalog of horror before she issued the prison terms.

In one instance, she noted, Kunarac ''personally raped Witness FWS–183 and aided and abetter her rape by the two other soldiers by encouraging the other men while they were raping her. You further mocked the victim by telling the other soldiers to wait for their turn while you were raping her, by laughing at her while she was raped by the other soldiers, and finally by saying that she would carry Serb babies and that she would not know the father.''

Noting that the three soldiers were not the masterminds of the war—Bosnia Serb leaders have been indicted but remain fugitives—the court said that ''lawless opportunists should expect no mercy [from the court], no matter how low their position in the chain of command may be.''

Foca now lies in the Serb zone of Bosnia and was renamed Srbinje after the war. There are few Muslims in the town today.

Dirk Ryneveld, the lead prosecutor in the case, welcomed the verdicts and commended ''the bravery of the victims who came forward to tell their stories.''

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001: CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. SENSENBRENNER. Mr. Speaker, on Thursday, March 1, 2001, the House is scheduled to consider H.R. 333, the ''Bankruptcy Abuse Prevention and Consumer Protection Act of 2001.'' On February 15, 2001, the Committee on the Judiciary ordered reported favorably the bill H.R. 333 and the report thereon was filed on February 26, 2001. The Congressional Budget Office (''CBO'') cost estimate, however, was not available for filing on February 26. Therefore, I hereby submit the CBO cost estimate for printing in the CONGRESSIONAL RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 27, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Lanette J. Walker (for federal costs), Erin Whitaker (for the revenue impact), Shelley Finlayson (for the state and local impact), and Paige Piper/Bach (for the private-sector impact).

Sincerely,

BARRY B. ANDERSEN
(for Dan L. Crippen, Director).

Enclosure

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 333—Bankruptcy Abuse Prevention and Consumer Protection Act of 2001

Summary: CBO estimates that implementing H.R. 333 would increase discretionary costs primarily to the U.S. Trustees by $256 million over the 2002–2006 period. At the same time, the bill would slightly increase the fees charged for filing a bankruptcy case, and would change how some of these fees are currently recorded in the budget. We estimate that implementing the bill would increase the amount of bankruptcy fees that are treated as an offset to appropriations by $279 million over the five-year period, resulting in a net decrease in discretionary spending of $23 million over this period.

In addition, CBO estimates that enacting this bill would decrease governmental receipts (revenues) by $260 million over the 2002–2006 period because bankruptcy fees that are currently recorded as revenues would be reclassified as offsetting collections and offsetting receipts. Finally, enactment of H.R. 333 would result in filling additional judgeships, and we estimate that their mandatory pay and benefits would cost $18 million over the next five years. Because the bill would

affect direct spending and governmental receipts, pay-as-you-go procedures would apply. Assuming appropriation of the necessary amounts to implement the bill, CBO estimates that its enactment would reduce budget surpluses by $255 million over the 2001–2006 period.

H.R. 333 contains several intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates the costs would be insignificant and would not exceed the threshold established in that act ($55 million in 2000, adjusted annually for inflation). Overall, CBO expects that enacting this bill would benefit state and local governments by enhancing their ability to collect outstanding obligations in bankruptcy cases.

H.R. 333 would impose private-sector mandates, as defined by UMRA, on bankruptcy attorneys, creditors, bankruptcy petition preparers, debt-relief agencies, and credit and charge-card companies. CBO estimates that the direct costs of these mandates would exceed the annual threshold established by UMRA ($109 million in 2000, adjusted annually for inflation).

Major provisions: In addition to establishing means-testing for determining eligibility for chapter 7 bankruptcy relief, H.R. 333 would:

Require the Executive Office for the United States Trustees (U.S. Trustees) to establish a test program to educate debtors on financial management;

Authorize 23 new temporary judgeships and extend five existing judgeships in 21 federal districts;

Permit courts to waive chapter 7 filing fees and other fees for debtors who could not pay such fees in installments;

Require that at least one of every 250 bankruptcy cases under chapter 13 or chapter 7 be audited by an independent certified public accountant;

Require the Administrative Office of the United States Courts (AOUSC) to receive and maintain tax returns for certain chapter 7 and chapter 13 debtors;

Require the AOUSC and the U.S. Trustees to collect and publish certain statistics on bankruptcy cases; and

Increase chapter 7 and chapter 13 bankruptcy filing fees and change the budgetary treatment of such fees.

Other provisions would make various changes affecting the bankruptcy provisions for municipalities and the treatment of tax liabilities in bankruptcy cases.

Estimated cost to the Federal Government: As shown in the following table, CBO estimates that implementing H.R. 333 would result in a net decrease in discretionary spending of $23 million over the 2002–2006 period, subject to appropriation actions. In addition, we estimate that mandatory spending for the salaries and benefits of bankruptcy judges would increase by less than $500,000 in 2001 and by $18 million over the 2002–2006 period. Enacting the bill's provisions for adjusting filing fees would reduce revenues by $260 million over the next five years. That change in revenues would be more than offset, however, by increased collections to be credited against discretionary spending if future appropriation actions are consistent with the bill. (The estimated net decrease in discretionary spending of $23 million reflects an increase in

	By fiscal year, in millions of dollars					
	2001	2002	2003	2004	2005	2006
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Means-Testing (Section 102)						
Estimated Authorization Level	0	11	10	10	10	9
Estimated Outlays	0	9	10	10	10	9
GAO, SBA, and U.S. Trustees Studies (Sections 103, 230, and 443)						
Estimated Authorization Level	0	1	[1]	0	0	0
Estimated Outlays	0	1	[1]	0	0	0
Debtor Financial Management Training (Section 105)						
Estimated Authorization Level	0	3	1	0	0	0
Estimated Outlays	0	2	1	[1]	0	0
Credit Counseling Certification (Section 106)						
Estimated Authorization Level	0	4	3	3	4	4
Estimated Outlays	0	3	3	3	4	4
Maintenance of Tax Returns (Section 315)						
Estimated Authorization Level	0	1	2	2	2	2
Estimated Outlays	0	1	2	2	2	2
Changes in Bankruptcy Filing Fees (Sections 325 and 418)						
Estimated Authorization Level	0	−51	−59	−59	−55	−55
Estimated Outlays	0	−51	−59	−59	−55	−55
U.S. Trustee Site Visits (Section 439)						
Estimated Authorization Level	0	3	2	2	2	3
Estimated Outlays	0	2	2	2	2	3
Compiling and Publishing Data (Sections 601–602)						
Estimated Authorization Level	0	0	8	8	7	7
Estimated Outlays	0	0	8	8	7	7
Audit Procedures (Section 603)						
Estimated Authorization Level	0	0	14	17	18	19
Estimated Outlays	0	0	14	17	18	19
Additional Judgeships—Support Costs (Section 1224)						
Estimated Authorization Level	[1]	7	13	14	15	14
Estimated Outlays	[1]	7	13	14	15	14
FTC Toll-Free Hotline (Section 1301)						
Estimated Authorization Level	0	2	1	1	1	1
Estimated Outlays	0	2	1	1	1	1
Total Discretionary Changes						
Estimated Budget Authority	[1]	−19	−5	−2	4	4
Estimated Outlays	[1]	−24	−5	−2	4	4
CHANGES IN DIRECT SPENDING						
Additional Judgeships (Section 1224)						
Estimated Budget Authority	[1]	2	4	4	4	4
Estimated Outlays	[1]	2	4	4	4	4
CHANGES IN REVENUES						
Changes in Revenue from Filing Fees						
Estimated Revenues	0	−45	−53	−54	−54	−54

[1] Less than $500,000.
Note: GAO = General Accounting Office.
SBA = Small Business Administration.
FTC = Federal Trade Commission.

Basis of Estimate: For purposes of this estimate, CBO assumes that H.R. 333 will be enacted during the third quarter of fiscal year 2001 and that the amounts necessary to implement the bill will be appropriated for each fiscal year.

Spending subject to appropriation

Most of the estimated increases in discretionary spending would be required to fund the additional workload that would be imposed on the U.S. Trustees. These increases would be more than offset by changes in bankruptcy filing fees that would be recorded as offsetting collections under the bill. CBO estimates that implementing H.R. 333 would result in a net reduction in discretionary costs of $23 million over the 2002–2006 period.

Means-Testing (Section 102). This section would establish a system of means-testing for determining a debtor's eligibility for relief under chapter 7. Under the means test, if the amount of debtor income remaining after certain expenses and other specified amounts are deducted from the debtor's current monthly income exceeds the threshold specified in section 102, then the debtor would be presumed ineligible for chapter 7 relief. A debtor who could not demonstrate ''extraordinary circumstances,'' which would cause the expected disposable income to fall below the threshold, could file under other chapters of the bankruptcy code.

Although the private trustees would be responsible for conducting the initial review of a debtor's income and expenses and filing the majority of motions for dismissal or conversion, CBO expects that the workload of the U.S. Trustees would increase under the means-testing provision. The U.S. Trustees would provide increased oversight of the work performed by the private trustees, file

additional motions for dismissal or conversion, and take part in additional litigation that is expected to occur as the courts and debtors debate allowable expenses and other related issues. Although CBO cannot predict the amount of such litigation, we expect that, during the first few years following enactment of the bill, the amount of litigation could be significant, as parties test the new law's standards. In subsequent years, litigation could begin to subside as precedents are established. Based on information from the U.S. Trustees, CBO estimates that the U.S. Trustees would require 115 additional attorneys, paralegals, and analysts to address the increased workload. As a result, CBO estimates that implementing this provision would cost $48 million over the next five years.

General Accounting Office (GAO), Small Business Administration (SBA), and U.S. Trustees Studies (Sections 103, 230, and 443). Section 103 would require the U.S. Trustees to conduct a study regarding the use of Internal Revenue Service expense standards for determining a debtor's current monthly expenses and the impact of these standards on debtors and bankruptcy courts. Section 230 would require GAO to conduct a study regarding the feasibility of requiring trustees to provide the Office of Child Support Enforcement information about outstanding child support obligations of debtors. Section 443 would require the Administrator of SBA, in consultation with the Attorney General, the U.S. Trustees, and the AOUSC, to conduct a study on small business bankruptcy issues. Based on information from U.S. Trustees, GAO, SBA, CBO estimates that completing the necessary studies would cost up to $1 million in 2002, and less than $500,000 in 2003.

Debtor Financial Management Test Training Program (Section 105). This section would require the U.S. Trustees to establish a test training program to educate debtors on financial management. The test training program would be authorized for six judicial districts over an 18-month period. Based on information from the U.S. Trustees, CBO estimates that about 90,000 debtors would participate if such a program were administered by the U.S. Trustees in fiscal years 2002 and 2003. At a projected cost of about $40 per debtor, CBO estimates that this provision would cost $4 million over the 2002–2004 period.

Credit Counseling Certification (Section 106). This section would require the U.S. Trustees to certify, on an annual basis, that certain credit counseling services could provide adequate services to potential debtors. Based on information from the U.S. Trustees, CBO estimates that the U.S. Trustees would require additional attorneys and analysts to handle the greater workload associated with certification. CBO estimates that enacting this provision would cost $17 million over the next five years.

Maintenance of Tax Returns (Section 315). This section would authorize the AOUSC to receive and retain debtors' tax returns for the year prior to the commencement of the bankruptcy for chapter 7 and chapter 13 filings. Such collection and storage of tax returns would commence only at the request of a creditor. Based on information from the AOUSC, CBO expects that creditors will request tax information in about 25 percent of such cases. CBO estimates that implementing H.R. 333 would cost $9 million over the next five years to store and provide access to over two million tax returns.

Changes in Bankruptcy Filing Fees (Sections 325 and 418). Section 325 would increase chapter 7 and chapter 13 bankruptcy filing fees and change the distribution of such fees. In addition, the bill would allow the U.S. Trustee System Fund to collect 75 percent of chapter 11 filing fees. Under current law, the filing fee for chapter 7 and chapter 13 is $155 and is divided between the U.S. Trustee System Fund, the AOUSC, the private trustee assigned to the case, and the remainder is recorded as a governmental receipt (i.e., revenue). Under H.R. 333, the filing fee for a chapter 7 case would be $160, and income from this fee would be recorded in two different places in the budget. Of the $160, $65 would be recorded as an offsetting collection to the appropriation for the U.S. Trustee System Fund, and $50 would be recorded as an offsetting receipt and spent without further appropriation by the AOUSC. The remainder of this fee would be spent by the private trustees assigned to each case. The bill would reduce the filing fee for a chapter 13 case to $150 and change how the fee is recorded in the budget. The U.S. Trustee System Fund would receive $105 and the AOUSC would receive $45 per case. Under H.R. 333, no portion of chapter 7, chapter 11, or chapter 13 filing fees would be recorded as governmental receipts.

Section 418 would permit a bankruptcy court or district court to waive the chapter 7 filing fee and other fees for a debtor who is unable to pay such fees in installments. Based on information from the AOUSC, CBO expects that in fiscal year 2002 chapter 7 filing fees would be waived for about 3.5 percent of all chapter 7 filers and that the percentage waived would gradually increase to about 10 percent by fiscal year 2005.

Considering the expected reduction in the use of chapter 7 because of means-testing and the provision that would allow fee waivers, CBO estimates that implementing the new fee structure and changes in fee classifications would result in an increase in offsetting collections totaling $279 million over the 2002–2006 period.

U.S. Trustee Site Visits in Chapter 11 Cases (Section 439). This section would expand the responsibilities of the U.S. Trustees in small business bankruptcy cases to include site visits to inspect the debtor's premises, review records, and verify that the debtor has filed tax returns. Based on information from the U.S. Trustees, CBO estimates that implementing section 439 would require about 20 additional analysts to conduct over 2,300 site visits each year. CBO estimates that implementing this provision would cost about $11 million over the next five years for the salaries, benefits, and travel expenses associated with these additional personnel.

Compilation and Publication of Bankruptcy Data and Statistics (Sections 601–602). H.R. 333 would require the AOUSC to collect data on chapter 7, chapter 11, and chapter 13 cases and the U.S. Trustees to make such information available to the public. CBO estimates that it would cost about $30 million over the 2002–2006 period to meet these requirements. Of the total estimated cost, about $26 million would be required for additional legal clerks, analysts, and data base support. The remainder would be incurred by the U.S. Trustees for compiling data and providing Internet access to records pertaining to bankruptcy cases.

Audit Procedures (Section 603). Beginning 18 months after enactment, H.R. 333 would require that at least one out of every 250 bankruptcy cases under chapter 7, chapter 11, and chapter 13, plus other selected cases under those chapters, be audited by an independent certified public accountant. Based on information from the U.S. Trustees, CBO estimates that about 1.6 million cases would be subject to audits in fiscal year 2003, increasing to about 1.9 million in fiscal year 2006. CBO assumes that about 0.8 percent of those cases would be audited and that each audit would cost about $1,000 (in 2001 dollars). CBO also expects that the U.S. Trustees would need about 10 additional analysts and attorneys to support the follow-up work associated with the audits. We estimate that implementing this provision would cost $68 million over the 2003–2006 period.

Additional Judgeships—Support Costs (Section 1224). This provision would extend five temporary bankruptcy judgeships and authorize 23 new temporary bankruptcy judgeships for 21 federal judicial districts. Based on information from the AOUSC, CBO assumes that about half of the 23 new positions would be filled by the beginning of fiscal year 2002 and the rest would be filled by the start of fiscal year 2003. Also, we anticipate that all five temporary judgeships would be filled by fiscal year 2003. We expect that discretionary expenditures for support costs associated with each judgeship would average about $460,000 annually (in 2001 dollars). CBO estimates that the administrative support of additional bankruptcy judges would require an appropriation of less than $500,000 in fiscal year 2001 and $63 million over the 2002–2006 period. (Salaries and benefits for the judges are classified as mandatory spending, and those costs are described below.)

Federal Trade Commission Toll-Free Hotline (Section 1301). This section would require the Federal Trade Commission (FTC) to operate a toll-free number for consumers to calculate how long it would take to pay off a credit card debt if they were to make only the minimum monthly payments. Based on information from the FTC about the demand for the agency's other credit-related hotline, CBO expects that the FTC would receive about 20,000 calls each month. CBO estimates that the equipment and personnel necessary to serve this volume of inquiries would cost $2 million in 2002 and $6 million over the 2002–2006 period, subject to the appropriation of the necessary amounts.

Direct spending and revenues

Additional Judgeships (Section 1224). CBO estimates that enacting the means-testing provision (section 102) would impose some additional workload on the courts. Section 128 would authorize 23 new temporary bankruptcy judgeships and extend five existing temporary judgeships. Based on information from the AOUSC and other bankruptcy experts, CBO expects that the increase in the number of bankruptcy judges would be sufficient to meet the increased workload. Assuming that the salary and benefits of a bankruptcy judge would average about $155,000 a year (in 2001 dollars), CBO estimates that the mandatory costs associated with the salaries and benefits of these additional judgeships would be less than $500,000 in fiscal year 2001 and about $18 million over the 2002–2006 period.

Changes in Bankruptcy Filing Fees (Sections 102, 325, and 418). Section 325 would change the classification of where bankruptcy filing fees are recorded in the budget. Under current law, filing fees are divided between the U.S. Trustee System Fund, the AOUSC, the private trustee assigned to the case, and the remainder is recorded as governmental receipts (i.e., revenues). The percentage of the fees allocated to these different parts of the budget varies by chapter. Under the fee structure specified in the bill, the portions of chapter 7, chapter 11, and chapter 13 filing fees that are now recorded as governmental receipts would be recorded as offsetting collections or offsetting receipts. Therefore, CBO estimates that enacting H.R. 333 would reduce governmental receipts by $260 million over the 2002–2006 period. (The change in offsetting receipts would be matched by additional spending, resulting in no net change in direct spending.)

Tax Provisions (Title VII). Title VII of H.R. 333 would alter several provisions related to tax claims. It would alter the treatment of certain tax liens, disallow the discharge of taxes resulting from fraudulent tax returns under chapter 13 or chapter 11 of the bankruptcy code, require periodic cash payments of priority tax claims, and specify the rate of interest on tax claims. Title VII also would change the status of assessment periods for tax claims and would alter various administrative requirements. Based on information from the Internal Revenue Service and the Joint Committee on Taxation, CBO estimates that these provisions would increase revenues, but that any increase would be negligible.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The means-testing, waiver of fees, and changes in filing fees provisions would affect receipts, and the additional judgeships would increase direct spending; hence, pay-as-you-go procedures would apply. The net changes in outlays and governmental receipts are shown in the following table. For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

	By fiscal year, in millions of dollars										
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Changes in outlays	0	2	4	4	4	4	4	4	2	2	2
Changes in receipts	0	−45	−53	−54	−54	−54	−54	−54	−54	−54	−54

Estimated impact on state, local, and tribal governments: H.R. 333 contains intergovernmental mandates as defined in UMRA, but such costs would not be significant and would not exceed the threshold established in that act ($55 million in 2000, adjusted annually for inflation). Overall, CBO expects that enacting this bill would benefit state and local governments by enhancing their ability to collect outstanding obligations in bankruptcy cases.

Mandates

Section 227 of the bill would preempt state laws governing contracts between a debt relief agency and a debtor, but only to the extent that those state laws are inconsistent with the federal requirements set forth in this bill. Such preemptions are mandates as defined in UMRA. Because the preemption would not require states to change their laws, CBO estimates the costs to states of complying with this mandate would not be significant.

Section 719 would require state and local income tax procedures to conform to the Internal Revenue Code with regard to dividing tax liabilities and responsibilities between the estate and the debtor, the tax consequences of partnerships and transfers of property, and the taxable period of the debtor. CBO estimates that this provision would increase costs for the administration of state and local tax laws, but would not require state and local tax rates to conform to the federal rates. Such administrative costs would not be significant and would likely be offset by increased collections.

Section 1310 would prohibit state courts from recognizing or enforcing certain foreign judgments. Based on the small number of potential cases and the small likelihood that those cases would be heard in state courts, CBO estimates that there would be no significant costs associated with complying with this mandate.

Other impacts

The changes to bankruptcy law in the bill would affect state and local governments primarily as creditors and holders of tax or child support claims against debtors. In addition, it would change some of the state statutes that govern which of a debtor's assets are protected from creditors in a bankruptcy proceeding.

A 1996 survey of the 50 states conducted by the Federation of Tax Administrators and the States' Association of Bankruptcy Attorneys, the most recent data available, indicated that more than 360,000 taxpayers in bankruptcy owed claims totaling about $4 billion. Of these claims, states reported collecting only about $234 million. Total bankruptcy filings have increased since 1996. While CBO cannot predict how much more money might be collected, it is likely that states and local governments would collect a greater share of future claims than they would under current law.

Exemptions. Although bankruptcy is regulated according to federal statute, states are allowed to provide debtors with certain exemptions for property, insurance, and other items that are different from those allowed under the federal bankruptcy code. (Exempt property remains in possession of the debtor and is not available to pay off creditors.) In some states debtors can chose the federal or state exemption; other states require a debtor to use only the state exemptions. The bill would reduce the value of a debtor's homestead exemption under certain circumstances and create a new exemption for certain retirement funds and education savings plans. This bill also would place a ceiling of $100,000 on the exemptions for the value of certain property acquired in the two years prior to a bankruptcy filing under certain circumstances.

These exemption standards would apply regardless of the state policy on exemptions. The new homestead exemption and property-value limitation could make more money available to creditors in some cases, while the exemptions on retirement and education savings generally would make less money available.

Domestic Support Obligations. The bill would significantly enhance a state's ability to collect domestic support obligations, including child support. Domestic support obligations owed to state or local governments would be given priority over all other claims, except those same obligations owed to individuals. The bill would make these debts nondischargeable (not able to be written-off at the end of bankruptcy). The bill also would require that filers under chapter 11 and 13 cases pay domestic support obligations owed to government agencies or individuals in order to receive a discharge of outstanding debts. In addition, under this bill, the automatic stay that is triggered by filing bankruptcy would not apply to domestic support obligations owed by debtors or withheld from regular income, as it currently does. The bill also would require bankruptcy trustees to notify individuals with domestic support claims of their right to use the services of a state child support enforcement agency, and notify the agency that it has done so. The last known address of the debtor would be a part of the notification.

Tax Payment Plans. The bill would require that payment plans for tax liabilities be limited to five years and that payment amounts be regular and not less favorable than payments for other obligations. Under current law, taxing authorities sometimes face payment plans that include a series of small payments over time followed by a large balloon payment near the end of the planned payment stream. At that point, the debtors often fail to complete their payments. This provision would require that taxes be paid at a rate proportionate to those of other debts, but does not specifically prohibit balloon provisions. It also would establish interest rates to be applied to outstanding tax liabilities. Under current law, any interest charges on outstanding tax liabilities are determined at the discretion of the bankruptcy judge.

However, this status is granted only if a tax is assessed within a specific period of time from the date of the bankruptcy filing. If that filing is subsequently dismissed and a new filing is made, the tax claim may lose its priority status. The bill would make adjustments to this provision, allowing more time to pass in some circumstances, thus increasing the likelihood that state or local tax claims would maintain their priority status.

Taxes and Administrative Expenses. Under current law, certain expenses and the priority of claims reduce the funds that would otherwise be available to pay tax liens on property. The bill would increase the priority of those liens in certain circumstances against certain expenses and claims, thereby making it more likely that funds would remain available to cover tax obligations. Governmental units would not be required to file a request for certain administrative expenses as a condition of being allowed such an expense. The bill also would allow state and local governments to claim administrative expenses for costs incurred by closing a health care business.

Fuel Tax Claims. Under current law, all states owed fuel tax under the International Fuel Tax Agreement have to file separate claims against debtors under the bankruptcy code. The bill would allow a state designated under the agreement to file a single claim on behalf of all states owed the fuel taxes. This would simplify the filing process.

Tax Return Filing. A number of provisions in the bill would require debtors to have filed tax returns, and in some cases to be current in their tax payments, before a bankruptcy case may continue. These provisions would help states identify potential claims in bankruptcy cases where they may be owed delinquent taxes.

Priority of Payments. In some circumstances under current law, debtors have borrowed money or incurred some new obligation that is dischargeable (able to be written-off at the end of bankruptcy) to pay for an obligation that would not be dischargeable. This bill would give the new debt the same priority as the underlying debt. If the underlying debt had a priority higher than that of state or local tax liabilities, state and local governments could lose access to some funds. However, it is possible that the underlying debt could be for a tax claim, in which case the taxing authority would face no loss. Because it is unclear what types of nondischargeable debts are covered by new debt and the degree to which this new provision would discourage such activity, CBO can estimate neither the direction nor the magnitude of the provision's impact on states and localities.

Single Asset Cases. One provision of the bill would allow expedited bankruptcy proceedings in certain single asset cases (usually involving a large office building). State and local governments could benefit to the extent that real property is returned to productive tax rolls earlier as a result of this provision.

Municipal Bankruptcy. The bill would clarify regulations governing municipal bankruptcy actions and allow municipalities that have filed for bankruptcy to liquidate certain financial contracts.

Estimated impact on the private sector

Mandates

H.R. 333 would impose new private-sector mandates on bankruptcy attorneys, creditors, bankruptcy petition preparers, debt-relief agencies, and credit and charge-card companies. Consumer bankruptcy attorneys would be required to make reasonable inquiries to confirm that the information in documents they submit to the court or to the bankruptcy trustee is well grounded in fact. Creditors would be required to make disclosures in their agreements with debtors and provide certain notices to courts and debtors. Bankruptcy petition preparers and debt-relief agencies would also be required to provide certain notices to debtors. Credit and charge-card companies would be required to disclose specified information in monthly billing statements, new account introductory rate offers, and internet-based solicitations. CBO estimates that the direct costs of these mandates would exceed the annual threshold established by UMRA ($109 million in 2000, adjusted annually for inflation).

Section 102 of the bill would make bankruptcy attorneys liable for misleading statements and inaccuracies in schedules and documents submitted to the court or to the trustee. To avoid sanctions and potential civil penalties, attorneys would need to verify the information given to them by their clients regarding the list of creditors, assets and liabilities, and income and expenditures. Completing a reasonable investigation of debtors' financial affairs and, for chapter 7 cases, computing debtor eligibility, would require attorneys to expend additional effort. Information from the American Bar Association indicates that this requirement would increase attorney costs by $150 to $500 per case. Based on the 1.59 million projected filings under chapter 7 (liquidation) and chapter 13 (rehabilitation), CBO estimates that the direct cost of complying with this mandate would be between $240 million and $790 million in fiscal year 2002. With a rise in projected filings over the next three years, annual direct costs would reach a peak in fiscal year 2004 at between $280 million and $950 million and remain in that range through fiscal year 2006. The additional costs for attorneys would most likely be passed on to debtors.

The bill would require certain notices to be disclosed as part of the bankruptcy process. Section 203 of the bill would require a creditor with an unsecured consumer debt seeking a reaffirmation agreement with a debtor to provide certain disclosures. The agreement reaffirms the debt discharged in bankruptcy between a holder of a claim and the debtor.

These disclosures must be made clearly and conspicuously in writing and include certain advisories and explanations. The required disclosures could be incorporated into existing standard reaffirmation agreements. Section 221 would require bankruptcy petition preparers who are not attorneys to give the debtor written notice explaining that the preparer may not provide legal advice. Section 228 would require a debt-relief agency providing bankruptcy assistance to an assisted person to give certain written notices to the person and to execute a written contract. Such agencies also would be required to supply certain advisories and explanations regarding the bankruptcy process. Most attorneys and debt-relief counselors currently provide similar information. Based on information from bankruptcy practitioners, CBO estimates that the direct costs of complying with these mandates would fall well below the annual threshold established by UMRA.

H.R. 333 also requires credit lenders to provide additional disclosures to consumers. Credit and charge-card companies would be required to include certain disclosures in billing statements with respect to various open-end credit plans regarding the disadvantages of making only the minimum payment. Other disclosures would be required to be included in application and solicitation materials involving introductory rate offers, internet-based credit card solicitations, and for late payment deadlines and penalties. Based on information from credit lenders, CBO estimates that the direct costs of these disclosure requirements would fall below the annual threshold.

Other impacts

H.R. 333 also contains many provisions that would benefit creditors. Most significant for creditors are provisions that would shift debtors from chapter 7 to chapter 13 and provisions that would expand the types of debts that would be nondischargeable. By expanding the types of debts that are nondischargeable, some creditors would continue to receive payments on debts that would be discharged under current law. Means-testing in the bankruptcy system would result in more individuals being required to seek relief under chapter 13 rather than chapter 7. Because chapter 13 requires debtors to develop a plan to repay creditors over a specified period, the total pool of funds available for distribution for creditors would likely increase. As long as the likelihood of repayment by debtors and the pool of funds increases by an amount greater than the cost to creditors of administering the new bankruptcy code, creditors would be made better off under the bill.

Under UMRA, duties arising from participation in voluntary federal programs are not mandates. The bankruptcy process is largely voluntary for debtors, and debtor-initiated bankruptcies are equivalent to participation in a voluntary federal program. Consequently, new duties imposed by the bill on individuals who file as debtors do not meet the definition of private-sector mandates, and additional cost for debtors would not be counted as direct costs for purposes of UMRA.

Estimate prepared by: Federal Costs: Lanette J. Walker and Ken Johnson; Revenues: Erin Whitaker; Impact on State, Local, and Tribal Governments: Shelley Finlayson; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

THE DECEPTIVE STORM OF GREED AND PETTINESS

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. OWENS. Mr. Speaker, In his inaugural address President Bush left us with one profound image: the specter of an "Angel in the Whirlwind" guiding the fate of our nation. Democracy in America has survived and expanded despite the numerous whirlwinds and storms. At several critical periods our ship of state could have been blown off course and been wrecked on the rocks: from the challenges of Aaron Burr and Jefferson Davis, to the grabbing greed which spawned the depression and the racist totalitarian threat of Hitler's Nazism. Always, in the past, the churning American political process has produced the leadership capable of conquering crises. But now we are confronted with a new kind of subtle and invisible emergency. We are confronting an enemy that has no guns. Internal smugness, arrogance, and the lack of empathy and compassion are attacking the moral spinal cord of the nation. In a previous inaugural address President Clinton correctly identified America as the "indispensable nation." Will the "Angel in the Whirlwind" guide us to new leaders who will know how to use our great wealth and power to fulfill this mission? At critical and pivotal points in our past, that great "Angel in the Whirlwind" has delivered saviors: Thomas Jefferson with his bold ideas and actions; Abraham Lincoln, frontier toughness with compassion far beyond any of his peers; Franklin Roosevelt with the vision and decisiveness that ended depression hardships and defeated Hitler. Now prosperity has brought the United States to a different kind of pivotal point in history. The question is, shall a nation with the unprecedented means to enhance survival and the resources to facilitate a less difficult pursuit of happiness for all of its people; shall such a nation at this critical moment choke on its own pettiness and greed thus rendering itself morally disabled forever. We pray for deliverance by the "Angel in the Whirlwind."

ANGEL IN THE WHIRLWIND

Angel in the whirlwind,
Tell us where you've been;
Come steer us through the storm,
Halt all this public sin.
Angel in the whirlwind
Blow forth great truths;
All men are born equal,
Some men die great;
Profiles in courage
Never come too late.
Lincoln in the whirlwind
Blew powerful justice down;
Emancipation proclamation,
Magnificent sensation,
Plain ordinary people
Transformed to noble creations.
Sailors in the whirlwind
Forsake all ease,
Typhoons still lurk near,
Patriots must not fear.
Angel in the whirlwind,
Jefferson at your side,
Ships ashore at Normandy,
In every boat you ride,
Protect our future fate,
Martin King's posterity
Is waiting at the gate.
Angel in the whirlwind
Wrestle with the terror:
Tornado twisted greed;
Volcanoes belching
Ashes of indifference;
Human kind's highest hope
Strangling on a golden rope;
Merciful empire
That might've been,
Critically infected now
By the virus of public sin;
Giant graves reserved for midget men.
Angel in the whirlwind
Stay to save the brave and free,
Bring back judicial integrity,
Point us toward eternity,
Come steer us through new storms,
Angel in the whirlwind.

PERSONAL EXPLANATION

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. WICKER. Mr. Speaker, on Rollcall No. 16 Tuesday, February 27, I was detained due to being with the official delegation honoring the 10th anniversary of the liberation of Kuwait. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. PALLONE. Mr. Speaker, on Rollcall No. 16, H. Con. Res. 39, Tuesday February 27, 2001, had I been present, I would have voted ''yea.''

PRASAD CHILDREN'S HEALTH PROGRAM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 2001

Mr. GILMAN. Mr. Speaker, February has been Children's Health Month. Today, on the last day of the month, it is an appropriate time to reflect on how important the health of our young people is to the future of our Nation. A strong, vibrant citizenry is the very keystone to our future. Today, in the wealthiest economy in the history of the world, there is no excuse to put the health of our boys and girls on the back burner.

I have been made familiar with a program which performs such exemplarily health service that it is an appropriate model for health programs throughout the United States.

The PRASAD Children's Dental Health Program (CDHP) voluntarily serves all the young people in Sullivan County, New York. It provides health education, fluoride with parental consent, and restorative care through a mobile clinic that travels to every school district in Sullivan County.

The outstanding volunteers of PRASAD Children's Dental Health Program go into the schools to educate the children, provide free toothbrushes, and help fight the scourge of tooth decay and gum disease.

The program is targeted to children who qualify for the free lunch program, have Medicaid or Child Health Plus for their insurance, or who have no dental insurance. The health education and fluoride prevention aspects of the program are available to all children, regardless of parental income.

PRASAD CDHP has been in existence for five years and is supported wholly with private donations.

Mr. Speaker, tooth and gum disease is the number one chronic health problem of children in our nation. It is five times more common than asthma, and seven times more common than hay fever. It is estimated that 18 million school hours are lost each year by children due to dental problems.

I am greatly impressed by the outstanding service performed by the PRASAD Children's Dental Health Program. Dyan Campbell who is the national Program Director, is seeking the wherewithal to expand the program nationwide. I believe that Ms. Campbell and her program are deserving of our support and our kudos.

Mr. Speaker, I invite all of our colleagues to join with me in saluting this truly outstanding program—a role model for our nation's children's dental health.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 1, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 2

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To continue hearings to examine the role of United States correspondent banking and offshore banks as vehicles for international money laundering, and the efforts of financial entities, federal regulators, and law enforcement to limit money laundering activities within the United States.
SD–342

10 a.m.
Budget
To continue hearings to examine the President's proposed budget request for fiscal year 2002.
SD–608

MARCH 6

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To resume hearings to examine the role of United States correspondent banking and offshore banks as vehicles for international money laundering, and the efforts of financial entities, federal regulators, and law enforcement to limit money laundering activities within the United States.
SD–342

10 a.m.
Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine the effectiveness of gun locks.
SR–253

MARCH 7

9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine proposed legislation entitled Better Education For Students and Teachers Act.
SD–430

Commerce, Science, and Transportation
To hold hearings to examine voting technology reform.
SR–253

2 p.m.
Armed Services
To hold a closed briefing on current military operations.
SH–219

MARCH 8

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Paralyzed Veterans of America, Jewish War Veterans, Blinded Veterans Association, the Non-Commissioned Officers Association, and the Military Order of the Purple Heart.
345 Cannon Building

10:30 a.m.
Foreign Relations
To hold hearings to examine foreign policy issues and the President's proposed budget request for fiscal year 2002 for the Department of State.
SD–419

MARCH 13

9:30 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold oversight hearings to examine the National Nuclear Security Administration, Department of Energy.
SD–124

MARCH 14

9:30 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on defense intelligence matters.
S–407, Capitol

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Disabled American Veterans.
345 Cannon Building

MARCH 15

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 26, to amend the Department of Energy Authorization Act to authorize the Secretary of Energy to impose interim limitations on the cost of electric energy to protect consumers from unjust and unreasonable prices in the electric energy market; S. 80, to require the Federal Energy Regulatory Commission to order refunds of unjust, unreasonable, unduly discriminatory or preferential rates or charges for electricity, to establish cost-based rates for electricity sold at wholesale in the Western Systems Coordinating Council; and S. 287, to direct the Federal Energy Regulatory Commission to impose cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market.
SH–216

MARCH 22

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the AMVETS, American Ex-Prisoners of War, Vietnam Veterans of America, Retired Officers Association, and the National Association of State Directors of Veterans Affairs.
345 Cannon Building

MARCH 27

10:30 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold oversight hearings on issues relating to Yucca Mountain.
SD–124

APRIL 3

10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold oversight hearings to examine issues surrounding nuclear power.
SD–124

APRIL 24

10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the Bureau of Reclamation, of the Department of the Interior, and Army Corps of Engineers.
SD–124

APRIL 26

2 p.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for the National Nuclear Security Administration, Department of Energy.
SD–124

MAY 1

10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for certain Department of Energy programs relating to Energy Efficiency Renewable Energy, science, and nuclear issues.
SD–124

MAY 3

2 p.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2002 for Department of Energy environmental management and the Office of Civilian Radio Active Waste Management.
SD–124

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1657–S1721

Measures Introduced: Eleven bills and ten resolutions were introduced, as follows: S. 409–419, S. Res. 31–39, and S. Con. Res. 19. **Page S1699**

Measures Reported:

S. Res. 31, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

S. Res. 32, authorizing expenditures by the Committee on Foreign Relations.

S. Res. 33, authorizing expenditures by the Special Committee on Aging.

S. Res. 34, authorizing expenditures by the Committee on Environment and Public Works.

S. Res. 35, authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

S. Res. 36, authorizing expenditures by the Committee on Commerce, Science, and Transportation.

S. Res. 37, authorizing expenditures by the Committee on Finance.

S. Res. 38, authorizing expenditures by the Committee on Armed Services.

S. Res. 39, authorizing expenditures by the Committee on Rules and Administration. **Page S1698**

Measures Passed:

Honoring Dale Earnhardt: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 29, honoring Dale Earnhardt and expressing condolences of the United States Senate to his family on his death, and the resolution was then agreed to. **Pages S1719–20**

Recognizing Peace Corps Achievements: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 18, recognizing the achievements and contributions of the Peace Corps over the past 40 years, and the resolution was then agreed to. **Page S1720**

Committee Budgets/Rules of Procedure—Agreement: A unanimous-consent agreement was reached providing that in accordance with the provisions of S. Res. 189 of the 106th Congress, there be authorized for the period of March 1 through March 10, 2001 funds for the expenses of each of the Standing Committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs, and such sums as may be necessary for agency contributions related to the compensation of the employees of such committees for the above described period, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate. Further, the such sums be 1/15 of the amount provided the committee under S. Res. 189 for the period October 1 through February 28, 2001. Further, that notwithstanding the provisions of Rule XXVI of the Standing Rules of the Senate, for purposes of the 107th Congress, the publication date for Committee Rules shall not be later than March 10, 2001. **Page S1719**

Appointments:

Joint Committee on Taxation: The Chair, on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: Senators Grassley, Hatch, Murkowski, Baucus, and Rockefeller. **Page S1719**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, a report entitled "A Blueprint for New Beginnings: A Responsible Budget for America's Priorities"; to the Committees on Appropriations; and Budget. (PM–8) **Pages S1696–97**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 94 yeas (Vote No. EX. 14), John M. Duncan, of the District of Columbia, to be a Deputy Under Secretary of the Treasury.

Bill Frist, of Tennessee, to be a Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

Paul D. Wolfowitz, of Maryland, to be Deputy Secretary of Defense. 7 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S1675–76, S1718–19, S1721**

Nominations Received: Senate received the following nominations:

David Aufhauser, of the District of Columbia, to be General Counsel for the Department of the Treasury.

John M. Duncan, of the District of Columbia, to be a Deputy Under Secretary of the Treasury.

Page S1721

Messages From the President: Pages S1696–97

Executive Communications: Pages S1697–98

Executive Reports of Committees: Pages S1698–99

Messages From the House: Page S1697

Measures Referred: Page S1697

Statements on Introduced Bills: Pages S1701–13

Additional Cosponsors: Page S1699–S1701

Additional Statements: Pages S1694–96

Notices of Hearings: Page S1717

Authority for Committees: Pages S1717–18

Record Votes: One record vote was taken today. (Total—14) Page S1676

Adjournment: Senate met at 10:01 a.m., and adjourned at 6:49 p.m., until 10 a.m., on Thursday, March 1, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1721.)

Committee Meetings

(Committees not listed did not meet)

ORGANIZATIONAL MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original resolution (S. Res. 31) requesting $1,794,378 for operating expenses for the period from March 1, 2001 through September 30, 2001, $3,181,922 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $1,360,530 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Also, committee adopted its rules of procedure for the 107th Congress, and announced the following subcommittee assignments:

Subcommittee on Production and Price Competitiveness: Senators Roberts (Chairman), Helms, Cochran, Fitzgerald, McConnell, Conrad (Ranking Member), Daschle, Baucus, Lincoln, and Miller.

Subcommittee on Marketing, Inspection, and Product Promotion: Senators Fitzgerald (Chairman), Helms, Cochran, Roberts, Thomas, Baucus (Ranking Member), Leahy, Conrad, Nelson, and Dayton.

Subcommittee on Forestry, Conservation, and Rural Revitalization: Senators Crapo (Chairman), McConnell, Thomas, Allard, Hutchinson, Lincoln (Ranking Member), Leahy, Daschle, Stabenow, and Dayton.

Subcommittee on Research, Nutrition, and General Legislation: Senators McConnell (Chairman), Allard, Hutchinson, Crapo, Helms, Leahy (Ranking Member), Conrad, Miller, Stabenow, and Benjamin Nelson.

FARM BILL CONSERVATION PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee held hearings to examine statutes of conservation programs in the current farm bill, including Conservation Reserve Program, Emergency Conservation Program, Pasture Recovery Program, and Debt for Nature, receiving testimony from Katherine R. Smith, Director, Resource Economics Division, Economic Research Service, Thomas A. Weber, Deputy Chief for Programs, Natural Resources Conservation Service, and Robert Stephenson, Director, Conservation and Environmental Programs Division, Farm Service Agency, all of the Department of Agriculture; and Jeffrey A. Zinn, Senior Analyst in Natural Resources Policy, Congressional Research Service, Library of Congress.

Hearings continue tomorrow.

APPROPRIATIONS—DEFENSE MEDICAL PROGRAMS

Committee on Appropriations: Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2002 for certain Department of Defense medical programs, after receiving testimony in behalf of funds for their respective activities from Lt. Gen. James B. Peake, Surgeon General, and Brig. Gen. William T. Bester, Chief, Army Nurse Corps, both of the United States Army; Vice Adm. Richard A. Nelson, Medical Corps, Surgeon General, and Rear Adm. Kathleen L. Martin, Director, Navy Nurse Corps, both of the United States Navy; Lt. Gen. Paul K. Carlton, Surgeon General, and Brig. Gen. Barbara C. Brannon, Director of Nursing Services, Office of the Surgeon General, both of the Department of the Air Force.

ORGANIZATIONAL MEETING

Committee on Armed Services: Committee ordered favorably reported an original resolution (S. Res. 38) requesting $3,301,692 for operating expenses for the period from March 1, 2001 through September 30, 2001, $5,859,150 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $2,506,642 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Also, committee adopted its rules of procedure for the 107th Congress, and announced the following subcommittee assignments:

Subcommittee on Airland: Senators Santorum (Chairman), Inhofe, Roberts, Hutchinson, Sessions, Bunning, Lieberman (Ranking Member), Cleland, Bill Nelson, Benjamin Nelson, Carnahan, and Dayton.

Subcommittee on Emerging Threats and Capabilities: Senators Roberts (Chairman), Bob Smith, Santorum, Allard, Hutchinson, Collins, Landrieu (Ranking Member), Kennedy, Byrd, Lieberman, Bill Nelson, and Dayton.

Subcommittee on Personnel: Senators Hutchinson (Chairman), Thurmond, McCain, Allard, Collins, Cleland (Ranking Member), Kennedy, Reed, Akaka, and Carnahan.

Subcommittee on Readiness and Management Support: Senators Inhofe (Chairman), Thurmond, McCain, Santorum, Roberts, Bunning, Akaka (Ranking Member), Byrd, Cleland, Landrieu, Benjamin Nelson, and Dayton.

Subcommittee on SeaPower: Senators Sessions (Chairman), McCain, Bob Smith, Collins, Bunning, Kennedy (Ranking Member), Lieberman, Landrieu, Reed, and Carnahan.

Subcommittee on Strategic: Senators Allard (Chairman), Thurmond, Bob Smith, Inhofe, Sessions, Reed (Ranking Member), Byrd, Akaka, Bill Nelson, and Benjamin Nelson.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Paul D. Wolfowitz, of Maryland, to be Deputy Secretary of Defense, and 2,916 military nominations in the Army, Navy, Air Force, and Marine Corps.

COMMITTEE BUDGET

Committee on Commerce, Science, and Transportation: On Thursday, February 1, committee approved an original resolution (S. Res.36) requesting $2,968,783 for operating expenses for the period from March 1, 2001 through September 30, 2001, $5,265,771 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $2,251,960 for operating expenses for the period from October 1, 2002 through February 28, 2003.

ORGANIZATIONAL MEETING

Committee on Environment and Public Works: Committee ordered favorably reported an original resolution (S. Res.34) requesting $2,318,050 for operating expenses for the period from March 1, 2001 through September 30, 2001, $4,108,958 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $1,756,412 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Also, committee adopted its rules of procedure for the 107th Congress, and announced the following subcommittee assignments:

Subcommittee on Transportation and Infrastructure: Senators Inhofe (Chairman), Warner, Bond, Voinovich, Chafee, Baucus (Ranking Member), Graham, Lieberman, Boxer, and Wyden.

Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety: Senators Voinovich (Chairman), Inhofe, Crapo, Campbell, Lieberman (Ranking Member), Carper, Clinton, and Corzine.

Subcommittee on Fisheries, Wildlife, and Water: Senators Crapo (Chairman), Bond, Warner, Chafee, Campbell, Graham (Ranking Member), Baucus, Wyden, Clinton, and Corzine.

Subcommittee on Superfund, Waste Control, and Risk Assessment: Senators Chafee (Chairman), Warner, Inhofe, Crapo, Specter, Boxer (Ranking Member), Wyden, Carper, Clinton, and Corzine.

ORGANIZATIONAL MEETING

Committee on Finance: Committee ordered favorably reported an original resolution (S. Res. 37) requesting $3,230,940 for operating expenses for the period from March 1, 2001 through September 30, 2001, $5,729,572 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $2,449,931 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Committee adopted its rules of procedure for the 107th Congress, and announced the following subcommittee assignments:

Subcommittee on Taxation and IRS Oversight: Senators Nickles (Chairman), Lott, Hatch, Thompson, Snowe, Murkowski, Conrad (Ranking Member), Torricelli, Breaux, Bingaman, Lincoln, and Baucus.

Subcommittee on International Trade: Senators Hatch (Chairman), Grassley, Thompson, Murkowski, Gramm, Lott, Jeffords, Snowe, Baucus (Ranking Member), Rockefeller, Daschle, Conrad, Kerry, Lincoln, Graham, and Torricelli.

Subcommittee on Social Security and Family Policy: Senators Kyl (Chairman), Nickles, Lott, Jeffords, Gramm, Breaux (Ranking Member), Rockefeller, Bingaman, Daschle, and Kerry.

Subcommittee on Health Care: Senators Snowe (Chairwoman), Gramm, Jeffords, Grassley, Kyl, Hatch, Nickles, Thompson, Rockefeller (Ranking Member), Daschle, Bingaman, Kerry, Torricelli, Lincoln, Breaux, and Graham.

Subcommittee on Long-term Growth and Debt Reduction: Senators Murkowski (Chairman), Grassley, Kyl, Graham (Ranking Member), Baucus, and Conrad.

Also, Committee appointed the following members to both the Joint Committee on Taxation, and the Congressional Trade Advisors on Trade Policy

and Negotiations: Senators Grassley, Hatch, Murkowski, Baucus, and Rockefeller.

BUDGET REVENUE PROPOSALS

Committee on Finance: Committee held hearings to examine certain revenue proposals and tax cuts within the President's proposed budget request for fiscal year 2002, receiving testimony from Paul H. O'Neill, Secretary of the Treasury.

Hearings recessed subject to call.

NOMINATIONS

Committee on Finance: Committee ordered favorably reported the nominations of Mark A. Weinberger, of Maryland, to be an Assistant Secretary of the Treasury for Tax Policy, and John M. Duncan, of the District of Columbia, to be Deputy Under Secretary of the Treasury.

Prior to this action, committee concluded hearings on the aforementioned nominations, after the nominees testified and answered questions in their own behalf.

ORGANIZATIONAL MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original resolution (S. Res. 32) requesting $2,495,457 for operating expenses for the period from March 1, 2001 through September 30, 2001, $4,427,295 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $1,893,716 for operating expenses for the period from October 1, 2002 through February 28, 2003.

STATE DEPARTMENT REFORM

Committee on Foreign Relations: Committee concluded hearings to examine the report of the Independent Task Force cosponsored by the Council on Foreign Relations and the Center for Strategic and International Studies on State Department Reform, after receiving testimony from Frank C. Carlucci, former Secretary of Defense/National Security Adviser, and Thomas E. Donilon, former Assistant Secretary of State for Public Affairs/State Department Chief of Staff, both on behalf of the Independent Task Force on State Department Reform.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported an original bill to amend title 11, United States Code, relating to bankruptcy reform.

ORGANIZATIONAL MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported an original resolution (S. Res. 35) requesting $3,895,623 for operating expenses for the period from March 1, 2001 through September 30, 2001, $6,910,215 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $2,955,379 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Also, committee adopted its rules of procedure for the 107th Congress, and announced the following subcommittee assignments:

Subcommittee on Aging: Senators Hutchinson (Chairman), Jeffords, Warner, Bond, Roberts, Mikulski (Ranking Member), Dodd, Murray, Edwards, and Clinton.

Subcommittee on Children and Families: Senators Gregg (Chairman), Frist, Warner, Bond, Collins, Dodd (Ranking Member), Bingaman, Wellstone, Murray, and Reed.

Subcommittee on Employment, Safety and Training: Senators Enzi (Chairman), Jeffords, Gregg, Sessions, Wellstone (Ranking Member), Kennedy, Dodd, and Harkin.

Subcommittee on Public Health: Senators Frist (Chairman), Gregg, Enzi, Hutchinson, Roberts, Collins, Sessions, Kennedy (Ranking Member), Harkin, Mikulski, Bingaman, Reed, Edwards, and Clinton.

ORGANIZATIONAL MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution (S. Res. 39) requesting $1,183,041 for operating expenses for the period from March 1, 2001 through September 30, 2001, $2,099,802 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $898,454 for operating expenses for the period from October 1, 2002 through February 28, 2003.

Also, committee adopted its rules of procedure for the 107th Congress.

BUSINESS MEETING

Committee on Small Business: Committee ordered favorably reported the following business items:

An original resolution requesting $1,119,973 for operating expenses for the period from March 1, 2001 through September 30, 2001, $1,985,266 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $848,624 for operating expenses for the period from October 1, 2002 through February 28, 2003.

S. 174, to amend the Small Business Act with respect to the microloan program;

S. 295, to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, with an amendment in the nature of a substitute;

S. 395, to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration; and

S. 396, to provide for national quadrennial summits on small business and State summits on small business, to establish the White House Quadrennial Commission on Small Business.

Also, committee adopted its rules of procedure for the 107th Congress.

ORGANIZATIONAL MEETING

Committee on Indian Affairs: Committee ordered favorably reported an original resolution requesting $970,754 for operating expenses for the period from March 1, 2001 through September 30, 2001, $1,718,989 for operating expenses for the period from October 1, 2001 through September 30, 2002, and $734,239 for operating expenses for the period from October 1, 2002 through February 28, 2003.

DEPARTMENT OF THE INTERIOR

Committee on Indian Affairs: Committee concluded oversight hearings to receive the views of the Department of the Interior on issues and matters related to Indian Affairs, after receiving testimony from Gale A. Norton, Secretary of the Interior.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again Wednesday, March 7.

PLAN COLOMBIA

United States Senate Caucus on International Narcotics Control: Caucus concluded hearings to examine the current drug situation in Colombia, focusing on United States efforts to support the implementation of the government of Colombia's plan to deal more effectively with violence, drug trafficking, and general crime and corruption that exists in Colombia, after receiving testimony from Rand Beers, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs; Donnie R. Marshall, Administrator, Drug Enforcement Administration, Department of Justice; Gen. Peter Pace, United States Marine Corps, Commander in Chief, U.S. Southern Command; and Robert J. Newberry, Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

House of Representatives

Chamber Action

Bills Introduced: 38 public bills, H.R. 3, 768–805; 2 private bills, H.R. 806–807; and 9 resolutions, H.J. Res. 23; H. Con. Res. 44–45, and H. Res. 69–74, were introduced. **Pages H505–07**

Reports Filed: Reports were filed today as follows:

H. Res. 71, providing for consideration of H.R. 333, to amend title 11, United States Code (H. Rept. 107–4). **Page H505**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Miller of Florida to act as Speaker pro tempore for today. **Page H445**

Guest Chaplain: The prayer was offered by the Guest Chaplain, the Rev. Ed Schreiber, Brookhaven Cumberland Presbyterian Church of Nashville, Tennessee. **Page H445**

Presidential Message—Budget for America's Priorities: Read a letter from the President wherein he transmitted his Budget for America's Priorities—referred to the Committee on Appropriations and ordered printed (H. Doc. 107–45). **Page H447**

Recess: The House recessed at 11:39 a.m. and reconvened at 11:46 a.m. **Page H459**

Consideration of Suspension: Agreed that the Speaker be authorized to entertain a motion to suspend the rules relating to H. Res. 54, today. **Page H447**

Suspensions: The House agreed to suspend the rules and pass the following suspensions:

Family Farmer Bankruptcy Relief: H.R. 256, to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted (passed by a yea and nay vote of 408 yeas to 2 nays, Roll No. 17); **Pages H447–49, H459**

Edward N. Cahn Federal Building and United States Courthouse in Allentown, Pennsylvania: H.R. 558, to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse" (passed by a yea and nay vote of 412 yeas with none voting "nay", Roll No. 18); **Pages H449–51, H460**

James C. Corman Federal Building in Van Nuys, California: H.R. 621, to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the "James C. Corman Federal Building" (passed by a yea and nay vote of 413 yeas with none voting "nay", Roll No. 19);

Pages H451–53, H460–61

Honoring the National Institute of Standards and Technology for a Century of Service: H. Con. Res. 27, honoring the National Institute of Standards and Technology and its employees for 100 years of service to the Nation (passed by a yea and nay vote of 413 yeas to 1 nay, Roll No. 20);

Pages H453–56, H461

Commending African American Pioneers in Colorado: H. Res. 54, commemorating African American pioneers in Colorado (passed by a yea and nay vote of 411 yeas with none voting "nay", Roll No. 21);. **Pages H456–59, H461–62**

Appointment of Walter E. Massey to the Smithsonian Institution Board of Regents: The House passed H.J. Res. 19, providing for the appointment of Walter E. Massey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Pages H462–63

Committee Resignations—Committee on Small Business: Read letters from Representatives McCarthy, Moore, and Hinojosa wherein they resigned from the Committee on Small Business. **Page H463**

Committee Election: The House agreed to H. Res. 69, electing Mr. Baird of Washington, Ms. Napolitano of California, Mr. Udall of Colorado, Mr. Acevedo-Vilá of Puerto Rico, Mr. Carson of Oklahoma, and Mr. Ross of Arkansas to the Committee on Small Business. **Page H463**

Committee Election: The House agreed to H. Res. 70, electing Ms. Capito of West Virginia to the Committee on Small Business. **Page H468**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of the House today and appear on pages H459, H460, H460–61, H461, and H462. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5 p.m.

Committee Meetings

FEDERAL FARM COMMODITY PROGRAMS

Committee on Agriculture: Held a hearing to review federal farm commodity programs with the American Farm Bureau Federation. Testimony was heard from Bob Stallman, President, American Farm Bureau Federation.

Hearings continue March 7.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Appropriations: Met for organizational purposes.

The Committee approved an Oversight Plan for the 107th Congress.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: H.R. 90, Know Your Caller Act of 2001; H.R. 496, amended, Independent Telecommunications Consumer Enhancement Act of 2001; H.R. 624, to amend the Public Health Service Act to promote organ donation; H. Con. Res. 31, expressing the sense of the Congress regarding the importance of organ, tissue, bone marrow, and blood donation and supporting National Donor Day; H.R. 727, to amend the Consumer Products Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act; H.R. 725, Made in America Information Act; H.R. 724, to authorize appropriations to carry out part B of title I of the Energy Policy and Conservation Act, relating to the Strategic Petroleum Reserve; and H.R. 723, to amend the Atomic Energy Act of 1954 to remove an exemption from civil penalties for nuclear safety violations by nonprofit institutions.

NATIONAL ENERGY POLICY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on National Energy Policy, focusing on natural gas issues. Testimony was heard from the following officials of the Department of Energy: Curt Hebert, Jr., Chairman, Federal Energy Regulatory Commission; and Elizabeth Campbell, Director, Natural Gas Division, Energy Information Administration; and public witnesses.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

"SPECIAL EDUCATION—IS IDEA WORKING AS CONGRESS INTENDED?"

Committee on Government Reform: Held a hearing on "Special Education—Is IDEA Working as Congress

Intended?'' Testimony was heard from Representative Hooley of Oregon; Patricia J. Guard, Acting Director, Office of Special Education Programs, Department of Education; Kevin McDowell, General Counsel, Department of Education, State of Indiana; and public witnesses.

INTERNATIONAL BROADCASTING

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on International Broadcasting: Its Mission, Budget and Future. Testimony was heard from Marc B. Nathanson, Chairman, Broadcasting Board of Governors.

OVERSIGHT—PRESIDENTIAL PARDON POWER

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on ''The Presidential Pardon Power.'' Testimony was heard from Margaret Colgate Love, former Pardon Attorney, Department of Justice, 1990–1997; Alan Charles Raul, former Associate Counsel to the President, 1986–1988; and public witnesses.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of debate on H.R. 333, Bankruptcy Abuse and Prevention and Consumer Protection Act of 2001. The rule waives all points of order against consideration of the bill. The rule provides that the amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule waives all points of order against provisions in the bill as amended.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report. The rule provides one motion to recommit with or without instructions. Finally, the rule provides for the authorization for a motion in the House to go to conference with the Senate on the bill H.R. 333. Testimony was heard from Chairmen Sensenbrenner and Oxley; and Representatives Gekas, Green of Wisconsin, Smith of Michigan, Conyers, Nadler, Scott, Jackson-Lee of Texas, Waters, Delahunt, Schiff and Slaughter.

NATION'S ENERGY FUTURE

Committee on Science: Held a hearing on the Nation's Energy Future: Role of Renewable Energy and Energy Efficiency. Testimony was heard from Mary J. Hutzler, Director, Office of Integrated Analysis and Forecasting, Energy Information Administration, Department of Energy; and public witnesses.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Small Business: Met for organizational purposes.

The Committee approved an Oversight Plan for the 107th Congress.

IMPROVING WATER QUALITY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Improving Water Quality: State Perspectives on the Federal Water Pollution Control Act. Testimony was heard from the following Governors: John Hoeven, State of North Dakota; and John A. Kitzhaber, State of Oregon; and public witnesses.

MEDICARE REFORM

Committee on Ways and Means: Subcommittee on Health held a hearing on Medicare Reform. Testimony was heard from Senator Breaux; and public witnesses.

SSA'S PROPOSAL TO IMPLEMENT RETURN TO WORK LEGISLATION

Committee on Ways and Means: Subcommittee on Social Security held a hearing on the SSA's Proposal to Implement Return to Work Legislation. Testimony was heard from public witnesses.

Joint Meetings

VETERANS OF FOREIGN WARS

Joint Meeting: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Veterans of Foreign Wars, after receiving testimony from John F. Gwizdak, Veterans of Foreign Wars, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 1, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to continue hearings to examine the statutes of conservation programs in the current farm bill, 9 a.m., SH–216.

Committee on Armed Services: to hold a closed briefing on current military operations, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider S.143, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission; proposed legislation requesting funds for the committee's operating expenses, subcommittee assignments, and rules of procedure for the 107th Congress, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine the President's proposed budget request for fiscal year 2002, 11 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the progress of the transition from analog to digital TV, 9:30 a.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine the anti-drug certification process, 10 a.m., SD–419.

Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine United States policy towards Iraq, 2:30 p.m., SD–419.

Committee on Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine the role of United States correspondent banking and offshore banks as vehicles for international money laundering, and the efforts of financial entities, federal regulators, and law enforcement to limit money laundering activities within the United States, 9:30 a.m., SD–342.

Committee on Veterans' Affairs: to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Retired Enlisted Association, Gold Star Wives of America, Fleet Reserve Association, and the Air Force Sergeants Association, 9:30 a.m., 345, Cannon Building.

House

Committee on the Budget, hearing on the President's Budget for fiscal year 2002, 10 a.m., and a hearing on the Department of the Treasury Budget Priorities for fiscal year 2002, 3 p.m., 210 Cannon.

Committee on Education and the Workforce, hearing on State Leadership in Education Reform, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing on Privacy in the Commercial World, focusing on basic privacy questions, 10 a.m., 2322 Rayburn.

Subcommittee on Health and the Subcommittee on Oversight and Investigations, joint hearing on Patients First: A 21st Century Promise to Ensure Quality and Affordable Health Coverage, focusing on improving patients' access to new technologies in the Medicare program, 10 a.m., 2123 Rayburn.

Committee on Government Reform, to continue hearings on "The Controversial Pardon of International Fugitive Marc Rich- Day Two," 12 p.m., 2154 Rayburn.

Committee on House Administration, to consider Committee funding requests, 10 a.m., 1310 Longworth.

Committee on International Relations, hearing on Conducting Diplomacy in a Global Age, 11 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on the Earthquake in India: the American Response, 9 a.m., 2172 Rayburn.

Committee on Ways and Means, to mark up H.R. 3, Economic Growth and Tax Relief Act of 2001, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, to consider pending business, 1:15 p.m., H–405 Capitol.

Joint Meetings

Joint Meetings: Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Retired Enlisted Association, Gold Star Wives of America, Fleet Reserve Association, and the Air Force Sergeants Association, 9:30 a.m., 345, Cannon Building.

Next Meeting of the SENATE

10 a.m., Thursday, March 1

Senate Chamber

Program for Thursday: After the recognition of nine Senators for speeches and the transaction of any morning business (not to extend beyond 1 p.m.), Senate may consider bankruptcy reform legislation, and any other cleared legislative and executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 1

House Chamber

Program for Thursday: Consideration of H.R. 333, Bankruptcy Abuse Prevention and Consumer Protection Act (structured rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Baldwin, Tammy, Wisc., E241
Barrett, Thomas M., Wisc., E239
Bentsen, Ken, Tex., E237
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