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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. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 28, 2002.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

PRAYER

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

Lord of light and majesty, a few weeks ago this Chamber prayed for Your blessing and protection upon the Olympic Winter Games before the torch was lighted. We confess that often enough we cry out to You when in need, and sometimes forget to return to You to offer thanks.

Today, Lord, we praise and thank You as the Lord God who made heaven and Earth, who granted peace and security to the Olympics in Salt Lake City.

We know You will bless and provide a just reward to the God-fearing people of Utah for all their labor in hosting the Olympics. We are grateful You have granted safe travel to all who attended the games, and brought them home to be received with joy and peace.

During the games, many young people around the globe came to see themselves as children of light, bringing new life and reconciliation to an aching world. May the Olympians throughout their lifetime be ambassadors of friendship and fair play beyond national borders. Knowing the importance of good order and abiding by the rules, and having glimpsed the glory of a community born of freedom and excellence, may they bring to people of all ages a spirit that will build upon yesterday's joys and tomorrow's hopes for a world free of drugs, addictions, and compulsions, even that of always winning or being first.

We seek such freedom from You, now and forever. 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 Iowa (Mr. GANSKE) come forward and lead the House in the Pledge of Allegiance.

Mr. GANSKE 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.

DEFENDING THE TRADITIONAL VALUES COALITION

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

Mr. DELAY. Mr. Speaker, last month we saw a clear example of irresponsible journalism. In January, National Public Radio aired a story that inappropriately linked the Traditional Values Coalition to the anthrax terror attacks against the Senate, but the NPR story did not present any credible evidence to support the awful association they suggested.

NPR's conduct is outrageous and ignores their basic responsibilities as journalists: presenting the facts to the public accurately and without bias. There was no legitimate justification for including TVC in the story describing the anthrax investigation. The only plausible explanation is an attempt by NPR to practice guilt by association.

I have worked with the Traditional Values Coalition for many years. They are a principled, compassionate, Christian organization which speaks for 43,000 member churches from across the United States. The Traditional Values Coalition is dedicated to defending the sanctity of life and upholding the dignity of every individual.

NPR needs to hold itself to far higher standards. By inserting a group without any possible connection to the anthrax attack into its report, NPR raised serious questions about their presentation of the news. NPR should be cautious about the damage that can be done to a group's reputation by similar association.

The public should expect responsible reporting from NPR, and they ought to demand it of themselves.

EXPRESSING CONDOLENCES TO THE FAMILY OF DANIELLE VAN DAM, AND URGING MEMBERS TO JOIN THE CONGRESSIONAL MISSING AND EXPLOITED CHILDREN'S CAUCUS

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

Mr. LAMPSON. Mr. Speaker, I rise today on behalf of the Congressional Caucus on Missing and Exploited Children to express my condolences to the family and the friends of Danielle van Dam. As an activist on the issue of missing kids, far too often I have seen parents who have had to deal with this tragedy. I have seen communities mobilized to search for a child who has not come home from school or disappeared from home.

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We must continue to work hard to educate and protect America's children from exploitation. I urge all Members to go back to their offices and log onto www.missingkids.org and find out how we can talk to our children and what we can do to help in our communities. Our efforts to prevent crimes against children have not kept pace with the increasing vulnerability of our young citizens.

Please contact my office if Members are not already a member of the Congressional Caucus on Missing and Exploited Children. Our children, grandchildren, nieces and nephews are counting on Members to give them a voice in Washington, as are people like Ludwig Koons, who is being kept illegally in Italy with little or no help from the Italian Government or the United States State Department. We must bring our children home.

RECOGNIZING MIAMI DADE COMMUNITY COLLEGE FOR ITS PROGRAMS, INCLUDING THE MDCC SCHOOL OF JUSTICE

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

Ms. ROS-LEHTINEN. Mr. Speaker, today I would like to congratulate a special higher education center located in my congressional district, Miami Dade Community College, which operates six campuses, two major outreach centers, and additional instruction sites, including a center at Miami International Airport.

Run by Dr. Eduardo Padron, the college has a wide variety of departments, including the much-acclaimed School of Justice. Each year, Miami Dade Community College's School of Justice provides training for over 350 law enforcement recruits, in-service training for over 3,000 sworn officers, and 2,500 State of Florida-certified security officers.

Additionally, the School of Justice has developed and administered over 170 law enforcement assessment and testing programs to 25 State agencies since 1981. The FBI and the London Metropolitan Police have used Miami Dade Community College's programs as a benchmark.

Please join me in congratulating and recognizing Miami Dade Community College's School of Justice, and especially Debbie Goodman, the school Chair; Robert Calabrese, the interim director; Ron Forester, the deputy director; but most especially, Dr. Eduardo Padron.

NATIONAL PUBLIC RADIO

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

Mr. FOLEY. Mr. Speaker, following up on the comments of the majority whip, the gentleman from Texas (Mr. DELAY), I am also concerned about what has happened here with NPR.

Although I had supported NPR's public funding in the past, I know when someone has been wronged. It does not matter if it is the Traditional Values Coalition or the ACLU, right or left wing, they simply did not deserve to be treated this way, to be forced to prove or disprove a negative.

America is still recovering from September 11, and the fight ought to be Americans versus terrorists, not Americans versus Americans. When such reckless, irresponsible accusations are pulled out of thin air, we are doing exactly what Osama bin Laden would like us to do, to turn on each other.

I am happy to see NPR has technically apologized. I can only hope they do so again much more loudly and much more often. It is a disgrace to journalism to make such a reckless accusation against a fine organization operating in this country.

I insist, before I continue to support their organizations, that they, in fact, do apologize more forcefully.

HATS OFF TO WADE SATERN AND ANDY ROUSCH, AND ALL KIDS WHO QUALIFY FOR THEIR STATE HIGH SCHOOL WRESTLING TOURNAMENTS

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

Mr. GANSKE. Mr. Speaker, hats are off to all the kids who qualify for their State high school wrestling tournaments across the country. We ex-high school and college wrestlers now in Congress know the hard work those accomplishments take.

However, I want to especially recognize two individuals. Wade Satern, of Humboldt, Iowa, won the 119-pound class 2–A championship, and Andrew ''Andy'' Rousch of Wilton, Iowa, placed third at 103 pounds in class 1–A.

Each of these young men wrestled with only one leg. Satern lost his leg as an infant; and he has said, ''I earned it just like any other kid earns a State championship: I worked my tail off. I personally do not feel like I am handicapped.''

The Speaker of the House, an ex-wrestling coach himself, joins me in saying to these young men, congratulations for a job well done.

NPR BREAKS TRUST WITH AMERICANS WITH IRRESPONSIBLE REPORTING

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

Mr. BLUNT. Mr. Speaker, in a report already mentioned today on Morning Edition, NPR implied, as we have already heard, that a conservative group, the Traditional Values Coalition, was involved in the anthrax mailings to the Senate because they disagreed with two members of that body on a religious issue.

The first amendment to the Constitution of the United States establishes the freedom of the press, forbidding the Congress to make any law abridging the right of the press to speak freely.

I, like all of us, am a true believer in the Constitution and what it stands for. However, I believe that with this freedom comes responsibility, the responsibility of the press to report accurately and in an unbiased manner the facts of an issue. This trust is compounded in the case of public television and public radio in that they receive taxpayer dollars to fund part of their operations.

On the morning of January 22, NPR broke their contract with the American people by reporting hearsay as fact. They did their fellow journalists and their listeners a grave disservice. In this case, the United States taxpayers did not get what they paid for. This report was completely inaccurate and irresponsible.

As I have stated, the press has a responsibility to report the facts, not unproven accusations. Two results should emerge from our 1-minutes today: one, NPR should issue an equally public apology to the Traditional Values Coalition; and, two, Congress should look long and hard at the recipients of taxpayer dollars.

NPR CROSSED THE LINE FROM BIAS TO OUTRIGHT LIBEL IN INACCURATE COMMENT ON TRADITIONAL VALUES COALITION

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

Mr. CALVERT. Mr. Speaker, like most Americans, I have become jaded to the fact that the news media uses the airways to promote their liberal agenda. But when National Public Radio made a thinly veiled accusation that the Traditional Values Coalition could be responsible for the anthrax attacks on Capitol Hill, they crossed the line from simple bias to outright libel.

Mr. Speaker, the thousands of men and women who make up the Traditional Values Coalition are our neighbors, our fellow churchgoers. They are the people who responded to our national emergency by giving their money, clothes, food, time, and even their blood to the victims of September 11. But to NPR, they are simply accused terrorists.

In the end, while the people of the Traditional Values Coalition practice the American ideals of charity and compassion, NPR continues to practice their traditional values: shameful pettiness and slanderous lies.

COMMEMORATING AFRICAN AMERICAN HISTORY AS AMERICAN HISTORY

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, on this last day of the month that we commemorate African American history, as I speak to my schools and community groups, I make the argument that we should celebrate and commemorate all of our diversities throughout the year because we all are Americans, and the history of African Americans is just that, the history of America.

□ 1015

I rise today to honor a local hero, Nellye Joyce Punch, who happens to be an African American soldier of good fortune for those who do not have. Nellye Joyce Punch has been someone who has worked in the fifth ward area for a number of years, and she fights against hunger in our community. Last evening, Target Hunger, an organization that she helped found, honored her. Well deserved. Because Nellye Joyce Punch when no one was speaking about the hungry in America, she was on the front line. She was someone who worked with my predecessor Mickey Leland and as well the Honorable Barbara Jordan. She has never left the fifth ward community. She is an educator. She is known as someone whose door is always open. She and her husband are both charitable and wise, and young people always know that when Nellye Joyce Punch is around she is there to be of help.

What a great African American hero. What a great hero of America. What a great person. Nellye Joyce Punch should be honored by all of us not only this month but throughout the year.

UNETHICAL REPORTING BY NPR

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

Mr. TIAHRT. Mr. Speaker, today the Corporation for Public Broadcasting will testify before the Subcommittee on Labor, Health and Human Services and Education of the Committee on Appropriations. The Corporation for Public Broadcasting oversees National Public Radio. As we review National Public Radio's budget, I must express my outrage at their unethical report on the anthrax mailings.

On January 22, NPR broadcast a story linking the Traditional Values Coalition to the anthrax mailings here on Capitol Hill. There are no facts and no sources to support this charge of the NPR broadcast. Though they have since issued a correction of the story, there was no apology. I am very concerned that their previously liberal bias has transformed into an all-out attack on conservative and Christian organizations. Four people died from the anthrax mailings, and it is very serious to accuse people of that crime without any supporting facts.

Andrea Lafferty and Reverend Shelton of the Tradition Values Coalition are good friends and loving people. It is shocking that anybody could consider them capable of such a horrific act. NPR receives Federal funds, and therefore we in Congress have a responsibility to make sure that our constituents' taxpayer dollars are not misused for such malicious and unethical reporting.

COMMENDING THE WORLDCOM CLASSIC

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

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to commend the charitable efforts of Worldcom Classic, the Heritage of Golf and the Heritage Golf Classic Foundation, a non-profit organization located at Hilton Head Island, South Carolina, which sponsors the annual Worldcom Classic Golf Tournament in April of each year and which generates $56 million for the hospitality industry of Beaufort County and the low country of South Carolina.

Since 1987 the Heritage Classic Foundation, chaired by Joseph B. Fraser, has given over $8.1 million to numerous charities, including noteworthy organizations such as Volunteers in Medicine of Hilton Head Island, the Shiners Hospital for Crippled Children in Greenville, Boys and Girls Club of Hilton Head Island, The Penn Center and Meals on Wheels. Also, 88 students have benefited from over half a million dollars distributed in scholarships to Beaufort County High School graduates.

Last year they donated a record amount of $1 million, surpassing the $2 million total of the prior 7 years, which goes out to the 102 charities and colleges across South Carolina.

I want to thank the tournament director, Steve Wilmot, and all those involved with Worldcom Classic, the Heritage Foundation of Golf, for their tireless efforts to support the low country of South Carolina and congratulate them on being an example to all communities of this Nation of how one group with the determination and desire to reach out and help neighbors can actually change lives and make dreams come true.

IMMORALITY OF CLONING

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

Mr. PITTS. Mr. Speaker, the world was amazed a few years ago when scientists in Scotland successfully cloned a sheep. Many of us wondered what was coming next. Well, in November, Advanced Cell Technology of Massachusetts announced that they had successfully cloned a human embryo. Amazingly, there are people out there who think cloning human beings is perfectly okay. Right now the U.N. is meeting to discuss a ban on what they call ''reproductive cloning.''

Mr. Speaker, I think we all know what a redundancy is. It means using two words that mean the same thing. Cloning is by definition reproductive. The only question is how long will the clones survive. But the pro-cloning crowd wants to create this false distinction so they can keep on cloning human beings as long as they do not grow up. In other words, they want to clone human beings as long as they are used for experimentation and then destroyed.

Mr. Speaker, this is sick and it needs to stop. The House has passed a cloning ban. America is still waiting for the other body to do the same thing so we can put a stop to this immoral and ethical science.

HONORING AMERICA'S POSTAL WORKERS

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

Mr. DAVIS of Illinois. Mr. Speaker, I would like to take this opportunity to acknowledge the hard work and amazing contributions of United States postal workers who since September 11, since the anthrax scare has continued to do yeoman work in delivering the mail without any sense of stoppage. I just think that these men and women are continuously owed a debt of gratitude, and we say thanks to the American postal workers.

SAFE TRANSPORTATION OF SPENT NUCLEAR FUEL

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

Mr. SHIMKUS. Mr. Speaker, I rise today to put an end to the claims from opponents of used nuclear fuel disposal who say transporting the material is unsafe. These claims have become louder since President Bush made a decision to move forward with the disposing of nuclear waste in Yucca Mountain. The truth is their concerns are misguided. You cannot argue with the fact that almost 3,000 safe shipments of used nuclear fuel have taken place without any release of radioactive material. That is right. On some 3,000 occasions used fuel has traveled by truck or rail across this country including almost 500 in my home State of Illinois. And the reason you probably have not heard about this is because not one of these shipments has threatened the environment or public safety.

States like Illinois have gone to great lengths to set up a system that

will ensure safe transportation of nuclear waste through the State and across State lines. Transporting spend nuclear fuel is safe. It has been proven to be safe, and there is no reason to doubt that it will remain safe.

HONORING MICHAEL DUNCAN, JR.

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

Mr. GIBBONS. Mr. Speaker, it has been more than 5 months since the terrible terrorist attacks on the World Trade Center and the Pentagon. And since that fateful day, thousands of dedicated Americans have united to help build this country. Today I rise, Mr. Speaker, to recognize one of those great Americans, Mr. Michael Duncan, Jr., who was the only Nevadan deployed from the Disaster Mortuary Operational Response Team, also known as DMORT. DMORT is a Federal-level response team which provides mortuary assistance in cases of mass fatality incidents like September 11.

Unfortunately, due to the heinous acts of the terrorists, our Nation has had to call upon DMORT for assistance at Ground Zero in New York City.

Mr. Speaker, I would like today to recognize the efforts of DMORT and specifically of Mr. Michael Duncan. On behalf of a grateful Nation, I thank him for his dedicated effort to a stressful, tragic and demanding job but a job which has to be done. Mr. Duncan serves as a role model for Nevadans and for all Americans.

STALLING THE FARM BILL

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

Mr. KINGSTON. Mr. Speaker, several months ago back in October the House of Representatives passed a farm bill. Farm bills are important because in our food service delivery production chain, the government is very involved in the production end on the farm; and farmers cannot make planting decisions until the law for the coming year is stipulated. And one reason they cannot is they cannot borrow money to plant their crops because the banks will not lend money until they know what the farm bill says in it.

Now, because of the House of Representatives return by Republicans is responsible, we passed this many, many months ago. Unfortunately it is across the hall in a body led by the other party, and they are still sitting on it. It is sad when so many people have such a callous disregard for farmers in America and for production agriculture. We need food in this country.

The miracle of our food, to think that less than 2 percent of the population is serving 100 percent plus the world; and yet we cannot get the other body to pass the farm bill. It is ridiculous. Let us move on for the sake of farmers and for the sake of American consumers and get this thing done.

APPOINTMENT OF CONFEREES ON H.R. 3448, PUBLIC HEALTH SECURITY AND BIOTERRORISM RESPONSE ACT OF 2001

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3448) to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. ESHOO

Ms. ESHOO. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. ESHOO moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 3448 be instructed—

(1) to work diligently to reconcile the differences between the two Houses in order to promote public health security and address potential bioterrorist threats;

(2) to recognize that Federal resources to combat bioterrorism and other public health emergencies have been increased through recent appropriations bills, to enhance preparedness and response to bioterrorism and other public health emergencies for fiscal year 2002, and that the managers on the part of the House should be careful not to disrupt or delay this much needed funding for fiscal year 2002;

(3) to recognize the pressing need to establish a national system for tracking the possession and use of deadly biological agents;

(4) to recognize the need to prioritize Federal and State resources to address potential threats to the food supply;

(5) to acknowledge the need to work with the Administration to ensure feasibility of enhanced food safety regulatory programs; and

(6) to provide for vulnerability assessments, emergency response plans, and other actions with respect to public drinking water supplies.

The SPEAKER pro tempore. The gentlewoman from California (Ms. ESHOO) will be recognized for 30 minutes and the gentleman from Louisiana (Mr. TAUZIN) will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise this morning in support of this motion of the House bill and emphasize the need for conferees to address and quickly resolve their differences on the bioterrorism legislation.

We live in unsettling times. Our hope is that we never again experience an act of terrorism, but we have to plan and prepare to respond to further attacks. The conferees face a complex task. The bills passed by the House and Senate cover many subjects including grants to our first responders, regulation of select agents, protection of our food supply, and protection of our water systems.

The motion recognizes the need for conferees to coordinate the final legislation with ongoing efforts to support existing plans and programs. Bioterrorist threats and public health emergencies can come in many forms, in many places; and the House bill is sensitive to that fact. We want an aggressive response to this problem.

Title I of H.R. 3448 provides a funding structure that focuses resources towards first responders with a minimum of delay and with maximum efficiency. This bill is a down payment, not a full measure of what will be needed for our citizens and our community to prevent, prepare for, and respond to terrorist attacks.

Title III of H.R. 3448, the Public Health Security and Bioterrorism Response Act of 2001 which we overwhelmingly passed on December 11, 2001, establishes important new regulatory authorities for the protection of our Nation's food supply. These new authorities enable the Food and Drug Administration to allocate its limited inspection resources more effectively where they are needed the most, at the ports of entry into the United States. In addition, the bill authorizes the appropriations of new funds for increased inspections of food, the development of rapid testing technologies, and an assessment of threats for the adulteration of food.

□ 1030

Along with improving FDA's information management systems as they pertain to imported food, the bill mandates that FDA notify relevant States when it has information indicating that a shipment of food presents a threat of serious adverse health consequences and requests that such States take appropriate remedial action.

Mr. Speaker, this is a motion on which I would expect all of my colleagues would agree. The bill passed the House by a vote of 418 to 2, and I believe my colleagues are unified in their desire to pass this legislation as soon as possible, and I urge them to do that.

I would also like to add that, as we have emphasized, a good part of the legislation is built around first responders, that what they will have in their hands, the tools that they will use, represent the best of the biotechnology industry of our country, the technology industry and high technology, both of which find a home in the 14th Congressional District of California. So America's best will be placed in America's best hands as first responders. I am very proud of that, and I know that my colleagues are as well.

Mr. Speaker, I thank all of my colleagues for the work that has been done on one of the most important bills that the House of Representatives will pass.

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

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

Mr. Speaker, I rise in support of the motion offered by my dear friend and colleague, the gentlewoman from California (Ms. ESHOO), a valued member of the Committee on Energy and Commerce, and thank her for this motion.

This motion is obviously to instruct the conferees on H.R. 3448, the other Tauzin-Dingell bill, the Tauzin-Dingell Public Health Security and Bioterrorism Response Act; and also I want to, obviously, thank the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Energy and Commerce, for again an extraordinary bipartisan effort to do what I think is something awfully important and necessary for our country.

As the gentlewoman explained, this bill came out of the Committee on Energy and Commerce in December and passed the House by 418 to 2, again a remarkable expression of the concern all Members have on both sides of the aisle for protecting America from these chemical and bioterrorism attacks. I believe that now we have to work even more diligently to reconcile the differences between our House-passed bill and the bill the Senate eventually passed in late December and go to a conference and get this bill accomplished as quickly as possible.

At its core, H.R. 3448 is about the safety and about the security of our country, a country that is now faced with profound new threats of terrorism and public health emergencies. Increasing Federal resources available to identify, to prevent, to deter and to respond to threats of bioterrorism is probably the most important thing we can do now in improving our readiness to face an enemy that is now here at home and threatens a free and prosperous society.

For fiscal year 2002 we have already addressed increasing the funding to combat bioterrorism through appropriations bills and by administrative actions. We must be careful not to disrupt or delay this very much needed funding by unnecessarily imposing substantial new requirements on the grants or the funding for fiscal year 2002. We must also enact a strong framework that combines smart, innovative policy with these additional resources to prepare our country for these bioterrorism threats, to improve our abilities to respond, as the gentlewoman said, quickly and efficiently if, in fact, those threats not only arise but are carried out as many predict al Qaeda and other members are still attempting to do.

Title I of the House-passed bill is intended to step up our preparedness and our capacity to identify and respond to these kinds of threats. The title will improve communications between and among the levels of government, public health officials, first responders, the health care providers and the facilities that must obviously take care of victims in the case of those emergencies.

As we work to reconcile the House- and Senate-passed bills, we must also enhance the controls on deadly biological agents in order to help prevent bioterrorism, establish a national database on dangerous pathogens. Even today we do not have a national system in place for tracking the possession and use of the anthrax that has already killed and injured citizens and continues to pose a threat to our national and economic security and public health and welfare, not to mention the lives of our postal workers and others in our society who are threatened by such an attack.

Title II of the House-passed bill imposes new registration requirements on all the possessors of the 36 most dangerous biological agents and toxins. It mandates tough new safety and security requirements to ensure that only legitimate scientists working in appropriate laboratory facilities can gain access to these potential weapons of mass personal destruction.

Title III of the House bill protects the food and drug supplies by increasing Food and Drug Administration resources to hire more inspectors at the border where so little of our food is inspected and by providing additional authority for the FDA to detain food and to investigate credible evidence of contamination and to improve access to records to assist in investigating any threats to our food supplies.

Finally, we must recognize the need to provide for the vulnerability assessments, emergency response plans and other actions with respect to public drinking water supplies. All of us should pay special attention to what is happening in Rome where tunnels were found and suspects arrested who had materials on hand designed to infect the water supplies of the Americans who work in our embassy there and could possibly have poisoned them and damaged them or hurt them or killed them. That single incident in Rome ought to stand as a stock warning to everyone in this country that it can happen here, too, if we are not careful.

Title IV of the House-passed bill requires a comprehensive review of the ways to detect and respond to chemical, biological, radiological contamination of drinking water, as well as ways to prevent and mitigate the effects of physical attacks upon those assets.

Again, I want to thank the gentleman from Michigan (Mr. DINGELL) and the members of the Committee on Energy and Commerce on both sides of the aisle for their tireless, extraordinary efforts to produce H.R. 3448. Once again, the House led the Senate in getting this legislation passed, but the Senate has done its job, too, now, and we need to reconcile the differences between the legislation.

I look forward to working expeditiously with the House and Senate managers to resolve those differences so this country can quickly get a strong public health security and bioterrorism response bill to the President's desk, not just this year but hopefully by the time we conclude in another month. We ought to get this thing done not in months but in days and weeks, and we ought to put it on the President's desk so the country can have the benefit of this kind of security.

I urge my colleagues to support this motion and commend the gentlewoman for presenting it to the House.

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

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

I would like to congratulate the chairman of our committee for the extraordinary work that has been done on this bill and to the gentleman from Michigan (Mr. DINGELL) our ranking member.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from California (Ms. ESHOO) for her leadership on this issue and her energy on the Committee on Energy and Commerce and also on the Homeland Security Task Force.

I thank the chairman and the ranking member of this full committee and stand to support this legislation, particularly as it relates to authorizing funding to develop antidote drugs in case of attacks, grants for emergency preparedness, aid to hospitals and other health and food programs.

This bill, along with the Justice Department reauthorization bill, H.R. 2215, is expected to deal with issues of terrorism, and of course, all of us are singularly committed to fighting against terrorism but also protecting the homeland.

I am particularly gratified that this legislation will help us stockpile vaccines and drugs, strengthen public health systems and promote other efforts to defend against biological attacks. We must reconcile the Senate bill with what we are attempting to do.

What I like about this legislation is it expands the role of the Centers for Disease Control. Many of us visited the Centers for Disease Control right after the September 11 tragic incident and right after the anthrax, and we saw there was great need in reinforcing its fund, reinforcing its expanse, because it relates to the public health system and also giving it money to help restore its physical plant. This is a very important aspect of this legislation.

As the chair of the Congressional Children's Caucus, let me say how glad

I am that we have established the National Task Force on Children and Terrorism and the Emergency Public Information Communications Task Force. One of the greater or silent victims of September 11 was all of the children that were impacted by terrorism.

I am interested also in the funding source, and I might raise this, I am concerned with first responders and local government. If someone comes out of local government, I am a former city council member, and I would like to make sure that those dollars get to the first responders and local governments. I know that we are dealing with block grants, and if I might put on the RECORD that it is very important that our mayors and county commissioners and those who are first responders are the ones that actually get those dollars.

I hope as we are resolving this legislation that we can assure that the ground firefighters and police and the emergency paramedics and hospitals get those dollars. As I met with those groups in my own congressional district, I can assure my colleagues that that is an important issue to us.

As I close, let me say that in my community we are establishing a biomedical center. Also, NASA is very much involved in biomedicine, and I believe we have a lot of good collaborators that can work with us on this issue, and I simply hope that, as we work together on these particular issues, we will make sure that those dollars get to those who need it.

Finally, might I say the food safety and security is extremely important. I do not know if we realize that the food supply of our farm animals even, the seed, needs to be protected, because that then generates into a potential for devastation among our population.

I rise again to ask support for this legislation, hope in conference some of my concerns will be addressed.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS) from the Committee on Energy and Commerce who played an instrumental role in fashioning the very important frame upon which H.R. 3448 was built and who will be joining us on the conference committee with the Senate.

Mr. SHIMKUS. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding me the time. I appreciate the ranking member and this motion to recommit, and I want to associate with my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE).

On Monday I met with over 150 firefighters as they tried to figure out how to competitively complete work on the fire grant acts and try to get up to snuff to be able to respond. Of great concern to them is responding to bioterrorism. And I am a Federalist, I believe in Federal responsibilities and local responsibilities, but this new world, there is something new that has emerged.

We have a responsibility if we want to rely on these people to respond to these great crises that could face our country. They have to be trained. They have to be equipped. They have to be able to be there. Because no matter, as an Army officer, no matter how we drop in a field medical office, those firefighters, those police officers, those local sheriffs are going to be there and they better be equipped and trained and be able to perform the mission, not only them but our local hospitals.

This whole health care debate and the changing from hospital rooms, I think now there is a big gap. If there is a great crisis, where are these sick people going to go? How are we going to be able to respond? So the local hospitals, the community health clinics and those things are just critical, and I know this is a way that we are going to try to wrestle out some of those problems and get a way that we can help the local responders, and I am honored to be able to serve on the conference.

I look forward to working hard.

Ms. ESHOO. Mr. Speaker, I have no further speakers; and I yield back the balance of my time.

Mr. TAUZIN. Mr. Speaker, I have no further speakers; and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. ESHOO).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TAUZIN. 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, further proceedings on this motion will be postponed.

□ 1045

APPOINTMENT OF CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. COMBEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas? The Chair hears none and, without objection, appoints the following conferees: Messrs. COMBEST, BOEHNER, GOODLATTE, POMBO, EVERETT, LUCAS of Oklahoma, CHAMBLISS, MORAN of Kansas, STENHOLM, CONDIT, PETERSON of Minnesota, DOOLEY of California, Mrs. CLAYTON and Mr. HOLDEN.

There was no objection.

The SPEAKER pro tempore. The Speaker may supplement the appointment at a future time.

MOTION TO INSTRUCT CONFEREES ON H.R. 3448, PUBLIC HEALTH SECURITY AND BIOTERRORISM RESPONSE ACT OF 2001

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on H.R. 3448 on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentlewoman from California (Ms. ESHOO).

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 22, as follows:

[Roll No. 46]

YEAS—412

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
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
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
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
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
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, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
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
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—22

Ackerman
Baldacci
Blagojevich
Clay
Clayton
Condit
Cubin
DeFazio
Fattah
Gallegly
Gilman
Hinojosa
Linder
Lynch
Norwood
Roukema
Rush
Sandlin
Traficant
Vitter
Weiner
Young (AK)

□ 1114

Mr. Jefferson changed his vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CLAYTON. Mr. Speaker, I missed the last vote, rollcall 46. If I had been here, I would have voted ''yea.''

Mr. SANDLIN. Mr. Speaker, I ask that it be entered in the RECORD that if I had been present today I would have voted "yea" on rollcall No. 46, the motion to instruct conferees on H.R. 3448, the Public Health Security and Bioterrorism Response Act of 2002.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Speaker, this week, due to personal matters, I was unable to vote on rollcall No. 44. If I had been present I would have voted ''no.''

In addition, I was not present to vote on rollcall Nos. 39, 40, 41, 42, 43, 45, and 46. If I had been present I would have voted ''yes.''

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the Chair appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conferences: Messrs. TAUZIN, BILIRAKIS, GILLMOR, BURR of North Carolina, SHIMKUS, DINGELL, WAXMAN, and BROWN of Ohio.

Provided that Mr. PALLONE is appointed in lieu of Mr. BROWN of Ohio for consideration of Title IV of the House bill, and modifications committed to conference.

From the Committee on Agriculture, for consideration of Title II of the House bill and section 216 and Title V of the Senate amendment, and modifications committed to conference:

Messrs. COMBEST, LUCAS of Oklahoma, CHAMBLISS, STENHOLM and HOLDEN.

From the Committee on the Judiciary, for consideration of Title II of the House bill and sections 216 and 401 of the Senate amendment, and modifications committed to conference:

Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

There was no objection.

LEGISLATIVE PROGRAM

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

Ms. PELOSI. Mr. Speaker, I have an inquiry of the distinguished majority leader about the schedule for next week.

Mr. ARMEY. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Texas.

□ 1115

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week.

The House will next meet for legislative business on Tuesday, March 5, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow.

Mr. Speaker, Members should make special note that on Tuesday, recorded votes will be postponed until 6 p.m.; and that 6 p.m. is for next week only.

On Wednesday and Thursday, the House will consider the following measures subject to rules:

Networking and Information Technology Research Advancement Act; and

The Department of Justice authorization conference report, if it is available.

Mr. Speaker, I am also talking with Chairman OXLEY about the possibility of moving H.R. 2604, the Multinational Bank Reauthorization Act, next week.

I thank the gentlewoman for yielding.

Ms. PELOSI. I thank the majority leader.

I had some further questions about the schedule. Is there any Social Security legislation that will be scheduled on the floor next Tuesday or any other day next week?

Mr. ARMEY. I thank the gentlewoman for that inquiry.

At this point, I see no legislation on that subject that would be available for the floor next week.

Ms. PELOSI. It is my understanding that the Committee on Ways and Means today is holding hearings on Social Security certificates legislation. When would that legislation be expected to come to the floor?

Mr. ARMEY. Again I thank the gentlewoman for her inquiry.

I do know that the hearings were held today, but I have not been requested to provide floor time to the committee for any pending legislation.

Ms. PELOSI. Mr. Leader, once again I am disappointed that there is no legislation addressing unemployment assistance. We all know that there is an urgent need for that.

Will we be appointing conferees on that legislation next week? If so, when might that occur?

Mr. ARMEY. Again let me thank the gentlewoman for the inquiry.

The Speaker and I have spoken about this only briefly, but at this point he has not asked me to schedule any appointment of conferees.

Ms. PELOSI. I find that disappointing because, as the gentleman knows, we have people who are suffering in our country. We passed the airline bailout bill in a matter of days of September 11, and that was appropriate. We should have at that time passed unemployment benefits for those who are affected by September 11. Now we are 6 months later, and we still do not have the conferees appointed.

Mr. ARMEY. If the gentlewoman will yield, and I do appreciate her concern. In fact, we, too, share this concern. The frustration that she feels is felt over here, too. Having passed unemployment insurance extensions three

times through this body to the other body and having seen such a disappointing response by the other body, we do understand her concern and we are hopeful that we can work this out as well as opportunities to go back to work for most of these people.

Ms. PELOSI. I appreciate the majority leader saying that, Mr. Speaker, because the American people expect and deserve for this Congress, in this House for us to work together in a bipartisan way to bring the same relief to the American workers affected by September 11 as we did to bail out the airline industry only a few days after September 11, as I mentioned.

Mr. Speaker, on the question of the schedule, as the gentleman knows, there are primaries beginning this spring. We have our own this Tuesday in California. Will there be any change in the vote schedule on Tuesdays with the primaries?

Mr. ARMEY. Again I thank the gentlewoman for the inquiry.

I know that, in fact, just a week later, we will have ours in Texas. Primary season this year does generally fall on Tuesdays. Unfortunately, it is our need to convene the body for work on Tuesdays. We try to have the votes later in the evening so that Members hopefully would be able to vote in their States in the mornings and return. It is a difficulty for California, but I believe we have done the best we can in terms of our accommodation for next week.

Ms. PELOSI. Mr. Leader, I assume that I should not take it personally that on the day of the California primary you have made the votes earlier rather than later.

Mr. ARMEY. I thank the gentlewoman for the inquiry; but let me just say that this body, as the Nation, admires and respects California and can only hope for the best for your great State.

Ms. PELOSI. I am certain of that. I thank the gentleman for the information.

ADJOURNMENT TO MONDAY, MARCH 4, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 5, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday March 4, 2002, it adjourn to meet at 12:30 p.m. on Tuesday, March 5, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

EXTENDING CONGRATULATIONS AND BEST WISHES TO JOE YANCEY

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that this body join me in extending congratulations and best wishes to Mr. Joe Yancey on this very special day in his life.

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

There was no objection.

RECOGNIZING CIVIL AIR PATROL FOR 60 YEARS OF SERVICE TO UNITED STATES

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the concurrent resolution (H. Con. Res. 311) recognizing the Civil Air Patrol for 60 years of service to the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, reserving the right to object, I would like to begin in great sincerity by thanking the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS), the chairman and ranking member of the Committee on the Judiciary, for allowing this resolution to be brought to the floor. Their stewardship of that distinguished committee is an inspiration to me, and I appreciate their taking the time to review my request on such short notice. The 60th anniversary gala of the Civil Air Patrol is being held here in Washington, D.C., this Saturday evening; so, honestly, their diligence in steering this resolution through the committee is timely indeed.

In 1938 as the winds of war began to stir over Europe and East Asia, a group of concerned American pilots began to advocate for the creation of a civilian air defense. Their concerns about American involvement in the coming world conflict proved to be prophetic. The Civil Air Patrol, commonly known as CAP, was organized on December 1, 1941, 6 days before the attack on Pearl Harbor.

Over the course of the Second World War, CAP volunteers would log more than 500,000 flying hours performing coastal patrols to search for enemy submarines, search and rescue missions, and cargo and courier flights for military personnel. Their efforts freed countless Army Air Corps enlistees to fight at the front and contributed greatly to homeland defense. Several historical sources suggest that the CAP coastal patrol rid the Atlantic coast of German U-boats by 1943.

With the end of hostilities, CAP's responsibilities grew. In 1946, CAP was incorporated as a benevolent, nonprofit organization. Two years later, it became an auxiliary of the newly created United States Air Force. For the next 54 years, CAP would mobilize its resources to fulfill its congressionally mandated mission of providing aerospace education, cadet programs, and emergency services to the American public.

It has performed this mission with distinction. The CAP cadet program has trained more than 750,000 youths in leadership and life skills over the past 60 years. During that same period, CAP pilots have flown over 1 million hours on search and rescue missions, saving hundreds of lives. In 1951, CAP initiated its aerospace education program which has since trained more than 300,000 teachers in math and science as they relate to aviation. These teachers have, in turn, taught over 18 million students. Since 1986, CAP has cooperated with the United States Air Force, the U.S. Customs Service, the Drug Enforcement Administration, and the United States Forest Service to stem the flow of illegal drugs into our country. Together with these agencies, it has assisted in the confiscation or eradication of billions of dollars of illegal drugs. Today, CAP is stronger than ever, boasting a membership of 60,000 individuals and a fleet of over 500 airplanes.

In offering this resolution, I implore my colleagues to award the Civil Air Patrol the honor it is due for its untiring service to the Nation. To the members of the Civil Air Patrol, I say happy 60th birthday. I wish you, at the very least, 60 more.

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

Mr. HASTINGS of Florida. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. I thank the gentleman from Florida for yielding.

Mr. Speaker, I also support H. Con. Res. 311, recognizing the Civil Air Patrol for 60 years of distinguished service to the United States.

Mr. Speaker, the Civil Air Patrol was established on December 1, 1941, days before the attack on Pearl Harbor. Today it provides an important service to our country by performing search and rescue missions, assisting law enforcement with antidrug operations, and helping the FAA to monitor airports.

The Civil Air Patrol deserves our support, praise, and thanks. With this concurrent resolution, we recognize it

for the important role it has played in our Nation.

Mr. HASTINGS of Florida. Mr. Speaker, again I thank Chairman SENSENBRENNER for his great help.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 311

Whereas the Civil Air Patrol was established on December 1, 1941, in the Office of Civilian Defense;

Whereas during World War II the volunteer units of the Civil Air Patrol conducted search and rescue missions, provided air transportation for military personnel and cargo, towed targets for the training of Army Air Corps gunners, and patrolled the coasts of the United States searching for enemy submarines;

Whereas by the end of World War II the Civil Air Patrol had flown more than 500,000 hours, sunk 2 German U-boats, and saved hundreds of crash victims;

Whereas on July 1, 1946, the Civil Air Patrol was chartered by the United States as a nonprofit, benevolent corporation;

Whereas on May 26, 1948, the Civil Air Patrol was permanently established as a volunteer auxiliary of the United States Air Force;

Whereas since 1942 the cadet programs of the Civil Air Patrol have trained approximately 750,000 youth, providing them with leadership and life skills;

Whereas since 1942 the Civil Air Patrol has flown more than 1,000,000 hours of search and rescue missions, saving several thousand lives; and

Whereas since 1951 the aerospace education programs of the Civil Air Patrol have provided training and educational materials to more than 300,000 teachers, who have educated more than 8,000,000 students about aerospace: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes the Civil Air Patrol for 60 years of service to the United States.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of House Concurrent Resolution 311 just adopted.

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

There was no objection.

RECOGNIZING SIGNIFICANCE OF BLACK HISTORY MONTH

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the concurrent resolution (H. Con. Res. 335) recognizing the significance of Black History Month and the contributions of black Americans as a significant part of the history, progress, and heritage of the United States, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, reserving the right to object, and I will not object, I yield to the gentlewoman from Virginia (Mrs. JO ANN DAVIS) to explain the concurrent resolution.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, House Concurrent Resolution 335 expresses the sense of Congress that the contributions of black Americans are a significant part of the history, progress, and heritage of the United States and that the ethnic and racial diversity of the United States enriches and strengthens the Nation.

Mr. Speaker, I rise today in honor and acknowledgment of Black History Month, a great tradition honoring and celebrating black Americans. This 74-year tradition seeks to broaden our vision of the world, the legacy of black Americans in our Nation's history, and their role in our Nation's future. I commend the distinguished gentleman from Oklahoma (Mr. WATTS) for introducing this important piece of legislation.

Mr. Speaker, the first black Americans were brought to these shores as early as the 17th century. These black Americans and subsequent generations were enslaved and brought to America against their free will. Despite this setback, early black Americans made their mark in the economic, educational, political, artistic, literary, scientific, and technological advancement of the United States. Black Americans have also contributed to protecting the Nation's security and freedom through service in the Armed Forces. In addition, they have built many of the Nation's strongest faith-based institutions which serve the Nation's poorest citizens, strengthen the Nation's moral code, and uplift its spirits.

Mr. Speaker, it is important that we stand today and recognize the achievements of black Americans. Their heritage and history are invaluable learning tools to the people of our great Nation.

I thank the gentleman for yielding.

Mr. DAVIS of Illinois. Mr. Speaker, reclaiming my time, when I think of this bill, which was introduced by the gentleman from Oklahoma (Mr. WATTS), I think of the words of Langston Hughes, the African-American poet, who stated:

''O, let America be America again.
The land that never has been yet
And yet must be.
The land where every man is free.
The land that's mine—
The poor man's, Indian's, Negro's, me—
Who made America,
Whose sweat and blood,
Whose faith and pain,
Whose hand at the foundry,
Whose plow in the rain,
Must bring back our mighty dream again.''

□ 1130

That is from ''Let America be America Again.'' Those eloquent words of celebrated African American poet and writer Langston Hughes resound today as we celebrate Black History Month and as we discuss this resolution recognizing the significance of Black History Month.

On February 1, 2002, Mr. Hughes joined the other 24 prominent African Americans distinguished by having a stamp issued in their honor as part of the U.S. Postal Service's Black Heritage Stamp service.

There was certainly a time in our not-too-distant past when this would have been unthinkable, issuing stamps depicting prominent African Americans. Indeed, this was the case in February 1926 when renowned African American educator Carter G. Woodson, founder of the Association for the Study of African American History and Life, designated a week in February coinciding with the birthdays of two great Americans, Frederick Douglass and Abraham Lincoln, as Negro History Week. Mr. Woodson hoped that the contributions of African Americans would be studied as integral to our shared American history. Fifty years later, in 1976, the observance was expanded to embrace the entire month of February, and here we are today commemorating yet another Black History Month.

In 1926, the landscape in this country for African Americans was demonstrably different than it is today. At that time, ''separate but equal,'' a doctrine that afforded Black Americans second-class citizenship, was the law of the land, although an immoral one.

Through the heroic efforts of many Americans of all races, legalized discrimination became a thing of the past. This body passed landmark legislation, most notably the Civil Rights Act of 1964 and Voting Rights Act of 1965. However, the story of racial discrimination did not end in 1965.

Here we are in 2002, and the theme for this year's observance of Black History Month is most appropriately timed: ''The color line revisited: Is racism dead?'' The answer obviously is a resounding ''no.''

One only needs to read the newspapers from around the country every day to see that racism is not dead. New York Times, January 15: ''New Jersey troopers avoid jail in case that highlighted profiling.''

Chicago Tribune, January 21: ''Racial profiling is bad policing.''

Detroit Free Press, January 11: ''Black Arab-American leaders assail racial profiling.''

Denver Post, November 28, 2001: ''Hispanics, Blacks, get searched more.''

Dallas Morning News, January 2, 2002: ''Racial profiling ban takes effect.''

I could go on and on and on; but African Americans, despite our robust laws, face a daily dosage of humiliation as the result of racism. Thousands of African Americans and other racial and ethnic minorities have been the victims of racial, ethnic or national origin profiling; targeted, identified, stopped, questioned and searched by law enforcement officials under the guise of committing a crime, when in reality their only crime was the color of their skin or their country of origin.

Young black men are particularly prone to DWB, driving while black. Since September 11, law-abiding Arab-American citizens have been targeted for profiling by law enforcement officials. Racial profiling violates the equal protection provisions of our great Constitution. Not only is it un-American, it is also bad law enforcement.

Salim Muwakkil, in the Chicago Tribune, wrote about University of Toledo law professor David A. Harris' new book, ''Profiles in Injustice: Why Racial Profiling Cannot Work.'' Harris' book, for the first time, compared all of the available data on racial profiling with relevant crime statistics and makes clear that the ''hit rate,'' the rate at which police actually find contraband on people they stop in racial profiling, is actually lower for blacks than for whites. The hit rate for Latinos is much lower than for either.

In 2001, a Department of Justice report came to the same conclusion. Wade Henderson, executive director of the Leadership Conference on Civil Rights said, ''Most Americans think that the most blatant forms of discrimination and segregation have ended, that we are dealing now with a much more complex, often more subtle form of discrimination. Yet incidents like the ones we are discussing now seem to belie the point. They seem to suggest that even the more blatant forms of discrimination, though not as institutionalized as they once were, are still occurring, and I think stand in mockery of the perception that America has become a color-blind nation.''

Since June of last year, the End Racial Profiling Act of 2001 has been pending in our esteemed institution. This 107th Congress could put an end to racial profiling by passing this act and sending it to the President for signature. Then we would really be celebrating Black History Month 2002.

So I end, Mr. Speaker, as I began. ''O, let America be America again; the land that never has been yet and must be; the land where every man is free.''

I urge my colleagues to support this resolution.

Mr. Speaker, further reserving the right to object, I am pleased to yield to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today in celebration of Black History Month. Since 1976, each year during the month of February, Black History Month is celebrated across the Nation.

The origins of Black History Month are dated back to 1976 when, as the gentleman from Illinois (Mr. DAVIS) said, Dr. Carter G. Woodson, an American of African descent who was an educator and historian, set aside a special period of time in the month of February which began as Negro History Week, to recognize the heritage, the achievements and contributions of Americans of African descent to our great Nation.

When you consider that Abraham Lincoln, the Great Emancipator, is celebrated during February, it is only appropriate that those people whom he freed more than a century ago be celebrated during this month as well.

However, although February is officially recognized as Black History Month, we should celebrate black history throughout the entire year. This is a magnificent opportunity for everyone, red, yellow, brown, black and white, to learn about their own history.

After all, black history is American history. Rising from the horrors and brutality of slave roots, Americans of African descent are the epitome of strength and endurance, perseverance, intellect and creativity.

Throughout America's history, Americans of African descent have consistently served as a catalyst for change and progress. The innumerable struggles and successes of the African American people have made it possible for all Americans to enjoy and share the same civil rights and privileges which we all hold so dear: freedom, liberty, and equality.

It is impossible to imagine our world without the contributions of Americans of African descent. Americans of African descent have played an integral role in building this country and making it the superpower that we all know it to be today. From helping to fight the Civil War, to constructing America's most prominent addresses, the United States Capitol and the White House, as well as making some of the most important discoveries and inventions that to this day still influence every aspect of our lives, be it economics, politics, language, art, technology, food or music, Americans of African descent have made an extraordinary and indelible mark on American culture.

No one chooses to be born red, yellow, brown, black or white. Rather, the good Lord above makes that decision. And if it is good enough for God, it should be good enough for all of us; and it is surely good enough for me.

Therefore, I challenge each and every one of us who are gathered here today and all Americans to celebrate black history and the many different cultures that constitute this place that we all call home and the rest of the world calls America. After all, our diversity is our strength.

Mr. DAVIS of Illinois. Mr. Speaker, continuing my reservation, I urge passage of this resolution.

BLACK HISTORY MONTH

Mr. LANGEVIN. Mr. Speaker, today marks the end of Black History Month, a time when we are reminded of the great contributions of African-Americans to our Nation. Rhode Island has a proud history of African-American accomplishments ranging from the heroic deeds of the Black Regiment, which fought under General Nathaniel Greene during the American Revolution, to Ruth Simmons who, as president of Brown University, is the first African-American to head an Ivy League institution.

Last month, I met with civil rights leaders from Rhode Island to discuss the work of Rev. Martin Luther King, Jr., and how we are still working to keep alive his vision for America. While we have made great strides since Dr. King's death, we have much more to accomplish. Throughout my service as a public official, I have met far too often with people with no access to affordable health care, housing, or even quality education for their children, and who fear for the safety of their loved ones because of gun violence. Congress must have the courage to address these problems immediately and promote efforts to improve the lives of all Americans.

We cannot tolerate violence and crimes that target a victim's race, religion, gender, sexual orientation, or disability. We must demand affordable health care and housing. We must support equal pay for equal work. And we must defend affirmative action in order to provide greater opportunities to minority students, workers, and business owners.

When accepting his Nobel Peace Prize Reverend King said, ''I have the audacity to believe that peoples everywhere can have three meals a day for their bodies, education and culture for their minds, and dignity, equality and freedom for their spirits.'' I challenge all of us to share Dr. King's audacity and to continue fighting for an America that offers equality for all.

Mr. GILMAN. Mr. Speaker, I rise to honor the many achievements of African-Americans this February 2002, Black History Month.

The first Black History Month took place in 1926, when Carter G. Woodson chose the second week in February, a week that includes the birthdays of Abraham Lincoln and Frederick Douglass, to honor the contributions of African-Americans.

The rich history of African-Americans reflects the challenges our Nation has faced, the diversity of our people, and the bright future ahead. Throughout our history, African-Americans have bravely fought for the freedoms we hold dear. The first American to lose his life in the American Revolution was a free black man named Crispus Attucks and, posing as a double agent, a slave, James Armistead, a slave, received permission to enlist in the Army under French General Marquis de LaFayette, providing the Americans with crucial information about British naval support.

During the 19th century, many African-Americans joined the abolitionist movement, fighting against the injustices of slavery. We remember the bravery of Frederick Douglass, Harriet Tubman, and Sojourner Truth who stood for the principles of freedom and equality.

The 20th century has also known many achievements of African-Americans. In New York a remarkable period of literary creativity in the 1920s and 1930s came to be known as

the Harlem Rennaissance. Among the notable writers of this era were Langston Hughes, Claude McKay, and poet James Weldon Johnson. In sports, while fans will remember Jackie Robinson's talents in fielding, hitting, and base running, it was his bravery in breaking the color barrier that paved the way for many great athletes.

In our mutual struggle for civil rights, our Nation has reaped the benefits of dedicated African-Americans. We must never forget the life, message, and many achievements of Dr. Martin Luther King, Jr., whose efforts paved the way for the revolutionary legislation of the 1960s. In addition we remember the bravery of Ms. Rosa Parks, who as a young woman, stood to end discrimination on a bus in Alabama and ignited change throughout our Nation.

Our society has come a long way. Today, many African-Americans serve in this body and in the President's Cabinet. President Bush recently stated that "Nobody can understand this country without understanding the African-American experience. It began when America began."

Mr. Speaker, too often, people think of Black History Month as a time for African-Americans to reflect and celebrate their rich history. However, this is a time for us all to recognize the significant contributions of African-Americans, to reflect upon the struggle to end slavery and to extend civil rights to all, and to reinvigorate our efforts to end prejudice throughout our Nation and our world.

I am pleased to join my colleagues and all Americans in expressing appreciation for the contributions African-Americans have made to our Nation this Black History Month.

Mr. DAVIS of Illinois. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. SWEENEY). Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 335

Whereas the first Black Americans were brought to these shores as early as the 17th century;

Whereas these first Black Americans and subsequent generations were enslaved and brought to America against their free will;

Whereas, despite this enslavement, early Black Americans made significant contributions to the economic, educational, political, artistic, literary, scientific, and technological advancement of the United States;

Whereas many of these enslaved Black Americans fought and died in the Revolutionary War and the Civil War;

Whereas, despite official and social discrimination, subsequent generations of Black Americans have continued to build on these early contributions and continue to make important advancements in politics, business, culture, education, art, literature, science, and technology;

Whereas Black Americans have worked consistently and arduously to strengthen the Constitutional values of freedom, liberty, and equality;

Whereas Black Americans have disproportionately contributed to protecting the Nation's security and freedom through service in the Armed Forces;

Whereas Black Americans have built many of the Nation's strongest faith-based institutions which serve the Nation's poorest citizens, strengthen the Nation's moral core, and uplift its spirit; and

Whereas the month of February is officially celebrated as Black History Month, which dates back to 1926, when Dr. Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievements of Black Americans: Now, therefore, be it

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

(1) Congress recognizes the significance of Black History Month, an important time to recognize the contributions of Black Americans in the Nation's history, and encourages the continued celebration of this month to provide an opportunity for all people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(2) it is the sense of Congress that—

(A) the contributions of Black Americans are a significant part of the history, progress, and heritage of the United States; and

(B) the ethnic and racial diversity of the United States enriches and strengthens the Nation.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. 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. 335.

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

There was no objection.

COMMENDING THE WINNERS OF THE ROSA PARKS ESSAY CONTEST HELD IN INDIANA'S TENTH CONGRESSIONAL DISTRICT.

(Ms. CARSON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Ms. CARSON of Indiana. Mr. Speaker, as we celebrate Black History Month, I rise to commend the six winners of the Rosa Parks Essay Contest held in Indianapolis' Tenth Congressional District conducted by my office in conjunction with the recent movie premier of "Ride to Freedom, the Rosa Parks Story."

I challenged the students of the Indianapolis public schools to write essays discussing the difference Rosa Parks made in the world and the difference they can make in their own lives. This competition was opened to students in grades 6 through 12. The six winners received two tickets to attend the movie premier of the "Ride to Freedom," as well as a replication of the Rosa Parks Congressional Gold Medal.

The winners were selected by my Congressional Youth Caucus: April Johnson and Ashlee Johnson, Arlington high school; Gabrielle Hayes and Alicia Henderson, both eight grade students at the Sidener Learning Community; Heather Sweigart and Tiffany Thompson, both 7th grade students at John Marshall Middle School.

One of the winners wrote, "Rosa Parks is a leader and fighter for her beliefs," and that is what she wants to be. "We must stand up for what is right, no matter what the cost. In the end we will live safer, longer, and better . . ."

Mr. Speaker, I include copies of the essays by the winners for the CONGRESSIONAL RECORD.

The essays referred to are as follows:

(By Tiffany Thompson)

Rosa Parks was born in 1913, grew up in Montgomery, Alabama, where racism, segregation, and insults were a daily part of her life. She didn't care so she did it in her own way. For example, she would take the stairs instead of the elevators marked "color" elevators. Rosa grew up in a bad environment that is probably why it became more active in the civil rights movement. Rosa graduated from Alabama State College, and she worked as a housekeeper.

On December 1, 1955 after a long day at work pressing shirts, Parks was too tired to go all the way to the back so she sat in the section where blacks weren't supposed to sit but if a white person wasn't there they could. Parks and three other black women were sitting in the same section. When a white person got on the bus the three women went to the back but Rosa refused because she was too tired of work and racism. Then the Montgomery Boycott started. After refusing to move, Parks was arrested. She could have just paid a fine instead she chose to fight for her rights as well as others, and with the support of her family, she won, she took a stand that America will never forget.

What I am doing to help the community, first of all, at church we are donating shoes, clothes, food, and other things to the shelters and poor people. Second, we are giving money to help the people in New York, who don't have homes and have lost family members. Last, we are helping the community by all the kids who need help and who need families. In conclusion, this is how me and my church are helping the community.

"THE WOMAN WHO MADE A DIFFERENCE"

(By Heather Sweigart)

The things that Rosa Parks made a difference in her community. First of all, she was active in the Montgomery Voters League and the NAACP (National Association for the Advancement of Colored People) Youth Council. She was secretary of the Montgomery branch of the NAACP. On the other hand, Rosa also worked as a fundraiser for the NAACP. Rosa founded the Rosa and Raymond Parks Institute for Self-Development in 1987. The institute for self-development was for offering guidance to young blacks. That is how Rosa Parks made a difference.

These are the things that I do to make a difference. First, I help other people and volunteer for things during and after school. Right now at school, I'm helping do the yearbook and newspaper. I'm also helping Mrs. Hastings teach some people how to play volleyball. Most of the time, I'm helping people do math, reading, and s. studies homework. I like to help people by giving them my opinion on how to draw something, too. In conclusion, I volunteer during and after school, I help do yearbook and newspaper, help Mrs. Hastings teach volleyball, help people do different homework papers, and give opinion on drawings, that's how I make a difference.

(By Gabrielle Hayes)

Rosa Parks made a big impact on the people in America, she made her mark around the world. Her act of refusing to give up a seat started change in race relations and transportation. Back then, blacks were to sit in the back of the bus. She worked very hard and she was tired. Now you can sit anywhere you want on the buses. Rosa Parks is a leader and fighter for her beliefs. She never compromised what she thought was right. Although she had some personal tragedies in her life, she never showed any signs of loneliness. She is an icon all over the world for Civil Rights. She makes everyone around her do their best. When she was a young woman she worked as a seamstress. She had lost everything she worked hard for when she refused to go the back of the bus.

I can do some good for my community by getting an education and remaining drug free. I can be a role model for my younger brother and sisters. We must stand up for what is right no matter what the cost. In the end we will live safer, longer, and better as imitators of Rosa Parks. Who knows someone some day may remember Gabrielle Hayes for making a difference in Indianapolis.

(By Alicia Henderson)

The influence of Rosa Parks on the world community started by her refusal to give up a seat. That one refusal changed public transportation. She started a movement that demanded change with the way things were run. Her hard work and dedication to help the fight for civil rights established her as a firm believer in nonviolence. Parks fought for civil rights even though she herself was suffering terrible personal losses. The lives of her brother, husband, and mother were claimed by cancer. Although going through much pain she never let it show. Through many personal battles she never lost sight of the purpose she set out to fulfill.

What Rosa Parks does shows the true power of one person. Confidence, strong-will and perseverance make her an outstanding leader and role model; she has qualities that not many people have. She embodies the spirit of what one can do if she sets her mind to it. A small step can go a long way toward making a dream come alive.

Rosa Parks is an inspiring person. She helps young people like me realize that the small things we do can add to a greater cause. I, as one person, can help by making sure by generation doesn't forget what people like Rosa Parks did to ensure that African Americans of future generations can live the dream.

(By Ashlee Johnson)

Rosa Parks was a nice and respectful black woman. She made a big difference in this world by standing up for herself. Mrs. Parks influenced others to stand up for themselves by not letting people run over them. The details behind Mrs. Parks standing up for herself is that one day Mrs. Parks had just had a hard and tired day, just like anybody else that works. So Rosa decided to ride the bus home.

Now back in 1955 black people were to sit in the back of the bus, and white people were to sit in the front of the bus. But if there were not enough seats for the white people, the black people were to stand up so the white people could be seated. It just so happened that Mrs. Parks was that black person that was suppose to stand up for the white person, but she did not let anyone disrespect her, and she did not disrespect them either. She just simply told them in a soft toned voice, ''I'm not moving.'' In conclusion by Rosa Parks doing this, she made a big difference in the world. She influenced them to stand up for themselves.

A difference that I can make in this world for people in general is that I can get people to stop judging people by the way they look. I can influence them to stop saying, ''Ohh, girl look at her, she know she look stinky.'' Instead of just laughing it off, I could say, ''What if that was you? You would not want anyone to talk about you. Would you?'' To sum it up, this is how I could make a difference in the world.

(By April Johnson)

Rosa Parks made a big difference. Rosa Parks stood up for what she believed and took a stand. She made people more confident and she influenced people to stand up for their rights. Rosa did what any ordinary person could do.

I believe in myself and I believe I could make the same difference. I would stand up for what is right and be my own person. I would demand justice for blacks. I would try to succeed and do what no other black has ever done. I would try to make a difference step by step. I would make a difference on racism and segregation. These are a couple of differences I would make. I like to work hard and make my family proud of me. I will accomplish great deeds in the future and be remembered as an honorable young lady. I will make it so minorities have the same rights as white people. I will try to stop criticism and violence. These are a couple of differences I would try to make.

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.

HONOR THE FALLEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) is recognized for 5 minutes.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, last session I was joined by my colleagues in honoring those who lost their lives or are still missing as a result of the September 11 terrorist attacks upon America by reading their names on the House floor and having them entered into the CONGRESSIONAL RECORD.

Today I would like to again take up the effort to pay tribute and honor the fallen who perished as a result of the attacks on September 11, 2001. This list of over 3,000 names is comprised of many of the victims of the recent horrific attacks on our Nation, including firefighters and policemen who willingly gave their lives in an attempt to rescue others. I intend to read these names for as many days as it takes to bring honor and recognition to those individuals who lost their lives or are still missing.

Mr. Speaker, I encourage my colleagues to call my office to obtain the alphabetical list we are utilizing for this effort, and to join me in this worthy cause.

Mark Petrocelli, Matthew Petterno; Philip S. Petti; Glen K. Pettit; Dominick A. Pezzulo; Kaleen E. Pezzuti; Kevin Pfeifer; Tu-Anh Pham; Kenneth Phelan; Eugenia Piantieri; Ludwig J. Picarro; Matthew Picerno; Joseph Pick; Christopher Pickford; Dennis Pierce; Bernard T. Pietronico; Nicholas P. Pietrunti; Susan Elizabeth Pinto; Joseph Piskadlo; Christopher Todd Pitman; Josh Piver; Robert R. Ploger; Zandra Ploger; Joseph Plumitallo; John M. Pocher; William H. Pohlmann; Laurence M. Polatsch; Thomas H. Polhemus; Steve Pollicino; Susan Pollio; Darin Howard Pontell; Eric Thomas Popiteau; Joshua Poptean; Giovanna Porras; Anthony Portillo; James Edward Potorti; Daphne Pouletsos; Richard Poulos; Stephen E. Poulos; Shawn Edward Powell; Scott Powell; Brandon Jerome Powell; Tony Pratt; Gregory M. Preziose; Wanda Astol Prince; Vincent Princiotta; Kevin M. Prior; Everett Martin ''Marty'' Proctor, III; Carrie B. Progen; David Lee Pruim; Richard Prunty; John F. Puckett; Robert D. Pugliese; Edward F. Pullis; Patricia Ann Puma; Jack Punches; Sonia Morales Puopolo; Joseph John Pycior, Jr.; Edward Richard Pykon; Christopher Quackenbush.

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Mr. Speaker, I ask again that the families forgive me if I have mispronounced any of the names, but we do this to honor those who gave their lives. Again, Mr. Speaker, I ask that my colleagues join me in this worthy endeavor.

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

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

TEN COMMANDMENTS SHOULD REMAIN ON PUBLIC BUILDINGS

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

Mr. PENCE. Mr. Speaker, we are told that ''there is a time for everything and a season for every activity under heaven.'' At this time in our Nation's history, it is undeniable that citizens have found a newfound interest in spiritual things. And until 2 days ago, the Supreme Court was poised to hear a case from my home State of Indiana that was driven by, I believe, this newfound interest in the permanent things in our lives.

Indiana Governor Frank O'Bannan had asked to have the Ten Commandments posted on the lawn of the Indiana State House. It was the governor's purpose to replace a plaque that had been there for decades, Mr. Speaker. It had been desecrated and destroyed by vandals. But on Tuesday of this week,

the Supreme Court of the United States of America refused to take the case.

In a similar case in the city of Richmond, Indiana, in my own district, the county government has been sued by the local civil liberties union. The plaintiff in the case has requested that Wayne County, Indiana, remove the Ten Commandments from the courthouse lawn, commandments that have stood, Mr. Speaker, on the lawn of the Wayne County courthouse for over 4 decades.

Lawsuits like this are being brought before courts across the country. As I have said, Mr. Speaker, these cases come at a unique time in our Nation's history. I am greatly disappointed that the Supreme Court has refused to hear this case at such a time as this. Not only are these lawsuits to remove the Ten Commandments from our Nation's public buildings based on a flawed reading of the U.S. Constitution, but I assert it also reveals a profound misunderstanding of the foundations of our national government.

The first amendment to the Constitution reads, as we all know, that ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.'' As scholars and average citizens know, until the 1960s, most Americans understood this to be the Establishment Clause. It was intended to allow Americans to worship freely and prevented the Federal Government from creating any official religion. The Establishment Clause was interpreted again and again by the Supreme Court to be a requirement that we as Americans accommodate in the public square the fact that we are, as one court wrote a ''deeply religious peoples whose institutions presuppose a supreme being.'' In fact, on the very walls of this Chamber that read, in my presence, the phrase, ''In God We Trust,'' on the very walls of the United States Supreme Court hang the Ten Commandments themselves, this is proven out.

Beginning with the Supreme Court's decision in Everson v. Board of Education, our courts have reinterpreted the meaning of the Establishment Clause, and now many Americans believe the phrase, ''wall of separation of church and State'' actually appears in our Constitution.

Chief Justice William Rehnquist said, and I am quoting now, ''There is simply no historical foundation for the proposition that the Framers intended to build a 'wall of separation' '' as expressed in the Everson case. ''The 'wall of separation' between church and State is a metaphor based,'' the Chief Justice said, ''on bad history, a metaphor which has proved useless as a guide to judging.''

With the phrase ''bad history,'' the Chief Justice points out, perhaps the greatest problems with those like the civil liberty lawyers who would remove all vestiges of religion from public life, a lack of understanding about the foundations of our Nation and our national laws. As I said, Mr. Speaker, the reality is that as evidenced on these walls, as evidenced as I look up in this Chamber and am looked down upon by the very gaze and likeness of Moses himself, the reality is that the Ten Commandments represent not just the cornerstone of the three great religions of planet Earth, but also they are the inconvenient cornerstone of western civilization. They are, however inconvenient to the modernists and the liberals of our day, they are the cornerstone of our moral and legal and governmental institutions in Western Civilization.

So for the court to have missed an opportunity this week to reframe our constitutional law to once again accommodate the religious expression of good people, the good people of Indiana, the good people of Wayne County, Indiana, is deeply saddening to me and to many millions of Americans.

Therefore, next week, Mr. Speaker, I will do what I can in this Chamber to reset the legal dial to join this national debate. I will introduce legislation known as the Ten Commandments Defense Act that will allow States to determine the appropriate display of this inconvenient cornerstone of Western Civilization.

TRIBUTE TO PROFESSOR HAKI MADHUBUTI

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise today as we continue to celebrate the achievements and milestones that comprise black history. Indeed, my remarks proclaim how far we have come and chronicle the lives of historical individuals of preceding generations. There are trailblazers today as well, and I appreciate the opportunity to pay tribute to my friend, Professor Haki Madhubuti.

In August 2001, Professor Madhubuti was appointed Distinguished Professor by Chicago State University, the first African American male to obtain this distinction in Chicago State University's 135-year history.

Born Donald Luther Lee in Little Rock, Arkansas, in 1951, Haki Madhubuti is an influential poet, essayist, activist, and editor. As a child, he moved to Chicago and later attended the University of Illinois, Roosevelt University, and earned his Masters of Fine Arts from the University of Iowa.

According to Professor Madhubuti, ''Ideas are important. The writing of ideas, the publishing of ideas, and the purveying of ideas. So at 17 years old, I got into the idea business: thinking them, writing them, and later on at publishing them.''

Consequently, he is the author of more than 20 books, including ''Heart Love: Wedding & Love Poems''; ''Groundwork and Selected Poems of Haki R. Madhubuti Don L. Lee''; ''Killing Memory, Seeking Ancestors; Earthquakes and Sunrise Missions: Poetry and Essays of Black Renewal''; ''Book of Life''; and ''Directionscore: Selected and New Poems.''

These ideas shaped black literature and history and have helped to make Professor Madhubuti an important part of our intellectual landscape. He has developed his own new concept private school which he and his wife have made a citadel of learning opportunities.

Professor Haki Madhubuti has indeed distinguished himself as an important intellectual, writer, lecturer, poet and, yet, has a spirit of humility as he walks among kings and queens and yet has not lost the common touch. A man of distinction, I am pleased to recognize his contribution.

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

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

FEDERAL LAW ENFORCEMENT AGENCIES ARE OUT OF CONTROL

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

Mr. DUNCAN. Mr. Speaker, I rose yesterday to discuss in a 5-minute Special Order about the horrendous miscarriage of justice that occurred in a case involving a man named Joseph Salvati in Massachusetts who was kept in prison for more than 30 years, despite the fact that the FBI and the Justice Department knew all along, from the beginning, that he was an innocent man. And even worse than keeping a totally innocent man in prison for more than 30 years, a man with a wife and four small children at the time he went into prison who had, through all of those years, to visit him in prison; even worse, the Justice Department was doing that to protect a man in the witness protection program named Joe ''The Animal'' Barboza, one of the leading figures in organized crime, who, listen to this, was responsible, according to the FBI and the Justice Department and law enforcement officials, who was responsible for 26 murders.

Mr. Speaker, I mentioned yesterday that I spent 7½ years as a criminal court judge in Tennessee prior to coming to Congress; and I tried the felony criminal cases, the murders, the rapes, the armed robberies, the burglary cases, the most serious cases. I have been a strong supporter of law enforcement. But it seems to me that we have allowed a government to get so big that it just gets totally out of control and then the government can somehow rationalize or justify almost anything.

Now, the Justice Department has convinced the President to stand behind a claim of executive privilege and refuse to release documents about this Salvati case, even though it has been on ''60 Minutes,'' even though it has been publicized all over the world, to keep these documents covered up, in spite of repeated requests or demands from the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform. I want to say how much I admire and respect the courage of the gentleman from Indiana (Chairman BURTON) in continuing to hold a series of hearings in regard to this Salvati case and other abuses by the FBI and the Justice Department, especially in regard to this witness protection program.

I mentioned here yesterday that Chairman BURTON's statement that he has now made twice in hearings before the Committee on Government Reform was to me the most shocking statement I have heard in a congressional hearing since I have served in the Congress. I am in my 14th year. I serve on three different committees, five different subcommittees. I have participated in hundreds, possibly even several thousand committee and subcommittee hearings; and I think the statement that I am about to read was the most shocking statement I have ever heard a chairman or any Member, really, give in this Congress. Chairman BURTON has said now at two of our hearings this statement: ''The United States Department of Justice allowed lying witnesses to send men to death row. It stood by idly while innocent men spent decades behind bars; it permitted informants to commit murder; it tipped off killers so that they could flee before they were caught; it interfered with local investigations of drug dealing and arms smuggling; and then when people went to the Justice Department with evidence about murders, some of them ended up dead.''

This Salvati case, while I hope it is the worst example, is just the tip of the iceberg.

I can tell my colleagues this: there needs to be some reforms within the Justice Department and the FBI. I think the problem has come about because we have expanded those agencies so much and given them so much money that they do not know what to do with all of it.

Forbes Magazine, in 1993, had a cover article in which they said that we had quadrupled the Justice Department between 1980 and 1993 and that there were Federal prosecutors falling all over themselves trying to come up with cases to prosecute because they had so little to do, and that they were prosecuting businessmen and women who had violated obscure rules and regulations that they did not even know were in existence.

We need to be funneling our law enforcement assets to the local law enforcement people who are fighting the real crime, the street crime that people want fought. Some of these Justice Department and FBI officials here in Washington never see a real criminal unless they are mugged on their way to their cars after work. But this idea, or this case, of keeping a man in prison for more than 30 years, even though they knew from the start of his innocence, they did not find out he was innocent after he had been in jail 25 years or so, they knew from the start that he was innocent. To do that to protect a man that had committed 26 murders is just, to me, mind-boggling. It is unbelievable.

They told in this hearing that Barboza's defense lawyer was given great assistance by the Federal Government while the prosecutors were snubbed when they asked for help. A murder weapon in one case was conveniently lost by the FBI. Barboza's own lawyer called him one of the worst men on the face of the Earth.

□ 1200

When asked about the short prison term that Barbosa got in one case, one murder that he committed after he was in the witness protection program, his lawyer said that that was amazing, he figured out that must be how it worked when you had friends in the FBI.

I can tell the Members, the people of this country need to know that we desperately need reforms at the Justice Department and the FBI. Joseph Califano, a former Cabinet member under President Carter and adviser to President Clinton, wrote in a Washington Post column a few days ago, ''In the war on terrorism, we need not to overlook the alarming rise in Federal police power that is going on, and not create some type of Federal police state that will abuse citizens in horrible ways.''

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

(Mr. FILNER 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 Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

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

OMITTED FROM THE CONGRESSIONAL RECORD OF WEDNESDAY FEBRUARY 27, 2002 AT PAGE H564

OKLAHOMA SECRETARY OF STATE,
Oklahoma City, OK, January 14, 2002.

Hon. JEFF TRANDAHL,
House of Representatives, The Capitol, Washington, DC.

DEAR MR. TRANDAHL: Pursuant to Enrolled Senate Bill 7X from the 1st Extraordinary Session of the 48th Legislative Session, and due to the resignation of Steve Largent, United States House of Representatives, effective February 15, 2002, I herewith certify the election results of the Special General Election held on January 8, 2002 for the Office of United States House of Representatives District 1, as certified by the Oklahoma State Election Board this 14th day of January, 2002.

Also, enclosed is a copy of the official notice of resignation from Steve Largent, Congressman of the First District of Oklahoma; and a copy of Enrolled Senate Bill 7X.

If our office can be of further assistance, please do not hesitate to contact Kathy Jekel at 405–522–4564.

Sincerely,

MIKE HUNTER,
Secretary of State.

OFFICE OF THE SECRETARY OF STATE OF OKLAHOMA

CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

This is to certify that on the 8th day of January, 2002, John Sullivan was duly chosen by the qualified electors of the State of Oklahoma as United States Representative, District Number 1, as Representative for the unexpired term ending at noon on the 3rd day of January, 2003, to fill the vacancy in the representation from said State in the United States House of Representatives caused by the resignation of Steve Largent.

Witness: His Excellency our Governor Frank Keating, and our Seal hereto affixed at Oklahoma City, Oklahoma this 14th day of January, 2002.

By the Governor:

Frank Keating, Governor.
Mike Hunter, Secretary of State.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SANDLIN (at the request of Mr. GEPHARDT) for today on account of family matters.

Mr. GILMAN (at the request of Mr. ARMEY) for February 26 and the balance of the week on account of personal reasons.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

(The following Members (at the request of Mrs. JO ANN DAVIS of Virginia)

to revise and extend their remarks and include extraneous material:)

Mrs. JO ANN DAVIS of Virginia, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

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

Mr. DAVIS of Illinois, for 5 minutes, today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Monday, March 4, 2002, at 2 p.m.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Neil Abercrombie, Aníbal Acevedo-Vilá, Gary L. Ackerman, Robert B. Aderholt, W. Todd Akin, Thomas H. Allen, Robert E. Andrews, Richard K. Armey, Joe Baca, Spencer Bachus, Brian Baird, Richard H. Baker, John Elias E. Baldacci, Tammy Baldwin, Cass Ballenger, James A. Barcia, Bob Barr, Thomas M. Barrett, Roscoe G. Bartlett, Joe Barton, Charles F. Bass, Xavier Becerra, Ken Bentsen, Doug Bereuter, Shelley Berkley, Howard L. Berman, Marion Berry, Judy Biggert, Michael Bilirakis, Sanford D. Bishop, Jr., Rod R. Blagojevich, Earl Blumenauer, Roy Blunt, Sherwood L. Boehlert, John A. Boehner, Henry Bonilla, David E. Bonior, Mary Bono, John Boozman, Robert A. Borski, Leonard L. Boswell, Rick Boucher, Allen Boyd, Kevin Brady, Robert A. Brady, Corrine Brown, Sherrod Brown, Henry E. Brown, Jr., Ed Bryant, Richard Burr, Dan Burton, Steve Buyer, Sonny Callahan, Ken Calvert, Dave Camp, Chris Cannon, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Benjamin L. Cardin, Brad Carson, Julia Carson, Michael N. Castle, Steve Chabot, Saxby Chambliss, Donna M. Christensen, Wm. Lacy Clay, Eva M. Clayton, Bob Clement, James E. Clyburn, Howard Coble, Mac Collins, Larry Combest, Gary A. Condit, John Cooksey, Jerry F. Costello, Christopher Cox, William J. Coyne, Robert E. (Bud) Cramer, Jr., Philip P. Crane, Ander Crenshaw, Joseph Crowley, Barbara Cubin, John Abney Culberson, Elijah E. Cummings, Randy ''Duke'' Cunningham, Danny K. Davis, Jim Davis, Jo Ann Davis, Susan A. Davis, Thomas M. Davis, Nathan Deal, Peter A. DeFazio, Diana DeGette, William D. Delahunt, Rosa L. DeLauro, Tom DeLay, Jim DeMint, Peter Deutsch, Lincoln Diaz-Balart, Norman D. Dicks, John D. Dingell, Lloyd Doggett, Calvin M. Dooley, John T. Doolittle, Michael F. Doyle, David Dreier, John J. Duncan, Jr., Jennifer Dunn, Chet Edwards, Vernon J. Ehlers, Robert L. Ehrlich, Jr., Jo Ann Emerson, Eliot L. Engel, Phil English, Anna G. Eshoo, Bob Etheridge, Lane Evans, Terry Everett, Eni F.H. Faleomavaega, Sam Farr, Chaka Fattah, Mike Ferguson, Bob Filner, Jeff Flake, Ernie Fletcher, Mark Foley, J. Randy Forbes, Harold E. Ford, Jr., Vito Fossella, Barney Frank, Rodney P. Frelinghuysen, Martin Frost, Elton Gallegly, Greg Ganske, George W. Gekas, Richard A. Gephardt, Jim Gibbons, Wayne T. Gilchrest, Paul E. Gillmor, Benjamin A. Gilman, Charles A. Gonzalez, Virgil H. Goode, Jr., Bob Goodlatte, Bart Gordon, Porter J. Goss, Lindsey O. Graham, Kay Granger, Sam Graves, Gene Green, Mark Green, James C. Greenwood, Felix J. Grucci, Jr., Luis Gutierrez, Gil Gutknecht, Ralph M Hall, Tony P. Hall, James V. Hansen, Jane Harman, Melissa A. Hart, J. Dennis Hastert, Alcee L. Hastings, Doc Hastings, Robin Hayes, J.D. Hayworth, Joel Hefley, Wally Herger, Baron P. Hill, Van Hilleary, Earl F. Hilliard, Maurice D. Hinchey, Rubén Hinojosa, David L. Hobson, Joseph M. Hoeffel, Peter Hoekstra, Tim Holden, Rush D. Holt, Michael M. Honda, Darlene Hooley, Stephen Horn, John N. Hostettler, Amo Houghton, Steny H. Hoyer, Kenny C. Hulshof, Duncan Hunter, Henry J. Hyde, Jay Inslee, Johnny Isakson, Steve Israel, Darrell E. Issa, Ernest J. Istook, Jr., Jesse L. Jackson, Jr., Sheila Jackson-Lee, William J. Jefferson, William L. Jenkins, Christopher John, Eddie Bernice Johnson, Nancy L. Johnson, Sam Johnson, Timothy V. Johnson, Stephanie Tubbs Jones, Walter B. Jones, Paul E. Kanjorski, Marcy Kaptur, Ric Keller, Sue W. Kelly, Mark R. Kennedy, Patrick J. Kennedy, Brian D. Kerns, Dale E. Kildee, Carolyn C. Kilpatrick, Ron Kind, Peter T. King, Jack Kingston, Mark Steven Kirk, Gerald D. Kleczka, Joe Knollenberg, Jim Kolbe, Dennis J. Kucinich, John J. LaFalce, Ray LaHood, Nick Lampson, James R. Langevin, Tom Lantos, Steve Largent, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, James A. Leach, Barbara Lee, Sander M. Levin, Jerry Lewis, John Lewis, Ron Lewis, John Linder, William O. Lipinski, Frank A. LoBiondo, Zoe Lofgren, Nita M. Lowey, Frank D. Lucas, Ken Lucas, Bill Luther, Stephen F. Lynch, Carolyn B. Maloney, James H. Maloney, Donald A. Manzullo, Edward J. Markey, Frank Mascara, Jim Matheson, Robert T. Matsui, Carolyn McCarthy, Karen McCarthy, Betty McCollum, Jim McCrery, James P. McGovern, John M. McHugh, Scott McInnis, Mike McIntyre, Howard P. McKeon, Cynthia A. McKinney, Michael R. McNulty, Martin T. Meehan, Carrie P. Meek, Gregory W. Meeks, Robert Menendez, John L. Mica, Juanita Millender-McDonald, Dan Miller, Gary G. Miller, George Miller, Jeff Miller, Patsy T. Mink, Alan B. Mollohan, Dennis Moore, James P. Moran, Jerry Moran, Constance A. Morella, John P. Murtha, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, George R. Nethercutt, Jr., Robert W. Ney, Anne M. Northup, Eleanor Holmes Norton, Charlie Norwood, Jim Nussle, James L. Oberstar, David R. Obey, John W. Olver, Solomon P. Ortiz, Tom Osborne, Doug Ose, C.L. Otter, Major R. Owens, Michael G. Oxley, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Ron Paul, Donald M. Payne, Nancy Pelosi, Mike Pence, Collin C. Peterson, John E. Peterson, Thomas E. Petri, David D. Phelps, Charles W. Pickering, Joseph R. Pitts, Todd Russell Platts, Richard W. Pombo, Earl Pomeroy, Rob Portman, David E. Price, Deborah Pryce, Adam H. Putnam, Jack Quinn, George Radanovich, Nick J. Rahall, II, Jim Ramstad, Charles B. Rangel, Ralph Regula, Dennis R. Rehberg, Silvestre Reyes, Thomas M. Reynolds, Bob Riley, Lynn N. Rivers, Ciro D. Rodriguez, Tim Roemer, Harold Rogers, Mike Rogers, Dana Rohrabacher, Ileana Ros-Lehtinen, Mike Ross, Steven R. Rothman, Marge Roukema, Lucille Roybal-Allard, Edward R. Royce, Bobby L. Rush, Paul Ryan, Jim Ryun, Martin Olav Sabo, Loretta Sanchez, Bernard Sanders, Max Sandlin, Tom Sawyer, Jim Saxton, Bob Schaffer, Janice D. Schakowsky, Adam B. Schiff, Edward L. Schrock, Robert C. Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, John B. Shadegg, E. Clay Shaw, Jr., Christopher Shays, Brad Sherman, Don Sherwood, John Shimkus, Ronnie Shows, Bill Shuster, Rob Simmons, Michael K Simpson, Joe Skeen, Ike Skelton, Louise McIntosh Slaughter, Adam Smith, Chistopher H. Smith, Lamar S. Smith, Nick Smith, Vic Snyder, Hilda L. Solis, Mark E. Souder, Floyd Spence, John N. Spratt, Jr., Fortney Pete Stark, Cliff Stearns, Charles W. Stenholm, Ted Strickland, Bob Stump, Bart Stupak, John Sullivan, John E. Sununu, John E. Sweeney, Thomas G. Tancredo, John S. Tanner, Ellen O. Tauscher, W.J. (Billy) Tauzin, Charles H. Taylor, Gene Taylor, Lee Terry, William M. Thomas, Bennie G. Thompson, Mike Thompson, Mac Thornberry, John R. Thune, Karen L. Thurman, Todd Tiahrt, Patrick J. Tiberi, John F. Tierney, Patrick J. Toomey, Edolphus Towns, James A. Traficant, Jr., Jim Turner, Mark Udall, Tom Udall, Robert A. Underwood, Fred Upton, Nydia M. Velazquez, Peter J. Visclosky, David Vitter, Greg Walden, James T. Walsh, Zach Wamp, Maxine Waters, Wes Watkins, Diane E. Watson, Melvin L. Watt, J.C. Watts, Jr., Henry A. Waxman, Anthony D. Weiner, Curt Weldon, Dave Weldon, Jerry Weller, Robert Wexler, Ed Whitfield, Roger F. Wicker, Heather Wilson, Joe Wilson, Frank R. Wolf, Lynn C. Woolsey, David Wu, Albert Russell Wynn, C.W. Bill Young, Don Young.

EXECUTIVE COMMUNICATIONS, ETC.

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

5665. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Regulated Areas [Docket No. 01–058–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5666. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Regulated Areas [Docket No. 00–088–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5667. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Regulated Areas [Docket No. 01–063–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5668. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Hot Water Treatment for Limes [Docket No. 99–081–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5669. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Hot Water Treatment for Limes [Docket No. 99–081–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5670. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mediterranean Fruit Fly; Addition to Quarantined Areas [Docket No. 01–093–1] received February 22, 2002, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

5671. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Oriental Fruit Fly; Designation of Quarantined Areas [Docket No. 01–102–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5672. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diflubenzuron; Pesticide Tolerance [OPP–301213; FRL–6821–7] (RIN: 2070–AB78) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5673. A communication from the President of the United States, transmitting notification to reallocate funds previously transferred from the Emergency Response Fund to the Department of Defense; (H. Doc. No. 107–183); to the Committee on Appropriations and ordered to be printed.

5674. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations [FRL–7147–8] (RIN: 2060–AH17) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5675. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulation of Fuels and Fuel Additives: Reformulated Gasoline Transition [FRL–7147–1] (RIN: 2060–AJ79) received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5676. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio [OH118–1a; FRL–7133–8] received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5677. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Minnesota [MN70–7295a; FRL–7136–4] received February 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5678. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities [AD-FRL–7148–7] (RIN: 2060–AE34) received February 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5679. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5680. A communication from the President of the United States, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5681. A communication from the President of the United States, transmitting a report consistent with the War Powers Resolution regarding U.S. Armed Forces in East Timor; (H. Doc. No. 107–184); to the Committee on International Relations and ordered to be printed.

5682. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the 6-month period ending September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5683. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule—Research Room Procedures (RIN: 3095–AB01) received February 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5684. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—World Heritage Convention (RIN: 1024–AC74) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5685. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Special Regulations; Areas of the National Park System (RIN: 1024–AC67) received February 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5686. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Special Regulations; Wrangell-St. Elias National Park and Preserve (RIN: 1024–AC83) received February 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5687. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Twelfth Annual Report describing the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 2001; jointly to the Committees on Armed Services and Energy and Commerce.

5688. A letter from the Chairman, Federal Election Commission, transmitting the FY 2003 Budget Request, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration and Appropriations.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2581. Referral to the Committee on Agriculture, Armed Services, Energy and Commerce, Rules, the Judiciary, Ways and Means, and Intelligence (Permanent Select) for a period ending not later than March 8, 2002.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LAFALCE (for himself, Mr. GEPHARDT, Ms. PELOSI, Ms. DELAURO, Mr. CONYERS, Mr. WAXMAN, Mr. FRANK, Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. CARSON of Indiana, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CLAY, Mr. FORD, Mr. ISRAEL, Mr. HINCHEY, Ms. SLAUGHTER, Mr. LIPINSKI, and Mr. STUPAK):

H.R. 3818. A bill to protect investors by enhancing regulation of public auditors, improving corporate governance, overhauling corporate disclosure made pursuant to the securities laws, and for other purposes; to the Committee on Financial Services.

By Mr. BERRY:

H.R. 3819. A bill to suspend temporarily the duty on 2–Naphthalenecarboxamide,N,N′-(2-chloro-1,4-pheylene)bis=[4- [(2,5-dichlorophenyl)azo]]-3-hydroxy-; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3820. A bill to suspend temporarily the duty on (1,1′-Bianthracene)-9,9′, 10,10-tetrone, 4,4′-diamino-; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3821. A bill to suspend temporarily the duty on Anthra[2,1,9-mna]naphth[2,3-h]acridine-5,10,15(16H)-trione,3 [(9,10-dihydro-9,10-dioxo-1-anthracenyl)amino]-; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3822. A bill to suspend temporarily the duty on Benzamide,3,3′[(2-chloro-5-methyl-1,4-phenylene)bis[imino=(1 acety-2-oxo-2,1-ethanediyl)azo}}bis(4-chloro-N-(3-chloro-2-methyphenyl)-; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3823. A bill to suspend temporarily the duty on Bezamide,3,3′-{(2,5-dimethyl-1,4-phenylene)bis{imino(1-acety - 2-oxo-2,1-ethanediyl)azo}}bis{4-chloro-N-(5-chloro-2-methylp henyl)-; to the Committee on Ways and Means.

By Mrs. BONO:

H.R. 3824. A bill to extend Federal recognition to the Gabrieleno Band of Mission Indians, and for other purposes; to the Committee on Resources.

By Mr. CHAMBLISS (for himself, Ms. HARMAN, Mr. GOSS, Ms. PELOSI, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. GIBBONS, Mr. ROEMER, Mr. LAHOOD, Mr. HASTINGS of Florida, Mr. HOEKSTRA, Mr. BURR of North Carolina, Mr. BISHOP, Mr. BEREUTER, Mr. REYES, Mr. CASTLE, Mr. BOSWELL, Mr. PETERSON of Minnesota, and Mr. EVERETT):

H.R. 3825. A bill to provide for the sharing of homeland security information by Federal intelligence and law enforcement agencies with State and local entities; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on the Judiciary, and 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. FILNER (for himself and Mr. EVANS):

H.R. 3826. A bill to amend title 38, United States Code, to repeal the requirement that for former prisoners of war to be eligible for Department of Veterans Affairs dental benefits they must have been interred for a specified minimum period of time; to the Committee on Veterans' Affairs.

By Mr. MORAN of Kansas (for himself and Mr. BERRY):

H.R. 3827. A bill to amend the Department of Agriculture Reorganization Act of 1994 relating to the National Appeals Division to ensure that agricultural producers and other persons appealing adverse agency decisions of the Department of Agriculture receive fair and equitable treatment, and for other purposes; to the Committee on Agriculture.

By Ms. SCHAKOWSKY (for herself, Ms. JACKSON-LEE of Texas, Mr. FRANK, Ms. LOFGREN, Ms. BALDWIN, Mr. PLATTS, Mrs. MINK of Hawaii, Ms. MILLENDER-MCDONALD, Mr. KUCINICH, Ms. WOOLSEY, Ms. KAPTUR, Mr. PAYNE, Ms. ROYBAL-ALLARD, Mr. OWENS, Ms. NORTON, Mr. FROST, Mr.

JACKSON of Illinois, Mr. WAXMAN, Mr. GONZALEZ, Mr. UNDERWOOD, Ms. MCCOLLUM, Mrs. JONES of Ohio, Mr. MCDERMOTT, Mr. BLAGOJEVICH, Mr. HASTINGS of Florida, Mr. TOWNS, Mr. SERRANO, Mr. FARR of California, Mr. GUTIERREZ, and Mr. TIERNEY):

H.R. 3828. A bill to provide additional protections for battered immigrant families; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Ways and Means, Energy and Commerce, 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. STUPAK (for himself and Mr. LAFALCE):

H.R. 3829. A bill to repeal the provisions of the Private Securities Litigation Reform Act and the Securities Litigation Uniform Standards Act that limit private securities actions, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, 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. TIBERI (for himself and Mr. HOBSON):

H.R. 3830. A bill to authorize the award of the Medal of Honor to Don S. Gentile; to the Committee on Armed Services.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 134: Mr. HINCHEY.
H.R. 250: Mr. DOOLEY of California and Ms. ROYBAL-ALLARD.
H.R. 303: Mr. LYNCH.
H.R. 440: Mr. ANDREWS.
H.R. 461: Mr. GILMAN.
H.R. 671: Mr. BLUMENAUER.
H.R. 774: Mr. PRICE of North Carolina.
H.R. 776: Mr. PRICE of North Carolina.
H.R. 817: Mr. TIAHRT.
H.R. 822: Mr. LIPINSKI.
H.R. 950: Mr. MASCARA and Mr. OTTER.
H.R. 1081: Mr. TERRY.
H.R. 1155: Mr. TIBERI.
H.R. 1184: Mrs. MINK of Hawaii, Mr. SERRANO, Mr. WAXMAN, and Mr. BLAGOJEVICH.
H.R. 1490: Mr. THOMPSON of California.
H.R. 1587: Mr. FOLEY.
H.R. 1645: Mr. LUTHER.
H.R. 1724: Mrs. CAPITO.
H.R. 1784: Ms. CARSON of Indiana, Mr. PALLONE, Mr. HOLT, and Mr. ANDREWS.
H.R. 1789: Mr. HALL of Texas and Mrs. CHRISTENSEN.
H.R. 2138: Mr. DEFAZIO.
H.R. 2148: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2153: Mr. PRICE of North Carolina.
H.R. 2207: Mr. ABERCROMBIE and Mr. KILDEE.
H.R. 2219: Mr. JOHNNSON of Illinois.
H.R. 2316: Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, and Mr. CHAMBLISS.
H.R. 2350: Mr. EVANS.
H.R. 2405: Mr. EVANS, Mr. RUSH, Mr. PAYNE, Mr. JEFFERSON, Mr. GONZALEZ, and Mr. BROWN of Ohio.
H.R. 2527: Mr. THOMPSON of Mississippi, Mr. GILCHREST, Mr. LIPINSKI, Mr. MORAN of Virginia, Ms. RIVERS, Mr. PICKERING, and Mr. COYNE.
H.R. 2550: Mr. ENGLISH and Mr. ISAKSON.
H.R. 2576: Mr. MCINNIS.
H.R. 2618: Mrs. THURMAN.
H.R. 2637: Ms. SANCHEZ.
H.R. 3007: Ms. CARSON of Indiana.
H.R. 3014: Mr. TOM DAVIS of Virginia.
H.R. 3278: Mr. LEACH.
H.R. 3390: Mr. GREEN of Wisconsin.
H.R. 3410: Mr. ISAKSON.
H.R. 3429: Mr. PASTOR, Mr. VITTER, and Mr. FERGUSON.
H.R. 3450: Mr. ISSA, Mr. CARSON of Oklahoma, Mr. WATT of North Carolina, and Mr. BALDACCI.
H.R. 3464: Mrs. LOWEY.
H.R. 3477: Mr. LEACH.
H.R. 3524: Mr. OLVER.
H.R. 3561: Mr. STENHOLM.
H.R. 3617: Mr. BACA.
H.R. 3657: Mr. SHERMAN.
H.R. 3670: Mr. CLAY.
H.R. 3717: Mr. GREEN of Wisconsin, Mr. RYUN of Kansas, Mr. LAHOOD, Mr. STENHOLM, Mrs. CAPITO, and Mr. GORDON.
H.R. 3749: Mr. SMITH of New Jersey, Mr. WEXLER, Mrs. MEEK of Florida, and Mr. ENGLISH.
H.R. 3771: Mr. OWENS, Ms. BROWN of Florida, Mr. REYNOLDS, Mr. FOLEY, Mr. FROST, and Mr. SIMPSON.
H.R. 3794: Mrs. MALONEY of New York, Mr. FROST, Mr. LIPINSKI, Mr. DEUTSCH, Ms. DELAURO, and Mr. FOSSELLA.
H.J. Res. 6: Mr. ABERCROMBIE, Mr. SWEENEY, Mr. BERMAN, and Mr. CLAY.
H. Con. Res. 177: Mr. FALEOMAVAEGA.
H. Con. Res. 271: Mr. GARY G. MILLER of California.
H. Con. Res. 290: Ms. KAPTUR.
H. Con. Res. 311: Mr. UDALL of Colorado.
H. Con. Res. 333: Ms. WATERS, Ms. KAPTUR, Mr. HINCHEY, and Ms. MCKINNEY.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 4, by Mr. RANDY ''DUKE'' CUNNINGHAM, on House Resolution 271: Rick Larsen.

Petition 5, by Mr. DENNIS J. KUCINICH, on House Resolution 304: Sander M. Levin.

United States of America

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, THURSDAY, FEBRUARY 28, 2002 No. 19

Senate

The Senate met at 10:30 a.m., and was called to order by the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. James A. Scudder of Quentin Road Bible Baptist Church in Lake Zurich, IL.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray:

Dear Heavenly Father, sovereign of our Nation and our personal friend in time of trouble, we come before You with much gratitude for Your bountiful mercy. You are the governor of the universe and You are supremely good. Therefore, the laws You have promulgated must be the expression of a nature infinitely good.

What the terrorists have done is infinitely bad and cannot come from an infinitely good God. Your great goodness and providential loving care have been seen and understood, especially in the midst of a great turmoil our Nation has faced recently. Bestow power to these women and men of the Senate as they seek Your help in silent strength for the difficulties and pressures we are facing as a nation.

Psalms tell us that blessed is the nation whose God is the Lord. And so, Lord, we are blessed that You are our God. These Senators also bless our Nation with their leadership, and we thank You for each man and woman here. Like never before, we beseech You for Your holy strength. We ask for Your mighty hand of power and for Your divine wisdom to assist these Senators as they lead our Nation. Give them the clarity of thought they need to make their many decisions. Give them guidance and help today. Grant them courage for such a time as this. In the name of Your son, Jesus Christ, I pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BYRIN DORGAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 28, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. DORGAN thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Illinois, Mr. FITZGERALD, is recognized.

THANKING REVEREND JAMES A. SCUDDER

Mr. FITZGERALD. Mr. President, I thank and acknowledge the invocation by Dr. James A. Scudder, the Pastor of Quentin Road Bible Baptist Church in Lake Zurich, IL. Reverend Scudder is one of my distinguished constituents from the State of Illinois. I have appeared before his congregation and I have known him for many years. I appreciate his friendship, and we are all eternally grateful for his being here this morning and giving the prayer.

Dr. Scudder is somewhat nationally known. He has a national television show that appears once a week on WGN–TV. He is an outstanding guest Chaplain for us to have today. I thank Dr. Scudder on behalf of the State of Illinois and the country for being here today.

SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period of morning business very shortly, with Senators permitted to speak for up to 10 minutes each.

At 11 o'clock, we will resume consideration of the election reform bill. As Senators know, cloture was filed yesterday. Therefore, all first-degree amendments are to be filed prior to 1 p.m. today.

Mr. President, once you announce our being in morning business, I ask unanimous consent that I be allowed to speak.

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

Mr. REID. I thank the Chair.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 10 minutes.

Under the previous order, the Senator from Nevada is recognized.

Mr. REID. I thank the Chair.

Mr. WELLSTONE. May I ask the Senator a question first? Other Senators are here. There are three or four of us on the floor, which would be a little over 30 minutes. I wonder if we can modify that request.

Mr. REID. Mr. President, I think we are going to have a lot of time for

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

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morning business today. I would not worry about that at all.

Mr. WELLSTONE. I thank the Senator.

ELECTION REFORM

Mr. REID. Mr. President, I see here one of the persons responsible for the amendment that has brought the Senate to a standstill—Senator WYDEN. I think it is really too bad that the amendment has brought the Senate to a standstill.

The opponents of the Schumer-Wyden amendment claim they are seeking to eliminate fraud and that is why they oppose the amendment. Well, of course, everybody in the Senate is against fraud. However, we over here believe that also we must do anything we can to stop disenfranchisement of voters.

I think it is so important to recognize that we need to encourage people to vote, and vote honestly. Nobody is encouraging people to vote by fraud. But by holding up this legislation—and that is what is happening—the opponents are preventing, among other things, $3 billion going to the States for election reform efforts.

My State, Nevada, needs this money very badly. We have the most modern machines you can buy in southern Nevada, in Las Vegas. They are electronic, beautiful, and they are without fail. But in the other 16 counties, we have a mishmash of other types of machines. In the 1998 election Senator ENSIGN had with me, we had a registrar of voters in Washoe County, Reno, NV, who wanted to save the county money, so she had printed the ballots herself. They were approximately a 16th or a 32nd of an inch off. A lot of them didn't count. They didn't match the machines. It created all kinds of problems. In addition to that, there were—because of the inappropriateness of the machines—a number of ballots that were not counted because they were not put into the machines correctly.

In other counties, we have old-fashioned, very old punchcard machines. This legislation would allow the State of Nevada to have all good machines. That is one of the things being held up here—$3 billion in funding going to the States for election reform efforts.

The secretary of state of Nevada, one of the most progressive secretaries of state, has been in conference with Senator DODD on this legislation. He is a Republican, by the way. He loves our legislation and thinks it should pass. He likes the amendment of the Senator from Oregon. We have letters from secretaries of state of Arkansas, Kentucky, and North Carolina, to name a few, who have strong reservations with the bill's original language dealing with identification.

Currently, there are 19 States and the District of Columbia that have signature verification. An additional 22 States use a signature system in conjunction with something else.

No eligible voter should be prevented from casting their vote. Remember, this bill still has to go to conference, and one of the things that so troubles me with the minority is the President of the United States is a member of their party. The leadership in the House is all Republican. So when we go to conference with this bill, we are in the minority because we are dealing with the President and the Republican leadership in the House. So I cannot understand why they will not let this legislation move on and go to conference. It is as if they are changing the rules in the middle of the game.

Legislation has come before the Senate, an amendment was offered and was adopted. Does that mean anytime legislation comes before this body and an amendment is offered to it we just close up and go on to something else? If that is the case, then we should do everything in committee and forget about action by the full Senate.

By holding up this important legislation, we are wasting valuable time that could be spent on, for example, the energy bill or campaign finance reform. I am terribly disappointed we are not moving forward. I hope cloture will be invoked tomorrow.

I say to my friend from Oregon, I have been tremendously impressed with the State of Oregon and their method of election. The two Senators from Oregon who voted in favor, of course, of the amendment that Senator WYDEN offered were elected by virtue of ballots cast by mail.

I followed very closely what went on in Oregon. I have not heard an iota from newspapers or any other commentary that there was anything wrong with the election. I have never known anyone to say there was any fraud in electing Senator WYDEN or Senator SMITH. They were elected by mail.

Mr. WYDEN. Mr. President, will the Senator yield for a question?

Mr. REID. I will be happy to yield for a question.

Mr. WYDEN. Not only is the Senator right, but Senator SMITH, in particular, deserves great credit because in a very close election, he made no assertions that there was any fraud in the election.

My question is, Is the Senator from Nevada aware of any evidence of any studies or analyses indicating that these vote-by-mail elections are tainted by fraud? I am not aware of any. Senator SMITH deserves a lot of credit because he could have raised that issue in our election, and he declined to do it.

Is the Senator aware of any evidence of fraud in these races?

Mr. REID. Mr. President, I say to my friend, the evidence speaks for itself. The Senator from Oregon courageously stepped forward yesterday and was the only Republican to vote in favor of Senator WYDEN's amendment. Why did he do that? Because he knows the process in Oregon is good.

I think we, as Senators, have to do everything we can to stimulate voter turnout, to make it easier. I am in favor of voting 2 days. In Nevada, I am in favor of—we are a 24-hour town—voting all night long. We have to do everything we can to allow more participation.

I am so impressed with what North Dakota does. In North Dakota, if you want to vote, come on in, we will let you vote. They have same-day registration. Imagine that. I have talked to my friend from North Dakota, and I have never heard—and I do not think he has either—of any fraud.

We live in a world of computers. People are going to cheat. It is easy to find out if they cheat.

We should do everything we can to move forward with allowing people to vote. We should not make it harder for them to vote. We should make it easier for them to vote.

I applaud my friend from Oregon for working on this legislation so hard and, I think, making the legislation so much better. Recognizing there is a problem with it, let us work it out in conference and not say we are going to close up shop and not allow us to move forward on this legislation.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. DASCHLE. Mr. President, I, too, compliment the distinguished Senator from Oregon for his outstanding work and leadership on this issue. He has gone the extra mile to find a way to resolve this matter. I know he has worked diligently over the last several weeks. He and I have talked about this matter on a number of occasions.

I think Oregon has been the leader in this country in innovative ways to encourage broader voter participation. He so ably represents his State. On this particular issue, no one has provided greater leadership and more insight on what we can do to improve participation than he has.

I join with my colleague from Nevada in thanking him and commending him for his efforts.

AMERICA'S STEEL INDUSTRY

Mr. DASCHLE. Mr. President, I ask the indulgence of my colleagues. I have a short statement that I will use my leader time to make. It involves a matter I know is of great concern to a number of our colleagues. I wish to make a couple of remarks with regard to the so-called 201 decision to be made by the administration relating to steel.

The last few years have been among the worst in history for the American steel industry. In just the last 2 years, 31 steel companies have filed for bankruptcy. Since January of 2000, more than 50 steel-making or related plants have shut down or been idle. Steel prices are now at their lowest level in 20 years.

This crisis has been devastating for steelworkers, their families, and communities. Over 43,000 steelworkers have

lost their jobs, and another 600,000 retirees and their surviving spouses are in danger of losing their health care benefits because the companies that once employed them are now facing bankruptcy.

A number of those families are in Washington today. In talking with them, one quickly realizes the numbers do not even begin to capture the pain they are feeling and the insecurity they face about their very future.

These families are hurting because this important sector of our economy is competing against global competitors who unfairly benefit from government subsidies or have resorted to flooding our Nation with imports.

Seven months ago, the President initiated what is called a section 201 investigation. This investigation, conducted by the International Trade Commission, found unanimously that imports have caused serious injury. That means under our trade laws the steel industry deserves an immediate and effective remedy.

In less than a week, by March 6, the President has to make his final ruling on what that remedy will be. But we already know the right remedy. The remedy is a 40-percent tariff rate for 4 years. That would be an effective enforcement of our trade laws and the right thing to do for hard-hit steelworker families.

There is one other action the President must take, and that is lead on the issue of promoting consolidation and the protection of retirement health benefits, the benefits that were promised years ago to workers by companies that are now teetering on the verge of bankruptcy.

These benefits are so-called legacy costs. They really are a lifeline for 600,000 retirees and their surviving spouses and a measure of our commitment to the healthy and decent retirement these workers have earned.

America's steelworkers have literally built this Nation, from skyscrapers that define us, to the military that defends us. In the process, they have proven they can compete against any workers anywhere in the world and win, so long as the rules are fair.

In a very real sense, the future of the steel industry in America hinges on the administration's decision. So today we are asking the administration to use this historic opportunity to do the right thing for America's steelworkers, their industry, and the retirement health benefits on which they depend.

I yield the floor, and I thank my colleagues for their willingness to accommodate me.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

ELECTION REFORM

Mr. BOND. Mr. President, I just happened to catch the last of the remarks of my very good friend, the distinguished majority whip, about what has happened with this election reform bill.

We ought to get the record straight. My good friend mentioned the fact that we seem to be holding this up over one little amendment. I will tell you what this is all about, Mr. President. We worked long and hard to come to a reasonable, responsible compromise because the Senator from Connecticut very eloquently made the case that we need to make it easier to vote, and I agree with that.

We worked on his portion of the bill. He made some compromises that took care of some of our concerns, but at the same time I tried to testify before the Rules Committee, and I came to the floor and made the case that there is another problem that is as serious a problem as making it difficult for somebody to vote, and that is diluting their vote with fraudulent, improper votes.

I have laid out for this body a number of times the fact that vote fraud continues to exist in Missouri and too many other States. So I proposed some solutions to give us some minimal protection against vote fraud in the future.

As part of the compromise, it was pointed out by my colleagues on the other side that requiring the photo ID may be too difficult, or requiring them to vote in person may be too difficult, although seven States do it, and I think that makes a lot of sense. St. Louis, MO, after we called attention to the vote fraud committed in November of 2000, decided to require photo IDs at the poll in the mayoral primary. Do you know something. It worked. We did not hear any complaints that people could not vote. They had an honest election in St. Louis.

I was willing to compromise with my colleagues, the Senator from Connecticut, the Senator from New York, and the Senator from New Jersey, and say if it is too burdensome to require a photo ID, let us go down the list and see what other things could be done. That is why we added that a bank statement with one's name and address can be used, or a utility bill, a government check, a paycheck, to try to make it possible so that one time in the process they would have to have proof that they were a real live human being.

Now our friends on the other side made fun of the fact that we had dogs registered to vote in Missouri and in Maryland. Well, that sounds kind of crazy, but the system is so sloppy, the motor voter law has made it possible for people to register dogs. I will guarantee there are a lot more fraudulent votes than just the dogs.

Some have objected and said we have not shown widespread fraud in St. Louis. Oh, yes, we have. Wherever we have looked, we have found fraud. Wherever we have looked, we have found ineligible people voting, dead people voting, felons voting—in Virginia, Wisconsin, California, Colorado, North Carolina, Indiana, Florida, and Texas.

What we found that in Missouri they had judges ordering people to be registered to vote. They went before a judge, and he said: Why are you not registered? One said: I am a Democrat. Another one said: I want to vote for Gore. Another one said: I have been a felon and forgot to reregister. Thirteen hundred people were registered by judge order. The secretary of state went back and did an exhaustive search on those 1,300 and found 97 percent of them were not lawful votes.

In the mayoral primary in 2001, 3,000 postcard registrations were dumped on the election board on the last day. At that point, my colleagues in the other party in St. Louis, who were a lot more concerned about stealing a mayor's race than they were about stealing a Governor's race or President's race or a Senate race, raised cane.

When those postcard registrations were looked at, they were all found to have had the same handwriting—many of them had the same handwriting. They were on one or two blocks. Those have all been turned over to the prosecuting authorities. We have not gotten any convictions yet.

We also know that right before the general election in November of 2000, 30,000 postcard registrations were dumped on the St. Louis city election board. Nobody has gone back and reviewed them, but the guess is that at least 15,000 of them were fraudulent. Is it not a little bit beyond credibility that St. Louis, which had 200,000 registered voters, would on the last 2 days of registration register 30,000 people, equal to 15 percent?

That is one of the reasons St. Louis has almost as many registered voters as it has adults. It would be truly remarkable if each one of those registrations equaled a registration of somebody who was an adult human being entitled to vote in Missouri. I do not believe it. We have not had the resources to go back and check.

Frankly, as the Senator from Pennsylvania pointed out yesterday, it is very difficult, particularly under motor voter, to prosecute people who register illegally. Why? Because there is nobody there. You sign somebody else's name, send it in, and say I promise to, with a signature affirmation and verification. I could register all my colleagues on the other side of the aisle in a Republican area of Missouri, and we would have signatures on their mail-in ballots every time. This time they might be voting our way rather than the other way.

I believe some of the people arguing against the bill yesterday were woefully uninformed about what this bill requires. I say to my friend from Oregon, this only applies to people registering after the bill becomes law. It only applies one time, either when you register or when you vote for the first time. You have to show something that would tend to prove you are a live human being, living where you said you were, entitled to vote.

Concern was expressed over provisional voting, and the registration—the identification goes into effect immediately. Right now, 39 States have either provisional voting or same-day registration. I did not draft that part of the bill that says provisional voting would only go into effect in 2004. We would be happy to move it up for the other 11 States so it takes effect immediately.

The Senator from Oregon made a very good point in his discussions yesterday: When a person registers, we ought to make sure when they register that they are legitimate voters. I agree 100 percent.

Do you know what. Motor voter prevents verification of the registration, as it now stands. That is why we had to amend it.

There was a lot of discussion yesterday about how many people we would disenfranchise, and they postulated hundreds of thousands, maybe millions, of people would be disenfranchised because they would not have a photo ID, a utility bill, a bank statement, a government check, that shows their address. I think that is hogwash.

There may be a handful of people who do not have that, but we have money in the bill for the States to go out and affirmatively identify and provide registration for people who fall through the cracks. I am happy to put a provision in there saying the States—if on application by somebody who is entitled to vote, who does not have any of these documents, they can get a State or an election board identification card. Put the burden on the States when somebody shows they have none of these articles or identifiers. I think that might be one-hundredth of a percent at the maximum.

ORDER OF PROCEDURE

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DODD. I ask unanimous consent that the Senator from Missouri be allowed to speak for an additional 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Nevada.

Mr. REID. I ask unanimous consent that the time for morning business be extended until the hour of 11:45 a.m.

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

Mr. DODD. Mr. President, I ask unanimous consent that the Senator from Missouri be allowed to proceed for another 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I ask unanimous consent that the Senator be allowed to speak under the period for morning business.

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

Mr. WYDEN. Mr. President, I ask unanimous consent to proceed after Senator BOND.

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent to proceed after the Senator from Oregon.

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

The Senator from Missouri is recognized for an additional 10 minutes.

ELECTION REFORM

Mr. BOND. Mr. President, I do not need an additional 10 minutes. I have said all the things I need to say.

It is not just my view that signature affirmation or verification does not work. Professor Melody Rose of Portland State University in Oregon has pointed out the significant numbers, 60,000 to 80,000, perhaps, who signed someone else's ballot or had someone else mark it for them. There were problems in Oregon.

The Carter-Ford commission said signature verification and affirmation is not adequate, it is inaccurate. Check page 31 of the report. Why? You sign a mail-in registration which cannot be checked under motor voter; you put a signature on it—it could be a dog, a dead alderman, a neighbor, a fictitious brother—and every time you vote as that person, your signature will match the signature that you put on fraudulently when you registered that person.

I knew when we took on fraud, fraud would fight back. I want to make sure everybody understands that the deal we worked out was widely praised. The Senator from New York said we ought to come together because we have a good bill. I agree. I thought we had a good bill. We made a lot of compromises. There is money there to improve the voting system and get statewide registration to make it easier for those with disabilities to vote, to cut down on fraud, to have provisional voting. That is a reasonable, rational system.

I believe this body cannot go down the road saying we are making it easier to vote and harder to cheat. They blow a huge hole in the voter fraud section by saying all you have to do is sign your name or sign a dog's name or sign a dead person's name or sign a fictitious brother or sister's name. That is what this is all about.

I am not the one trying to torpedo this bill. We had a torpedo in midship, yesterday, from people who had been part of the compromise on grounds I do not think were legitimate. I think there was some misunderstanding by many. We talked to staff people who did not realize the aspects I just pointed out, the fact that it is a one-time registration, only for people who register after this goes into effect. They said, maybe people will be disenfranchised. We will do everything in our power to make sure that does not happen.

Fraud has been proven. Fraud is alive and well in Missouri. There is a whole list of other places where fraud exists.

Mr. SCHUMER. Will the Senator yield?

Mr. BOND. I am happy to yield the floor, and I am happy to respond to any of my colleagues.

Mr. SCHUMER. I have been listening to the Senator as we had a debate on the amendment. The Senator from Oregon and I have added to his proposal. I have been very mindful of the passion of the Senator from Missouri about fraud. I respect it, appreciate it, and do not belittle it in any way. He has been through it.

If the Senator says there has been a large amount of fraud in Missouri, I am not here to quarrel with that. He knows his State better than I do. All I ask is to understand where this Senator is coming from. The Senator from Oregon and I are coming from slightly different places because our systems are different. In New York—and I checked again yesterday; we called around the State, people not just of one party or another—there has been almost no allegation of any kind of fraud with our system, which is a signature system.

Yet I do know one thing. If we were to adopt the section he proposed, it would make it more difficult for many of our citizens to vote. We have 8 million people in New York. About 6 million, a little over than that, are above voting age. Only 3 million have driver's licenses. Half the people in New York City don't have driver's licenses. A good number of those—there are no statistics, as there are no statistics, really, on fraud in our State; it is what you hear and know of your State—a good number of those do not have a utility bill to exhibit.

Having spent a lot of time at polling places, which I do in New York, as does the Senator in Missouri, I know how worried and scared lots of our voters are—new voters, people who voted for the first time, even if they are 30 or 40 years old.

I say to the Senator, I respect his passion to try to deal with fraud. Fraud is terrible for the system. As the Senator knows, except for this provision, I have been fully supportive in our meetings of all the other items—the registration lists and everything else—that the Senator has added to the bill. I believe he has made it a better bill.

My question to the Senator: Is there a way we can deal with the problems in Missouri and still deal with the problems in New York and move this bill forward? That is what I would like to do. I know the Senator from Connecticut has some ideas and others have some ideas. I ask the Senator if he has any thoughts about that. Perhaps we are not—I pray, we are not—on an irreconcilable course.

I yield.

Mr. BOND. Mr. President, I am very pleased to hear that fraud does not exist in New York. That is reassuring.

I pointed out yesterday that 14,000 New York City residents were also registered to vote in south Florida. Would

the Senator care to make a friendly wager that none of them voted twice?

Mr. SCHUMER. In answer to my friend's question, I would ask the Senator to give me a single instance of people who voted twice. Here is why: The way our voting rolls work, it would be cleared up by the bill. You must remain on the voting rolls for a minimum, I believe, of 8 years once you stop voting. So every day probably 1,000 people from New York move to south Florida.

My guess is there are more than 14,000 people on the voting rolls in New York and south Florida because you are not stricken from the rolls in New York even if you have not voted for 6 years. That is not an indication of any fraud whatever. If the Senator from Missouri could come forward and show me even 10 cases where this happened—maybe it has, but we don't have evidence of it, and we certainly don't have evidence that anyone is organized to do it. It is just the way our system works.

I am sure there is occasional fraud in New York. I said to the Senator there is no instance of widespread or organized fraud, of large numbers of people who come in and vote fraudulently, organized by someone or not.

Mr. BOND. Mr. President, I make a friendly wager that maybe quite a few of those people voted twice.

I think the Senator from New York has raised a point we did not adequately address. It was a point raised by the Senator from Montana who said there has to be a more effective way of getting those voters no longer living in the State off the rolls. That causes confusion.

In Montana they have many people who come in and register while they are at college, then move away. If we are going to go back and compromise again, I told some people yesterday this compromise on election reform is like loading frogs in a wheelbarrow: I keep thinking I have a half wheelbarrow full, and I come back with the frogs and the wheelbarrow is empty.

We need to be able to clean up those rolls. Eight years means there is a lot of confusion and a lot of opportunity. We will be happy to work on that.

The second point the Senator from New York has pointed out is there may well be voters in New York who do not have a driver's license. Granted. When I lived in New York, I was scared to death to drive. I was scared to death of taxicabs, but I sure wouldn't take a bike. I did not keep a car in New York City when I lived there.

They may not have a paycheck. Some of them don't even get a government check of any kind.

Mr. SCHUMER. Right.

Mr. BOND. Some of them don't even have a bank account. I think that is a rather small universe. But I am willing to make explicit what I believe is already in the law—staff on the majority side has assured us it is already in the law—that money can be used. But I will be happy to make it explicit. If you have Joe or Jane Doe, who do not have any of those things, we should be providing the money to the registration authority to give them a card or to ascertain their registration and get them registered. If they don't have any of those items, they ought to have a chance to be registered. We ought to identify them.

The Carter-Ford commission says one should have an identifying number. That would help us a lot. Carter-Ford pointed out that, No. 1, signature verification doesn't work—and I can assure you, it doesn't work from our side, from what we have seen in Missouri.

Those are the outlines that I think would work.

The ACTING PRESIDENT pro tempore. The additional time allotted to the Senator from Missouri has expired. The Senator from Oregon is recognized under the previous order.

Mr. WYDEN. Mr. President, I see the Senator from Missouri is in the Chamber. I want to make a comment to address some of the concerns the Senator has voiced.

In particular, with respect to the process that has been followed, I was not involved in any of the negotiations with the Senator from Missouri. I made it very clear I am interested in meeting him halfway in trying to find some common ground. We have been talking since the vote yesterday—Senator DODD, Senator MCCONNELL, Senator SCHUMER, Senator BOND, myself—really, hour after hour since yesterday. I do believe at this point there is a framework for a genuine compromise that could allow this bill to go forward. I want to outline what I think that framework is because we all ought to try to come together and get a bill.

I was asked yesterday by the press and others: Maybe those on the other side just don't want a bill? I stuck up for the Senator from Missouri. I said I believe he wants a bill. I think he wants us to come together. We have some differences of opinion.

Here is the framework for what in my view is a genuine compromise. What we ought to try to do is tighten up at the front end of the process. Let's tighten up with respect to registration. That is the best way to deter fraud. Right now, the tough antifraud provisions with respect to registration don't kick in until a ways down the road. Let's figure out a way to make them kick in earlier. Let's tighten up at the front end so we all come together and make it clear we are interested in deterring fraud, we are not interested in deterring voting.

But at the same time, what we would ask in return for our effort to meet the concerns of our colleague from Missouri with respect to the registration process and tough antifraud processes—at the front end we ask to let the signature be valid when people vote because on our side, and in the State of Oregon, we believe very strongly in the 27 States where that is used, it works. We know our colleague does not share that view. Sincere people agree with him. But I would say when he cites studies in Oregon, which I have not seen, the colleague that sits just a few seats from him, Senator SMITH, made it clear—after a very difficult and contested election where he clearly could have said: I have some questions about how these votes were cast—Senator SMITH, to his credit, said the system worked and there were not the problems the Senator from Missouri has found.

So as of right now, without the legislation that has been drafted by the Senator from New York and me, it seems what we are doing is discouraging people from voting now but not putting in place the toughest antifraud provisions until 2004. We ought to keep negotiating. We ought to continue the work.

By the way, even when we were debating the Schumer and Wyden amendment, I suggested to my colleagues, and was very appreciative of what the chairman of the committee said—I went to him and said: We have the votes. We have the votes now. We have done our checking. We have the votes. But let's still reach out even before the vote and try to have a compromise.

That was echoed by the distinguished chairman of the committee, Senator DODD, who said even the night before the vote: Let's stay at it.

I didn't have a chance to be part of the negotiations and the process. I know there are some who have concerns about that process. But I said from the very beginning, because I was not part of that process, I would have to take steps—I was inclined to put a public hold on the bill to make sure my State wasn't rolled.

At every stage of the process that I had a chance to be part of, and this has been backed up by Senator DODD and Senator SCHUMER and the leadership, we have been trying to find a way to meet in a genuine compromise. I think the framework for that genuine compromise is to tighten up on the front end, come down as aggressively as we possibly can on fraud where we can best deter it, which is at the beginning of the process, through registration, but then let those signatures be valid for a ballot, a system that we believe works in 27 States, and not create new obstacles.

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

Mr. WYDEN. I am happy to yield.

Mr. BOND. First, the Senator is aware that we did take care of one of the Oregon problems. When he pointed out we could not send a second ballot, he is aware that we did agree to change the requirement in the underlying law. I understood it was at the request of the Senators from Oregon and Washington. We made the change.

Your staff asked for it and we did make the change.

Mr. WYDEN. I want to respond. The Senator clearly has been working in

good faith and we appreciate that. What I am trying to do this morning is to see if I can help get the rest of the way. I think in this arcane area of election law, where I think, frankly, the Senators from Missouri and Connecticut and New York know more about this nationally than do I, it is very complicated. But I think there is the framework for a genuine compromise. If we stick with that kind of outline, I think we can still get there and we ought to try with this bill which, as a result of efforts of the Senator from Missouri and the Senator from Connecticut, has a lot of good in it. It has a lot of useful provisions. I am for it, but we have to get over this particular problem.

Mr. BOND. Will the Senator yield?

Mr. WYDEN. Of course.

Mr. BOND. Just a further question. I stated very clearly that I applaud and support the Senator's premise that we ought to make sure the registration the first time is legitimate because that is where the problem begins. I will ask the Senator a two-part question: Does he understand that existing motor voter law does not permit effective ascertainment of the legitimacy of a registration upon registration, No. 1? And, No. 2, that the bill before us would not apply to anybody who is already registered?

We had set up these requirements. Is the Senator aware we set up these requirements only for people registering after the date of the act, and they only have to meet the requirements to prove they are a live, qualified human being, one time—either upon registration or upon the first vote? Is the Senator aware of those two things?

Mr. WYDEN. Mr. President, the Senator makes a valid point with respect to the first part. With respect to the second part, I and others think the motor voter law has been an important step forward. We are concerned about the implication that some of the spirit and substance of it could be unraveled. That is why we are trying to stay at the table with the distinguished Senator from Missouri and work this out.

I think if we can get an acceptance of the proposition that a signature should be valid to the ballot—if that basic proposition can be accepted, which is something we believe works in 27 States—I think we can do a great deal to reach out on the other concerns the Senator from Missouri has. He has raised them consistently. He understands the substance of this very well. We are trying to reach out to him in an effort to get this compromise.

But what we need in return is to know that when people actually vote after they have gone through what I would call a real gauntlet of steps to make sure there are antifraud provisions at the front end, then let us have a signature be valid for the ballot, a system which works very well in our State.

I will close by way of saying I think people are stunned by this. In the Senate special election in 1996, we trippled the rate of voter participation from the previous Senate special elections in this country. This is a system that has empowered voters.

That is why it is so important in those 27 States to seniors, the disabled, minorities, and others. With record turnouts, people are being prosecuted now in a small number of instances. Where there is fraud, we would like to find a way to protect against that as it relates to having a signature be valid to the ballot.

In return, we are willing to meet the Senator from Missouri halfway and more on the front end so that we come down aggressively on fraud in the area where we believe it can do the most.

My time has expired. I am inclined to get back to the negotiating table with the Senators from Missouri, Connecticut, and New York so we can get a bipartisan compromise.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, my chief of staff and my counsel negotiated 4 to 5 hours a day for 6 months, and they thought they had reached the end. If the Senator from Oregon and I are now talking about different things than what he has outlined, it would seem to make very good sense. No. 1, he says make sure there is a real, live person qualified to vote when they register. Hallelujah. If we can do that, then I agree that they sign a registration, and any time they go to vote, all they have to do is sign, whether it is a mail-in or whether it is voting in person.

But what I want to make sure of is when that first registration comes in, there is something to identify it. It is not a gauntlet. It is picking one of the pieces of evidence that shows they are a real, live human being, or, if we can find a better way, that we can even task the local election authorities to use money we provide them to verify.

If they confirm that the registrations are legitimate, and if they deal with the problem that the Senator from New York and the Senator from Connecticut laid out about the 8 years full of clogged rolls, there is no problem that I have with letting people vote by signature once it is proven they are real, live human beings at the beginning of the registration process. If that is the basis, we can start over again, and see all of you in July, maybe.

But the Senator from Connecticut is good humored, equally determined, and is willing to go at it again.

If what the Senator from Oregon laid out is what I said, then I think there is some good possibility that we can get agreement. But sending in a signature alone is not going to cut the mustard.

We will get back to the Senator from New York on the number of people doubledipping. The December 19th issue of the New York Post reports on doubledippers. We will get back with the information on that. That is a good reason to clean up the registration rolls. I hope we can do that as well.

I thank the Chair. I thank particularly my colleague from Connecticut for his good humor throughout this.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I would like to speak in morning business for about 9 minutes.

The PRESIDING OFFICER. The Senator has that right.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1974 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until the hour of 2 o'clock.

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

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

(The remarks of Mr. WELLSTONE pertaining to the submission of S.R. 213 are printed in Today's RECORD under ''Statements on Submitted Resolutions.'')

THE STEELWORKERS OF AMERICA

Mr. WELLSTONE. Mr. President, I thank the steelworkers of America for coming to Washington, DC, today. I think it is a historic gathering. Time is not neutral or on the side of these workers and their families, including the taconite workers in the Iron Range in Minnesota. I could spend hours on our trade policy and the ways in which I do not think we have a fair trade policy. But when you have the best workers who care fiercely about their families and their communities in our country and essentially the dumping of steel and, for that matter, semifinished steel in our market, way below the cost of production in other countries, much less quite often produced at wages that are deplorable wages, the effect is devastating.

The request and the demand of the White House, which follows up on an International Trade Commission recommendation, is for a 40-percent import fee. If we get that fee, then we will be able to compete effectively. If we don't get that fee, I think it will be very difficult to see a future for the steel industry in our country. There will be no way we can cover legacy costs, health care costs of retirees; and a whole lot of very decent, good, working people are going to be spat out of this economy.

Nobody is asking for a leg up on anybody else. Frankly, when you see the

import surge of the last several years—so much of this well below cost of production—and you see the impact on people, you know we ought to do something.

So the President has until the beginning of next week to act. We call on him to do the right thing. We believe it is the right thing. There are going to be steelworkers from all across the country today. There are going to be marching bands from high schools from all across the country today. I have been told there may be more than 10,000 steelworkers coming to Washington, DC, for themselves, for their children, their communities, and for the country. I hope their voice is listened to.

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. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. LANDRIEU). Without objection, it is so ordered.

The Senator from Alaska.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that I be allowed to speak in morning business for 10 minutes.

The PRESIDING OFFICER. There is a 10-minute time limitation. Without objection, it is so ordered.

Mr. MURKOWSKI. I thank the Chair and welcome the occupant, the Senator from Louisiana. I look forward to providing her with some factual information this morning, not that she has not been exposed to factual information before.

ARCTIC NATIONAL WILDLIFE REFUGE

Mr. MURKOWSKI. Madam President, I received a letter in my office from the respected former President Jimmy Carter. I suspect this letter went to every Member. It was an appeal on the issue of the energy bill which has been laid down by the majority leader and will be taken up at some point, probably next week.

In his letter, President Carter highlights the realization that every decade or so we have a great national debate about whether or not to preserve our national heritage. He indicated that in the sixties, it was over building dams in the Grand Canyon to oil drilling in Yosemite or Yellowstone. Clearly, there is no consideration for oil drilling in either Yosemite or Yellowstone, to both of which I would object. I know virtually every Member in this body would.

President Carter indicates in his letter that the significant issue before us today is the fate of the Coastal Plain of the Arctic National Wildlife Refuge, an area first set aside for protection by President Dwight Eisenhower. He is correct in that generalization, but what he does not add is that out of that area, so-called ANWR, there were 1.5 million acres, or the 1002 area, left out specifically at the declaration of President Eisenhower for Congress to make a determination of the disposition.

Since that time, the matter of opening ANWR has been debated before this body. Many of us will recall that in 1995, in the omnibus bill, ANWR had prevailed and President Clinton vetoed it.

It is important to recognize the sequence of events because they are not necessarily as recounted in President Carter's letter. He states that he has enjoyed the extraordinary beauty of the peninsula and Beaufort Sea, watching the musk ox circle their young. He has wandered on the tundra near the Jago River as the caribou streamed through. He has watched this timeless migration from vital calving grounds. He has watched the dens of wolves, large flocks of Dall sheep, and isolated polar bears. ''These phenomena,'' he terms it, ''of the untrammeled earth are what lead wildlife experts to characterize the coastal plain as America's Serengeti.''

I live there. I have spent all my life there. I have spent a good deal of time in the Arctic. His description is not without some further explanation.

The difference with the American Serengeti is, of course, the wildlife concentration is virtually year round, and the caribou, which is a nomadic animal, moves through the area. It is quite inspiring when they move through the area, but they are not residents.

In the wintertime, which is 9½ to 10 months of the year, there is virtually no activity of any kind relative to wildlife and bird life. Nonetheless, we have an obligation to address the compatibility of the natural wildlife and the wildlife experience of visitors and the realization that we also have a tremendous amount of reserves of oil in this area. There is a compatibility.

President Carter further states:

> Having traveled extensively in this unique wilderness, I feel very strongly about its incredible natural values.

I do, too.

He hopes Members ''will not be distracted by the argument that oil exploration and development will have minimal impact because the 'footprint' of modern drilling technology will be small amid the 1,500,000 acres of the coastal plain.''

This is where we depart because what he fails to take into consideration is the people who live there and their thoughts and aspirations. I will perhaps go into that a little later.

One realizes in his letter he assumes this area is an absolute wilderness devoid of any villages, devoid of any footprint, and devoid of any personal expression of attitude from the Eskimo people who live on the Coastal Plain, whether they live in Barrow or Kaktovik, or whether the activities in Prudhoe Bay have, in fact, been a distraction.

He further suggests a precise measurement of activity in the 1002 area would involve a web of drilling pads, gravel pits, access roads, and air fields. While these might not exceed 2,000 acres, they would be spread across a far wider expanse covering hundreds of square miles, connected by a network of what he calls modern transportation routes.

As those who follow the debate recognize, that simply is not the case. We have developed the technology dramatically, and that technology is evidenced in the transition from Prudhoe Bay, which is the 30-year-old technology which uses large areas of surface for roads and so forth, to the development of Endicott, which came on as the 10th largest field, and the actual footprint was 56 acres.

So the point is, we have this technology. It will be advanced if indeed ANWR is opened. It would be further advanced to have ice roads as the access for development of drilling, not roads. We would not open up gravel pits; that would not be necessary because we have technology now that allows us to move only in the wintertime and not leave a footprint in the summer. Further, the directional drilling technology suggests if we were to drill on the Capitol Grounds, we could focus on an oilfield as far away as the Reagan Airport, outside the edge of Washington, DC. That is the technology we have.

So it is an entirely different set of circumstances. To suggest that somehow this would be an expanse covering hundreds of miles, with airports and so forth, is totally inaccurate.

I have a picture. This is children in Kaktovik. To indicate where Kaktovik is, this is in the 1002 area. This is a village that has been there for a long time. There are real people there. They have hopes and aspirations. We have other pictures of Kaktovik which can give an idea of the realism that President Carter simply overlooks in his letter. He suggests this is an unspoiled wilderness. Here is a village that is actually in the 1002 area. There is an old radar site. Here is the community hall.

These people happen to support opening the area. Why? They want a better opportunity. They want health care. They want toilets that flush. They want running water. They want to have opportunities for the children.

It is one thing to simply address the environmental aspects, but that is hardly fair when you have to consider the fact that there are real people living here.

I want to show a little bit about how we develop the Arctic and show some of the activity. Some of the technology we have developed—and I know the occupant of the chair is quite familiar with it—that is used now more often than not is called directional drilling.

This was an article that appeared in the New York Times, and it shows how

in one drill pad you can access a huge area that otherwise was unaccessible. This is called directional drilling. You do this through a process called 3D sizement. That has only come about in the last decade.

Before, we used to have to drill down, and if we hit one of those pockets of oil—they are the dark areas—we would hit them or we would miss them. With 3D sizing, you can spot where these other pockets are and directionally drill from one pad. That is the technology of today. That is why President Carter's generalization that this area is going to be covered with roads and air fields and pipelines, and so forth, is totally inaccurate.

Now let me show you how we operate. I said we are not going to have roads. We are not going to open up gravel pits. That is drilling in the Arctic. That is the same as in the 1002 area of ANWR. That is a winter road. It is a road that is frozen. It works fine. You have a drill pad that is on frozen ground. This ground is permafrost. It is frozen year round. On the surface, it does thaw, but remember, winter is just about 9½, 10 months. So you have a long period of time when you can do development. This is what it looks like in the summertime as a consequence of not having to have a road into the area. That is a spot as well.

So when he says the impacts on the fragile tundra, ecosystem, migratory waterfowl, and other wildlife would be devastated by oil activity, that is not necessarily true.

The Senator from Louisiana knows how you operate in the State of Louisiana. You have numerous areas where you have oil and gas drilling. You have commercial shrimping. You have sport fishing. You have access for waterfowl because you consciously protect them. But there is a compatibility by doing it right and using technology. You do it in monuments that have been set aside by Congress, and you do it correctly.

There is some suggestion that this somehow is of a magnitude to parallel dams on the Colorado River, that we have to make choices: We cannot have the untouched, sublime wilderness on one hand compatible with oil development.

If we look at this map, we note that few people have an idea of the distance and the vastness of the State of Alaska. It is one-fifth the size of the United States. It overlays the United States dramatically in a proportional view that hopefully we have with us—but I guess we do not. It shows Alaska overlaying the United States. It shows an overlay, and Alaska runs basically from Florida to California. It runs from Canada to Mexico on a proportionate overlay. It is a big piece of real estate.

We have this entire area of portions of Alaska associated with wilderness. We have 56 million acres of wilderness, and what we do not really reflect on in the issue of opening up ANWR is the fact there are already footprints in the area; there is a community of Kaktovikians, and the Coastal Plain is the green area that would be proposed to be leased. The rest of the 19 million acres is split between a wilderness area, which is about 8½ million acres. That is the light buff color on the chart, and the darker buff color is already in the wilderness. So we are talking about a very small area.

We are also talking about, in the House bill, which authorized the opening, only 2,000 acres. That is the size of that little red dot in the chart. That is about the size of a small farm.

So what does 19 million acres equate to? A lot of people do not recognize that. ANWR and the State of South Carolina are about the same size, 19 million acres. So we are talking about 2,000 acres out of 19 million acres of development, which is hardly reflected in the President's letter to each Member. He says: Opening of the Coastal Plain for oil exploration and development would be, despite all the much-vaunted technological promises, severely damaging to wildlife and the ecosystem.

Let me show what our evidence is in Prudhoe Bay. I am sure we have a chart of the caribou and the bear. This is Prudhoe Bay. We had about 3,000 or 4,000 caribou in Prudhoe Bay when the development started in that particular area. Today we have over 20,000 caribou. The issue is, you cannot shoot them, you cannot run them down with a snow machine, so they propagate dramatically. And those are not stuffed; those are real caribou wandering around. So there is a compatibility.

There is a compatibility with the bears. Here are the bears. I know the occupant of the chair has seen this chart many times. They are walking on the pipeline because it beats walking on the snow. You cannot shoot them. You cannot take a gun in there.

People are concerned about polar bears and polar bear dens, but they never tell you it is against the law to shoot a polar bear in the United States. And Alaska is in the United States. You can go out and get a guide in Canada, you can get a guide in Russia, and take a polar bear, but not in the United States.

Talking about conservation, one of the best ways is to make sure they are protected, and they are. So to suggest a mild amount of activity is going to displace their dens is absolutely balderdash.

They talk about the wilderness qualities. You are talking about huge areas. Fifty-six million acres of wilderness is what we have in the State of Alaska alone. We are very proud of it. To suggest we cannot open this area is totally unrealistic.

Let me show some of the other areas in the United States where we have oil and gas exploration. These two charts show oil production facilities in the Nation's wildlife refuges and wetland management districts. We have 9 in Texas, 12 in Louisiana, 4 in California. The other charts oil production in national wildlife refuges and wetland management districts. We have them in Texas, Oklahoma, North Dakota, New Mexico, Montana, Mississippi, Alabama, Arkansas, one in Alaska, California, Kansas, Louisiana, and Michigan.

We have oil and gas development and mineral development in refuges. It is common. Can we do it safely? That is the question. The answer is yes.

Former President Jimmy Carter's letter fails to recognize people have dreams and aspirations and certain rights. He says:

> It is inherently fatal to the wilderness qualities of this matchless example of America's heritage.

The letter does not say there are 56 million acres of wilderness in Alaska, and we are proud. He implies somehow if the area is open to modest development, it will be detrimental.

He makes another mistake when he says:

> Through compromises that began more than four decades ago and were concluded when I signed the Alaska National Interest Lands Conservation Act in 1980, 95 percent of Alaska's North Slope has already been made available for oil exploration.

We have charts that show the upper Arctic area. This chart illustrates the Arctic Coast from Canada, the area we are talking about, and next is the Prudhoe Bay area, and from Prudhoe Bay we go across the Naval Petroleum Reserve in Alaska. The suggestion that 95 percent is open is inaccurate; 95 percent of it is closed. I guarantee, one cannot get a drilling permit on public land in these areas. This area is the National Petroleum Reserve, and the dark area shows the concentration of lakes. That is where the bird life is. That is Lake Nestia Puk. That is a delicate area. The Department of Interior refused to open leases in those areas. They have leases issued which have been modestly successful, but to make the statement that 95 percent is open, and therefore why not leave the area, is false.

The President has inaccurate information. He said we should not sacrifice the last 5 percent. Well, 95 percent is closed. Furthermore, in his letter he says this issue has assumed gigantic symbolic stature. He is right on target. It is symbolic. It has nothing to do with scientific evidence. It has nothing to do with whether or not there is enough oil to offset the amount of oil we import from Iraq or Saudi Arabia. Some have indicated that this issue is all about our national security. To a large extent, they are right. We are 58-percent dependent upon imported oil in this country. The ramifications of that are very real. As we increase our dependence, we are going to be more and more beholden to those who supply the energy.

We have seen the power of OPEC in reducing the supply and the price goes up. I have discussed time and time again the issue of Iraq. We wonder how we will deal with Saddam Hussein. On September 11, we imported 1 million

barrels a day from Iraq; today it is 780,000 barrels. We are still maintaining a no-fly zone, an area blockade, over that country. We put the lives of men and women at risk each day enforcing that no-fly zone. We take out Saddam Hussein's targets, and he tries to shoot us down, but we are taking his oil. We take his oil, put it in our airplanes, and go back. But he takes our money and develops missile capability, maybe aimed at Israel. We have not had an inspector in that country in 6 or 7 years. When will we deal with that? When we have an unfortunate issue such as a terrorist development that might emanate from there we will wish we would have moved sooner?

These are the questions the administration has to deal with and each Member has to deal with in his or her own conscience. These are very real.

From the Persian Gulf we get almost 3 million barrels; from OPEC producing countries, 5.5 million barrels of oil. That is where we get the oil. We need all the conservation we can get—CAFE, wind power, solar power—but America and the world moves on nothing but oil. We do not have the technology. We will continue to be more dependent.

The question is, How can we relieve that dependence? Obviously, in the Gulf of Mexico and off Louisiana and Texas they have extraordinary technology. They are drilling in 2,500 and 3,000 feet of water. The record has been very good because we have that technology. Can we open up ANWR safely? Absolutely.

This next chart is important. What we are doing is rather interesting. We have substantial prospects for oil and gas off the Atlantic Ocean, off our coastal States, including Florida clear up to Maine. Those States do not want development. That is fine if they do not want development. They have taken 31 trillion cubic feet of natural gas that is believed to be off the east coast and said they do not want to develop it. We should respect that. Off Florida on the gulf side, 24 trillion cubic feet, we have taken that off limits.

Now the west coast—Washington, Oregon, California—they do not want drilling offshore where the risks are relatively high. There are storms and all kinds of bad things that can happen. We have taken the middle area of the country, the overthrust zone of Montana, to a degree, Wyoming, Colorado, Utah, and said we will not allow any road access in public lands. We have taken that off. We take these off because the people do not want it. We should respect those areas where people support drilling. In my State of Alaska they do. We are not talking about offshore. We are talking about on land. There is a difference. There is much less risk.

These are the arguments used that frustrate those in the Alaska delegation. It is fair to say we probably include Texas, Louisiana, Mississippi, and Alabama, who do want responsible development offshore. It provides a standard of living. It provides a tax base. Those are very important for working men and women.

This is a jobs issue. If we open ANWR, we are putting up for lease in the area of 1.5 million acres out of 19 million acres. That will be competitive lease sale. Companies will put up money to have the opportunity to lease those lands. How much money? It is estimated somewhere in the area of close to $3 billion. That means $3 billion coming into the Federal Treasury. That, in itself, should interest our budgeteers. In addition, it is jobs for Americans at a time when we are losing jobs. It is payback time to American labor. These people are entitled to these jobs as opposed to sending our dollars overseas and bringing back the oil from Iraq or Saudi Arabia. We have the know-how, we have the technical ability, and we can bring these jobs home.

How many jobs are we talking about with ANWR? Somewhere in the area of 250,000. Talk about stimulus; show me a better stimulus that does not cost the taxpayer a red cent. That is $3 billion in revenue and 250,000 jobs, all paid for and put up by the private sector, not the government and not the taxpayer.

These are some of the issues to which we should relate. It is a matter of what is in the national security interests of our country as well as the realism associated with sound jobs in this country.

President Carter goes on to say the truth: We can drill in every national park, wildlife refuge, et cetera.

We are not talking about that. We are talking about a small area, a footprint of 2,000 acres out of 19 million acres. To suggest we can get there through conservation is unrealistic. It will be an interesting issue to watch the debate on CAFE. Some are going to say we are going to do it, and we will mandate the type of cars or public businesses. We are going to compromise safety. We are going to bring in more foreign cars. That is not the answer.

We need better mileage. There is no question about it. But you just can't get there from here because this particular CAFE is going to be effective in the year 2015, 15 years from now. Some of us are not going to be here to be held accountable.

It is very easy to vote and say, yes, we ought to do that; get 37 miles per gallon by the year 2015. Technically, they say you can't get there without a mandate by the Government telling you what kind of car you are going to drive.

We will have that debate later. Nevertheless, I think we have to address the national energy security of this country.

I am always reminded of the statement of Mark Hatfield, a very respected Member of this body from the State of Oregon, who stood here time and time again and said: I'll vote for ANWR any day rather than send a young man or woman overseas to fight a war on foreign land over oil.

This is leaving us more dependent on foreign oil, and then we know just what happens. Some people forget what happened in 1973 during the Arab oil embargo, the Yom Kippur War, because, I guess, they were too young. We had gas lines around the block. People were indignant. They said: How could Government let this happen?

We were 37-percent dependent on imported oil at that time. Now we are 58-percent dependent.

What does the Department of Energy say? In the year 2007, 2008, we will be somewhere up to 63 or 64 percent dependent. That is reality.

I hope when Members reflect on their vote and recognize the pressures that have been brought about by environmental groups, by President Carter in his letter to each Member, and others, they reflect somewhat on accuracy, factual information, and not the emotional arguments that suggest this is only a 6-month supply; that it is going to take 10 years to go on line; that it is not going to make any difference.

They recognize reality. I hope they recognize their vote should be what is right for America, not what is right to satisfy the environmental lobbyists' desires to use this issue for what it has been used, and that is to generate a tremendous amount of membership and dollars. Once they lose on ANWR, they will go to another major environmental issue and that is understood.

They make a significant contribution. But on this issue they are simply wrong. We can do it right. We can do it safely. It is a significant amount of oil because it is somewhere between 5.6 billion barrels and 16 billion barrels. If it is half that, it is as big as Prudhoe Bay, which has supplied the Nation with 25 percent of the total crude oil produced in this country in the last 27 years.

I will have a chart later. I didn't want to run the risk of having one of my friends from Texas acknowledge that, indeed, ANWR has more oil in it than the proven reserves in one of our largest producer States, and that is the State of Texas.

I think we have to keep the argument in perspective. We have the technology. We can do it right.

When we get on the debate, I trust Members will reflect on the reality that this is one of the biggest jobs issues in the country. Organized labor feels very strongly about the reality of keeping these jobs in the United States.

I will make one more point. As the occupant of the chair is aware, there is a great deal of shipbuilding in Louisiana, Mississippi, and southern California. There is a whole new fleet of tankers being built. They are being built because U.S. law mandates that the movement of oil between two States goes in a U.S.-flagged vessel built in a U.S. shipyard with U.S.

crews. Let me tell you, our oil that goes from the Port of Valdez down there, clear down to the west coast of the United States, primarily in the Puget Sound area, the San Francisco Bay area, and the Los Angeles harbor area—these new ships mean jobs in the shipyards, jobs on the ship, and U.S.-documented vessels.

So it is a big jobs issue. The most significant portions of our merchant marine are these tankers that haul the oil.

Washington, Oregon, and California are going to get oil. What happens? They will get it from Iraq, Iran, and Saudi Arabia. It is going to come over in foreign vessels that do not have double bottoms—all our new vessels have double bottoms—and it is going to come over with foreign crews, and they are not going to have the deep pockets of Exxon. I point out what this means in terms of sound, high-paying U.S. jobs.

Let's do what is right for America. I appreciate the time allotted to me and unless there is another Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that I be recognized as in morning business for the purpose of introducing a bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from California is recognized.

Mrs. FEINSTEIN. I thank the Chair.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 1796 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Florida.

BLACK HISTORY MONTH

Mr. NELSON of Florida. Mr. President, as our celebration of Black History Month now comes to a close, I want to acknowledge some of the rich and ongoing contributions made by my State's African-American citizens. Of course, the efforts of African Americans in Florida and throughout our Nation's history should be recognized every day, not just during Black History Month. Back home in Florida, our State has been blessed with a remarkable number of prominent African-American citizens who have served our State and Nation with distinction in a variety of fields. I want to mention a few.

Although not a Florida native, just think of the contributions of Mary McLeod Bethune. She founded one of the oldest and most prestigious black colleges, Bethune-Cookman College. In addition to serving as President of Bethune-Cookman, she also was one of the leading civil rights activists of her time, and the first African-American woman to serve on a Presidential commission. Bethune-Cookman College is one of our stellar institutions of higher learning. It is located in Daytona Beach. I have had the privilege of attending that college and visiting with the distinguished president, who has been there over 2 decades, Dr. Oswald Bronson.

The spirit that school has today carries on in the memory of Mrs. Mary McLeod Bethune. It is just amazing. I have seen that in the classrooms. I have seen it in their auditorium. I have seen it on the football field and the band performing at half time. It is a wonderful and rich part of our heritage in Florida.

That is just one. Let me name another: Justice Joe Hatcher. He was born in Clearwater and, in 1975, Judge Hatcher became the first African American elected a justice of the Supreme Court of Florida. He later went on to serve with distinction on the Federal court of appeals, a body that sits in Atlanta, although he maintained his office right there in Tallahassee. His election to the State supreme court marked the first time an African American won a statewide office since Reconstruction.

I will give you another one: James Weldon Johnson, the first African-American executive director of the NAACP, author, lyricist, creator of the National Negro Anthem, and poet. He was born in Jacksonville.

And then Eatonville, Florida's native, Zora Neale Hurston. She was a folklorist, anthropologist, and acclaimed author of such works as "Their Eyes Were Watching God," and "Of Mules and Men." I got to know about her heritage when I had the privilege, as a young Congressman, of representing Eatonville, FL, in the late 1970s as part of my congressional district.

I will give you another one: Timothy Thomas Fortune. He was born up in the panhandle in Marianna, FL, Jackson County, in 1856. He was the editor and publisher of a paper called the New York Age, and his paper was a platform for defending the civil rights of both northern and southern Blacks.

Here is one you will recognize: Asa Philip Randolph, founder of the Brotherhood of Sleeping Car Porters. He was born in Crescent City, FL. The Brotherhood was the first union founded by and for African Americans.

Not far from there was born, in Palatka, FL, John Henry Lloyd. He was a baseball player and a manager in the Negro leagues, and was considered one of the greatest shortstops in the game. In 1930, as a member of the New York Lincoln Giants, he played in the first Negro League game in Yankee Stadium against the Baltimore Black Sox.

Now I am going to tell you a name that everybody recognizes today: Sidney Poitier, the renowned actor who won an Academy Award in 1964 for his performance in "Lilies of the Field." He was born in Miami.

And our contemporary, my colleague, Winston Scott, one of our Nation's pioneering African-American astronauts, was born in Miami. In 1992, Winston was selected by NASA and served as a mission specialist on flights in 1996 and 1997, and today he has returned to his alma mater, Florida State, where he serves as the dean of students. Winston had logged a total of 24 days, 14 hours, and 34 minutes in space.

Augusta Christine Savage was born in Green Cove Springs, just south of Jacksonville. In 1923, Augusta Christine Savage was among 100 young American women selected to attend the summer program at Fontainebleau, outside of Paris, but was refused admission once the program directors became aware of her race. In the mid-1930s she founded and became the first director of the Harlem Community Arts Theater, which played a crucial role in the development of many young African-American artists. In addition, she became the first Black elected to the National Association of Women Painters and Sculptors.

A Washington hero, GEN Chappie James, the first African-American four-star general, was born in Pensacola. As a young State legislator, I had the privilege of meeting General James. He was right back from Vietnam where he had flown so many combat missions. He became one of the famed Tuskegee Airmen, earning his wings back in World War II and going on to serve as a pilot, a fighter pilot in Korea and Vietnam. In 1975 he received his fourth star and he became the commander of the North American Air Defense System.

I could go on. As we remember the contributions of these and many others, and so many other African-American citizens, duty calls us to remember the difficulties this community faced as our Nation traveled through the struggle to achieve full civil rights for all people. I want to highlight two small initiatives that should help us preserve these important memories.

Florida now is home to more than a dozen former Negro League baseball players. These men are nearing the end of their lives, and they have never received a pension for their time in the league, unlike their counterparts who played Major League baseball. Although Jackie Robinson broke baseball's color barrier in 1947, baseball didn't truly integrate until a decade after Robinson's historic feat. It took all the way up to 1959 for Major League baseball to integrate the last team.

No doubt their fans appreciate their contribution to baseball, but by refusing to grant a pension to these oldtimers who played in a segregated society, Major League baseball is denying

them an appropriate reward in their efforts. I am trying to help these men resolve their dispute with Major League baseball so that they can receive a small but important token for their contributions to sports history.

Also throughout the era of segregation, when public facilities were segregated by law, the African-American community of Miami was forbidden to use all of the area's beaches but one, Virginia Key Beach, in Biscayne Bay known as ''the Negro beach.''

Known in those days as the ''Colored Only Beach,'' Virginia Key Beach was an important place in the lives of African-American families—a place for them to gather and enjoy the pleasures of relaxation beside the ocean. The memories of this place are sweet, even mixed and intertwined with the bitterness and memories of segregation.

Together with my friend and colleague, Congresswoman CARRIE MEEK of Miami, we have sponsored legislation that will help preserve this historic place. Our bill would require the Secretary of the Interior to study and report to Congress on the feasibility of incorporating Virginia Key Beach into the National Park System.

By enacting this legislation, we can preserve its 77 acres of beach and wildlife, while honoring its past and present importance to the people of Florida.

These are examples of some of the small ways in which we can honor the lives and memories of our Nation's African-Americans.

My own State, Florida, has an especially proud history in this regard, as well as a willingness to correct past mistakes.

In 1994, for example, the Florida Legislature passed, and the late Gov. Lawton Chiles signed, the Rosewood claims bill, which provided $2.1 million to survivors and the families of victims of the 1923 Rosewood Massacre.

Last year, the legislature enacted sweeping reforms to give every person an equal opportunity to have his or her vote counted.

You don't want any State to ever have to go through what we went through in Florida in the last Presidential election because there were votes that were not counted. So the Florida Legislature, in 2001, in trying to correct the voting rights abuses, passed legislation to help modernize the system in a Presidential election.

Unfortunately, a $50-billion State budget proposed by the Florida House last week left out the second of two installments of $12 million to help counties replace antiquated, punch-card voting machines.

African-Americans were disproportionately affected by flaws in the election system. And Florida lawmakers have made a commitment not only to that community but also to all the people of Florida to fix the system.

Without this funding, they will have broken their promise.

It would be appropriate at this time of recognizing the achievements of African-Americans for the State House to do its duty and to keep its word so that every vote gets counted.

Today—and every day—let us celebrate African-American achievement both by remembering our past and by recommitting ourselves to the current fight for social, political, and economic equality for everyone.

I thank the Chair for the time to address the Senate.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 3 o'clock today.

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

ORDER OF BUSINESS

Mr. REID. Mr. President, for the edification of Members, Senator DODD has been working. I talked to him not long ago. He indicated progress was being made. Even though it appears we are not doing anything, there is a lot of committee work going on around the Hill. With this most important election reform legislation, there is a last-ditch attempt by Senator DODD to see if it can be rescued.

As a number of Members indicated this morning, it would be a real shame if this were held up by virtue of a filibuster, especially when we know that matters go to conference, and with the present makeup we have in Washington, with a Republican President and a Republican House, certainly they should be willing to take their chances with a Democratic Senate.

I hope progress is made and we can resolve the Schumer-Wyden matter. But if we can't, I hope Members look forward to invoking cloture on this most important legislation tomorrow when the vote is scheduled.

Mr. President, 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. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. NELSON of Florida. Mr. President, I seek recognition and ask unanimous consent that upon the completion of my comments, the Senator from North Dakota, who is sitting in the chair at the moment, be recognized.

The ACTING PRESIDENT pro tempore. Is there objection?

The Chair hears none, and it is so ordered.

PLEA TO THE FLORIDA LEGISLATURE

Mr. NELSON of Florida. Mr. President, I want to follow my remarks of a few minutes ago about Black History Month with an underlining of my concern of what is happening in the Florida Legislature as we speak, which is meeting in the capital city of Tallahassee.

It is almost ironic that at the very time the Senate is considering an election reform bill, of which for that legislation we are having discussions, negotiations, and awaiting agreements to finally come forth so we do not have to come to the Chamber to break a filibuster to pass it—and it is legislation that is going to get wide support once we get to final passage—but it is almost ironic what has happened in the Florida Legislature since we started this legislation 2½ weeks ago when I spoke in this Chamber in favor of the legislation. At that time, I took to the floor complimenting the Florida Legislature.

In the State of Florida, we went through a grueling experience in the Presidential election of 2000. We saw so many ballots that were not counted. We saw clear voter intent that was not followed. There was confusion over the ballots. There was confusion in the construction of the ballot, how it fit together. There was the famous butterfly ballot. We saw how even when voter intent was so clear for example, a first-time voter, who was not familiar with the ballot, would go down the Presidential names and select one name and mark that on a punchcard ballot, and then at the bottom of the Presidential names there was a line, and it said: ''Write-in,'' and they would write in the same Presidential candidate—the voter intent was clear, but that ballot was not counted.

So after that awful experience, before which I had never known anything about error rates in ballot counting—and thank the Good Lord I never had a close election, and little did I ever know there could be the confusion and so many people, in effect, disenfranchised in an election—when we started our election reform bill in this Chamber a couple weeks ago, I took to the floor and complimented the Florida Legislature because it changed all of the punchcard ballots and it appropriated, out of a $50 billion annual budget, $24 million so that the counties could buy new voting equipment and they would never have to go through the confusion of that punchcard voting system again. They would have an optical scan system with a much lower error rate.

That was my compliment to the Florida Legislature. They did right. That was a year ago. But just last week, the Florida House of Representatives did not appropriate, in its appropriations bill, the second $12 million installment to modernize the election system. What in the world are we thinking in the year 2002, when it is almost taken for granted that it is a bedrock principle that registered voters should have the right to vote and to have their vote counted?

So as we continue to discuss and debate—and ultimately we will pass—this election reform bill at the Federal level, let me make a plea to the Florida Legislature: You were so gallant, as leaders in the Nation, after the debacle and the disenfranchisement of the 2000 election, to first step forward with an election reform bill and providing the appropriations to fund that election reform.

Please do not falter now, Florida Legislature. Please, appropriate the second half of that appropriation that was promised a year ago so Florida will not have any serious questions about every Floridian's vote being counted.

I thank you, Mr. President, for the opportunity to speak.

I yield the floor.

The ACTING PRESIDENT pro tempore. Does the Senator suggest the absence of a quorum?

Mr. NELSON of Florida. Yes. I 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

UNFAIR TRADE

Mr. DORGAN. Mr. President, Senator DASCHLE, the majority leader, was in the Chamber today talking about a decision that will be made in the coming days by the Bush administration on the subject of trade disputes that exist with respect to the American steel industry.

What is all this about? It is that the steel industry, as with many other American industries, has been under assault. It has been under assault by unfair trade coming from abroad, products being dumped in our country into our marketplace below their acquisition cost, undercutting our domestic producers. This is unfair trade. It is trade that violates our trade laws. In fact, an International Trade Commission investigation has recently determined that the flood of foreign steel has significantly hurt the U.S. steel industry.

The question the President will decide next week is: What will be the remedy? What will be done about it? If our steel industry is being threatened and assaulted by unfair trade and it is closing plants, going into bankruptcy, laying off workers, what is the remedy? That is the question this administration will answer next Wednesday.

My hope is they will answer this question in an aggressive way. My hope is they will say, we intend to stand up for American steel. My hope is they will say, we intend to stand up for all American producers when confronted with unfair trade. How do you stand up for producers when confronted with unfair trade? You take action against those perpetrating that unfair trade against our producers.

We have something like 10,000 steelworkers in Washington, DC, today who are here demonstrating the point that they are losing their jobs and their companies are going bankrupt. This is about them and their families and their future. They are saying: Give us some fairness in international trade. Stand up for our interests.

It is not steelworkers saying, we want our country to be protectionist. It is not them saying, we want to build a wall around our country and prevent imports from coming in. It is a group of workers who have come to Washington to say: When we are confronted with unfair trade, we expect our Government to be in our corner. We expect our Government to stand with us.

It is interesting that the steel dispute is very much like a dispute we have with Canada on the issue of wheat. The North Dakota wheat producers, with a 301 case, brought a trade case against Canada. That case, after investigation, was recently resolved by the United States Trade Representative saying, yes, the Canadian Wheat Board is a state-sponsored monopoly that engages in unfair trade practices that harm United States wheat growers.

If we have decided Canada is guilty of unfair trade with respect to wheat, what have we done about it? USTR's answer was: We are not going to have any remedies. If we provide relief at this moment, it will violate NAFTA and it will violate our World Trade Organization commitments. Therefore, even though we have decided Canada is guilty of unfair trade practices that injure American farmers, we essentially will do nothing at the moment; we will instead take this to the WTO.

That means that our great grandchildren, if we are lucky, may see action by the WTO. Although they probably won't see it because the WTO considers and takes action behind closed doors. And anyway, it is likely not to take much action at all; if it does, it will be years in the future.

I have talked about the steel dispute and the wheat dispute. In both cases, our producers have been told that those who are competing against us, foreign producers, are doing so unfairly, injuring our workers and our farmers. Yet it is very hard to get relief, to get this country to stand up for its producers.

There are some real storm clouds on the horizon. Our trade deficit keeps rising year after year. The more trade agreements we have, the higher the trade deficit.

This chart shows what has happened. We have the GATT Tokyo Round, and then we have the Uruguay Round, the WTO agreement, and then the NAFTA. We can see what has happened to the trade deficit—up, up, up, over a long period of time.

The U.S. Constitution has something to say about international trade. Article I, section 8, says: The Congress shall have the power to regulate commerce with foreign nations and among the several States, and with the Indian tribes.

That means the authority vested by the U.S. Constitution on matters affecting international trade rests here—not at the White House, but in the Congress, and only here. Yet to listen to Republican and Democratic administrations over the last 30 or 40 years, you realize that, by and large, they think they are the ones in control of trade. Administrations empower negotiators to go out and work out trade agreements that they bring back to the Congress under a provision called fast track. Fast track allows administrations to tie the hands of Members of Congress behind their backs and say: Here is the trade agreement we negotiated—mostly in secret—and you have no right to offer any amendment to change any of it at any time. That is fast track.

Fast track is fundamentally undemocratic. I voted against it in the past. I would not support giving it to President Clinton; I will not support giving it to President Bush. Go negotiate treaties, if you wish—but good ones. If you do, the Congress will approve them. If you don't, they deserve to be changed or killed.

Let me talk for a bit about some of these treaties. We've had fast track in the past; fast track was something given to previous Presidents, including President Reagan and the first President Bush. We negotiated an agreement with Canada, and the agreement with Canada went through the House Ways and Means Committee. I was serving in the House at the time. The vote for the United States-Canada trade agreement was 34 to 1. I cast the lone vote against it. There were 34 for it, 1 against.

I believed I was right at the time, and events certainly demonstrated that was the case. We took a small deficit with Canada and doubled it very quickly. They dumped grain into this country, injuring our farmers, and we have had trouble ever since. Do you know why we could not do anything about the provisions in that agreement that traded away the interests of family farmers? Because you can't offer amendments to trade agreements with fast track. So the administration said: Here it is. We negotiated it and, by the way, we had secret side agreements we will not tell you about. You accept it, yes or no. If you don't like it, there can be no amendments because fast track ties your hands behind your back. That is what happened with that trade agreement.

Not long after that, I drove up to Canada with a man named Earl in a 12-year-old, orange, 2-ton truck. The truck was carrying 150 bushels of U.S. durum wheat. All the way to the Canadian border, we saw Canadian 18-wheelers coming into this country, hauling Canadian wheat into this country.

There was 18-wheeler after 18-wheeler. In fact, it was a windy day, and even though they had tarps on their trucks, the grain kept spilling off, and it was hitting our windshield all the way to the border. We had that 12-year-old, little, 2-ton orange truck. We arrived at the border having seen dozens of Canadian trucks hauling grain into this country. We were stopped at the border and told: You can't take that 150 bushels of U.S. durum wheat into Canada. We asked: Why not? They said: Because we won't let you in.

All the way to the border, we saw them coming into our country, but we could not take the product of one little orange truck into Canada. Is that fair trade? I don't think so.

The administration turned from Canada to Mexico and did a trade agreement with Mexico called NAFTA. We wrapped Canada and Mexico together. NAFTA sure didn't work. I voted against that as well. We had a very small trade surplus before NAFTA, and we turned that into a very big deficit. Now we are up to our neck in troubles with NAFTA. We have troubles trying to get high-fructose corn syrup in, we have unfair trade with potatoes—you name it.

After we negotiated to reduce tariffs from United States goods going into Mexico, the Mexicans devalued their peso 50 percent, which meant that all the work done to get rid of the 10- or 15-percent tariffs didn't mean anything. They obliterated that by simply devaluing the peso.

What else are we facing? I will give you some examples. Automobiles. We don't make automobiles in North Dakota, but this is a national issue. Let me show you this chart. Absurdities in trade. Last year, we had automobiles coming into the United States from Korea. Last year, we imported into the United States 570,000 automobiles from the country of Korea—570,000 cars. Do you know how many cars the United States sent to Korea? One thousand, seven hundred. I will say that again. We had 570,000 Korean cars driven off boats to be sold in the United States. Going the other way, we had 1,700 United States cars into Korea. Do you know why? If you try to sell an American car in Korea, they will find all kinds of ways to stop you. Not just tariffs, but all kinds of non-tariff barriers, like intimidation of potential buyers with the threat of a tax audit. They want to just ship their cars to our country, and make it one-way trade. If you are somebody working for a car company in this country, you have a right to ask: Who on Earth is minding the store if you let this go on? Is this fair trade? Clearly, no. Somebody ought to stand up on behalf of workers in this country and say we are not going to let that happen.

What about beef to Japan? Every pound of American beef going to Japan has a 38.5-percent tariff on it, and that is 12 years after a beef agreement with Japan. Every pound of T-bone steak going to Tokyo has a 38.5-percent tariff. That is absurd.

Right now, we are fighting and trying to get soybeans into China because they are trying to squeeze the neck of the bottle, just after we had a bilateral trade agreement with China. The list goes on and on and on.

We have a trade agreement with Canada, as I mentioned. Do you know what happens with Canada? They move sugar from Brazil into this country, in contravention of American law, in what they call stuffed molasses. Then they take the sugar out of the molasses and send the molasses back, and they do it again and call it stuffed molasses. It is done every day. That is fundamentally wrong. Yet nobody is willing to stand up on behalf of producers.

Winston Churchill said that when he was a kid, he got into a debate with Atlee in Parliament. As the story went—it was an aggressive debate—he told Atlee: When I was a child, my parents took me to the carnival, and they had a sideshow. At the sideshow, they had these canvas flaps that described what wonderful, extraordinary, outrageous things you were going to see in the sideshow. One of them advertised the boneless wonder—a man apparently born without bones, if you can imagine.

Churchill said: My parents felt I was far too tender in age to be taken into a sideshow to see the boneless wonder. Then, standing on the floor of the Parliament when he was in this debate with Atlee, he said: It has taken 50 years, but I can finally put my eyes on another boneless wonder.

When I think about the boneless wonder, I think about the people who are supposed to be negotiating trade for us and enforcing it and standing up for American interests. They should be working hard on behalf of farmers, steelworkers, auto workers, and so many others in this country, who are part now of a global economy, demanding on their behalf that the rules of trade be fair.

We had a hearing in Congress in which we heard about conditions under which carpets or rugs were made for export to this country. We heard about warehouses where young children, 9, 10, 11, and 12 years old, are using needles to make these carpets that will be sent to Pittsburgh, Los Angeles, and Denver—into the American marketplace. Locked in these warehouses, the children had gunpowder put on the tips of their fingers, and it was lit with a match; their fingertips were burned so they would scar, and these 10- and 12-year-old kids, with scarred fingertips, could then use these needles with impunity, making these carpets, and it would never hurt their fingers because they were now scarred sufficiently to be able to resist the needle's sting. That is how they got more productivity out of 10- and 12-year-old kids. They were making carpets that were being sent to this country.

The question is: Is that something we ought to allow? Is that fair trade? Is that a product we want on American markets? The answer is no, it is not fair trade. We have the marketplace being flooded with products—the products of forced child labor anywhere in the world. It is not fair trade for someone to be paid 16 cents an hour to make shoes in a factory somewhere, and ship it to Pittsburgh, and compete with somebody working in a factory in this country who would be required to be paid some sort of a living wage—and to work in a factory that will not pollute the water and air.

We fought 75 years in this country for those basic conditions. Now we have people saying, let's pole-vault over those issues, and we will go to Bangladesh, or to Indonesia—we will go someplace where we don't have to worry so much about those restrictions, and we will ship the product back in to Toledo, or Buffalo, or Los Angeles.

The global economy needs to define fair trade. We in the U.S. Government need to define for ourselves when and under what conditions we will stand up for American producers. Or is there not a case at all where our Government is willing to stand up for American producers and demand fair trade?

This is an issue that is not going to go away. We will have the debate over so-called trade protection authority. That is a euphemism. You know, in this town, when something becomes controversial, you just change the name.

Fast track became TPA, trade promotion authority. But a hog by any other name is a hog. We are talking about fast track.

In the coming weeks, the President will ask for fast track. I keep coming back to article I, section 8, which says that:

> The Congress shall have Power To . . . regulate Commerce with foreign Nations. . . .

I just ask all of those who are concerned about the decision being made next Wednesday on steel, to ask whether the next group of trade negotiators should go out, lock the door, keep the American public out, negotiate a deal, and then come back to the Congress and say: you have no business suggesting any change under any circumstance to the deal we made.

My hope is we could just once find an administration, Democrat or Republican—it does not matter to me—who would hire trade negotiators and have the will and the backbone and the strength to stand up on behalf of American producers and demand fair trade.

I am so tired of these mountains of Jell-O that serve in public office and negotiate incompetent agreements, sell away the interests of American producers, and then say to us: Oh, by the way, you are correct; this trade is unfair, but we elect not to do anything about it. That is just wrong. I guess on every occasion I have spoken about this, I have suggested—mostly in jest—we ought to have jerseys for our trade negotiators. We have them for the

Olympians and they can look down and know they are for the USA. What about jerseys for trade negotiators so that occasionally when they are in meetings, behind those locked doors, they can look down and say: Oh, yes, that's right, now I remember for whom I am negotiating.

Most of our trade policy has been negotiated as foreign policy. Most of it has been eggheaded foreign policy now almost a quarter of a century. For the first quarter century after the Second World War, it was all foreign policy. We just granted trade concessions everywhere, and it did not matter because we were bigger, tougher, and we could compete with anybody around the world with one hand tied behind our back. So our trade policy was almost exclusively foreign policy. Then we had competitors who developed into shrewd, tough, international competitors in the global economy, and we are still running around giving away concessions, tying our hands behind our back, negotiating agreements we will not enforce, and shame on us for doing that.

This country needs an economy with a manufacturing base. We cannot remain a world-class economy unless we have a manufacturing base. We need good jobs that pay well, that sustain a strong manufacturing base in our country.

There are those in this town who divide the trade debate into two thoughtless categories: You are either a smart, incisive person who can see over the horizon and understand that global trade is benefitting our country, or if you say anything at all on the other side of the issue, you are some xenophobic stooge who does not get it, has never gotten it, and wants to build walls around America to keep foreign products out. Of course, that is a thoughtless way to describe relative positions on trade. There is a much better way to describe this country's trade interests, in my judgment, and that is to say this country ought to be willing, ready, and able to compete anywhere in the world with any product as long as the competition is fair.

The doctrine of comparative advantage is a fair doctrine, in my judgment. If someone can make a product better than we can, then by all means let's find a way to acquire that product from a country that has a natural advantage. But the impediments to fair trade have very little to do with comparative advantage; they have to do with political advantage. They have to do with countries that decided they do not want minimum wages; that think it is fine to have 16-year-old kids working 16 hours a day being paid 16 cents an hour; they think that is fine.

This country fought 75 years to say it is not fine, and the American marketplace ought not be open to any and all schemes of production around the globe, regardless of how inhumane and unjust they might be. It is not acceptable to us as consumers and ought not be acceptable to us as public officials who have an obligation to stand up for American producers, for fair trade.

Mr. President, that is a long meandering road to describe the decision next Wednesday that this administration has to make on the subject of steel. My hope is that the administration will make the right decision. I have not seen an administration in some 20 years that has a record in international trade that I think benefits this country and its producers in a way that is fair.

UNANIMOUS CONSENT REQUEST—S. 94

Mr. DORGAN. Mr. President, I notice my colleague from Wyoming is in the Chamber. I did give notice that I was going to propound a unanimous consent request, and if he is in the Chamber for the purpose of representing the minority, I will propound that unanimous request at this point in time.

I spoke yesterday about the subject of the wind energy production tax credit, which expired at the end of last year. The expiration occurred because it became embroiled in the back and forth over the economic recovery package and the stimulus plan. The fact is, the Congress ended its year and its work without having extended the tax extenders—there are some half dozen of them—one of which is the tax credit for wind energy.

In my judgment, it is just fundamentally wrong for us not to take the action we need to take right now to extend that production tax credit for wind energy.

I had a conference in Grand Forks, ND, last week when the Senate was not in session. The conference was on wind energy. Over 700 people showed up. There is great interest in this from all over the country. North Dakota is No. 1 in wind energy potential. The new technology wind turbines are remarkable. To be able to take energy from the wind, put it in a transmission line and move it around the country is remarkable.

There are plans on the books right now. A CEO from one of the largest companies came to see me 3 weeks ago. He said: I have plans for 150 megawatts, 150 one-megawatt towers. It is going to cost $130 million to $150 million. The plans are done. He said: They are ready; I have the money. That is already developed. But it had to be put on the shelf until Congress extends the production tax credit.

We do not seem to think it is urgent. I believe it is urgent.

My colleague, Senator REID, asked he be remembered on this issue because he supports this. He has companies in Nevada with plans on the shelf. They are ready to go, but they are held up. The same is true in many other States in the country.

For that reason, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 94, a bill to extend tax credits for wind energy; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed; and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN. Mr. President, I understood there would be an objection. I want to demonstrate again—and I hope I can do this in the coming days—there are many Republicans and Democrats serving in the Senate who know we ought to pass this bill, who want to get this done. We need to find a way to make this happen. This is urgent. Yet we are sort of at a parade rest on a range of areas.

We can talk about who is at fault. I do not intend to do that. I am much more interested in trying to get this started than I am in trying to figure out why it stalled. Let's see if we can work together to accomplish this goal. We know it needs doing. We are going to turn to the energy bill next. We know having this production tax credit extended is important. It ought to be done now, not later.

Mr. President, I understand my colleague from Wyoming was required to object to this. I will not go beyond that except to say I hope he joins me and others as we find a way to extend these tax credits and that we do so soon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I, too, am supportive of wind energy and the alternatives, of course, but we have been waiting—talk about waiting, we have been waiting for months to get to an energy bill, which has been objected to and held up by the folks on the other side of the aisle. We are finally going to get to it, and certainly this issue ought to be part of an overall energy policy, not a stand-alone bill.

So hopefully next week we will have a chance to get to energy. I do not think there is anything more important before this Congress than to have an energy policy in this country. We have talked about it now for months. I am on the Energy Committee, as well as the Finance Committee. We have talked about energy for a very long time. We did not have a chance to put it together in the committee but, rather, the majority leader took it away from the committee and brought it to the floor.

So now we find ourselves in a very difficult position by putting together a very complex bill, but hopefully starting in the next day or two we will have an opportunity to do that. I hope my friend from North Dakota will have an opportunity to talk about wind energy and the opportunities to do something with it at that time. It seems to me that is the appropriate time to do it.

ELECTION REFORM

Mr. THOMAS. Mr. President, I will now talk a little bit about election reform. Of course, that is the bill that is before us now, but we have not been able to move it forward in the last day and a half or so. Whether we will be able to or not, I do not know. No one disagrees, of course, with seeking to do something to make elections fair; to make the changes, if there need to be changes made, to make elections available to everyone on a free basis, an open basis, and a legal basis.

I am glad the Senate has taken up this bill. I happen to believe the major responsibility for voting, whether it be in Florida or whether it be in Wyoming, lies with the State. Where there are problems with voting, the State election officers, it seems to me, have the primary responsibility to do that.

One of the issues that has come up—not unusually, I suppose; it comes up in many areas such as health care, education—there is a difference between how you do things in New York City and Meeteetsi, WY. That has kind of become an interesting issue with regard to setting up voting standards and the requirements that need to be made for voting precincts. When one has a precinct that has thousands of people in it, that is one thing. Go to Wapiti, WY, with a precinct that may only have 30 to 40 people in it; that is quite different.

When I went home last weekend, we were talking about the proposal initially that there had to be a paved parking lot and access for the disabled. Everyone wants the disabled to be able to vote, and they were saying sometimes we have to look hard to find a place that has a toilet, so we need to do something about that.

I have talked with the chairman, and certainly we could, I think, come to some kind of an agreement. This bill currently requires each polling place to have a machine that is adaptable for ADA. I am a great supporter of ADA, as a matter of fact, and have worked very hard on that, but I think we have to be realistic about how it is dealt with. We have curbside voting, for example. We can do that for people who are disabled. We have these certain kinds of machines in every county seat, but to require that in some 400 rural polling places, as we have in Wyoming, would be extremely difficult. Even though the return sometimes is, ''Well, the Government is going to pay for it,'' regardless of who pays for it, some of it is not good use of taxpayer dollars.

I do not know exactly how it will end up. Perhaps we will not be having a bill if we cannot move it any more than we have. Perhaps we can continue to talk to the chairman, who seems to be receptive, knowing there are differences in how it is dealt with in one place or another.

I do want to say we have talked with the elected officials in Wyoming. As I said, our voting has been very satisfactory. We have a good many registered voters. We had more voters last time than we had registered before the election who came in and could register on election day. It is really quite simple.

We are concerned, if we were required to have very complicated machines in every polling place, that that would not be appropriate. Instead, if we could offer the flexibility to where they could make proposals as to how to deal with voting for disabled and other voters, those could be viewed, and if they were acceptable, then they could do it the way they wanted to do it in that community.

In any event, I do not know whether we will have an amendment. If that becomes necessary—or perhaps we could have a colloquy with the chairman to deal with this in the conference committee—we can do that.

TRADE AUTHORITY

Mr. THOMAS. Mr. President, I have to respond just a little bit to my friend from North Dakota who talked about trade. Obviously, trade is very important for all of us. I am a little interested in how he thinks 435 people could negotiate a trade agreement. The idea is that the trade agreement needs to be negotiated and then brought to the Congress for approval. If it is not approved, it is not approved. I cannot imagine us trying to set up a trade bill and 435 folks trying to deal with that.

So I am not in agreement entirely that we ought to take away the trade authority to negotiate and then bring it to the Congress. Presidents have had that, and hopefully they will continue to have that.

The main constituency of the Senator from North Dakota, of course, is agriculture. Forty percent of agricultural products go into foreign trade. Obviously, we all want trade agreements to be fair and advantageous.

I also have to respond a little bit to the molasses issue. We worked on that for several months, and it has been cured, as a matter of fact. The idea that nobody stood up to it is not accurate. The court has ruled, and that is no longer being done. It was being done, and it was wrong, but we brought it up through the court, and it is no longer the case.

So trade is always difficult, and certainly I feel strongly about it from time to time, too. We are in a world where billions of dollars move around the world every day. We are going to have to trade. We are behind other countries in making trade agreements in South America, for example. So hopefully we can find a way to come up with agreements that will allow us to trade with other countries and, at the same time, of course, be as fair as possible.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I have been meeting with Senator SCHUMER, Senator DODD, and others. There is some hope we can resolve this vexatious issue that has been so troublesome on this legislation. We are in the process of trying to work this out now. Senator DODD has been conferring with members of the minority all day in hopes that something can be resolved.

I ask unanimous consent that morning business be extended until the hour of 4 p.m. today.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be extended until 4:30 p.m.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. DAYTON). Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent that I be allowed to speak up to 15 minutes in morning business.

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

DUMPED STEEL

Mr. SPECTER. Mr. President, I have sought recognition to comment on a meeting which has been held with President Bush and Members of Congress from steel States concerning the plight of the steel industry and the decision which the President is scheduled to make on or before March 6, 2002. The President has initiated proceedings under Section 201, which activated an inquiry by the International Trade Commission. The International Trade Commission has made a recommendation that there be remedies to stop subsidized and dumped steel from coming

into the United States in violation of U.S. law and international trade law. The President granted our request for a meeting so that we could state to him our views on this important subject.

The Senate Steel Caucus has 34 members from 24 States. The House Steel Caucus has 133 members. I was Chairman of the Senate Steel Caucus until Senator JEFFORDS made his famous declaration. Now I am Vice Chairman with Senator JAY ROCKEFELLER serving as Chairman.

Senator ROCKEFELLER and I were at the meeting with the President, as were Senator SANTORUM, Senator DURBIN, Senator SESSIONS, and Congressman ENGLISH, Chairman of the House Steel Caucus. We presented the case to the President that this is really the critical stage, that it is not inaccurate to say at this time that it is a do-or-die situation.

There have been tens of thousands—really hundreds of thousands—of jobs lost in the steel industry. There have been bankruptcies literally too numerous to count from the steel companies, and there has been an onslaught of steel coming into the United States which is subsidized and dumped.

When the term ''dumping'' is used, it means that steel is sold in the United States at a price lower than it is sold, for example, in Brazil where it is manufactured. So it is a calculated effort to sell at a cost so low that it undercuts the legitimate costs of American steel, and the costs are customarily calculated at the cost of production, plus a reasonable profit. The steel which comes into the United States, in addition to being dumped, is subsidized very heavily by foreign governments, so an American steel company is compelled to compete against a foreign government. That is something you cannot compete with, leading to the characterization of the playing field, which is not level.

We presented to the President the consideration that it really require what Commissioners on the International Trade Commission have recommended. The President said: Where did you come up with the idea of a 40 percent tariff for 4 years? The response was: Well, that is what the Republican members of the International Trade Commission said. That is necessary in order to give the American steel industry an opportunity to restructure itself.

There have been very extensive conversations with Mr. Leo Gerard, President of the United Steelworkers of America, and Mr. Tom Usher, President of USX, regarding the steel tariffs. In discussing the remedy, one of the critical parts about imposing a tariff is that it will call upon the foreign steel companies to restructure their steel. There is excess capacity in the world at the present time, and it comes to the United States where it is dumped because we are a great market. We have an open market. We believe in free trade, and I believe in free trade. An essential ingredient of free trade is to not allow subsidies or dumping, which is illegal. Free trade also has the critical component of fair trade, which is a part of free trade.

These considerations were presented. The issue arose as to what the impact would be upon the American consumer. It has been carefully calculated. A tariff of 40 percent would lead to a price increase on steel to around 8.4 percent, a negligible cost on the purchase of an automobile or a refrigerator. It is not going to change the American economy, but it is shortsighted for consumers to seek that kind of cheaper steel because we know for sure that if, as, or when the American steel industry is unable to meet domestic demands, we are at the mercy of foreign steel prices, which are going to go up. It is a boomerang consideration. It is not in the consumers' interest in the long run to have that kind of illegal competition come in and drive the American steel industry out of business.

All of these arguments were presented to the President, a meeting which lasted for the better part of an hour. The President was noncommittal, subjective as to how he was regarding the arguments. He made a number of comments. I think it is fair to say that he was sympathetic to the arguments. He made the point that he was prepared to make the tough decision without regard to political costs or whether Europe was going to be mad over what the decision would be.

President Bush has shown a remarkable tendency to be willing to make his own judgment, to go his own way. He has shown that in the War on Terrorism. He has sometimes been criticized for unilateralism by the United States, but he is a person who studies a situation very carefully, a very good listener who makes up his mind and then is prepared to make a judgment, in accordance with what his conscience says is in the national interest.

Overall, I thought it was a very good meeting, and I am optimistic. It is hard to say much more than that without creating false hope or false impressions.

Earlier in the day there was a rally on the Ellipse, which was calculated to be within earshot of the President. The speaker's stand was set up. The Chair was there, as were many of our colleagues in the Senate. We heard quite a number of speeches, and an enormous number of steelworkers, men and women, were there. The crowd was estimated to be at 25,000. I think that was a conservative estimate. Mr. Leo Gerard, President of the United Steelworkers of America, said they gave out 18,000 tokens. They had to bus people into RFK Stadium—there was no place to park the buses—and have them take the subway. Even when the rally had run for almost an hour, there were still people streaming in.

As I was on the speaker's podium and looked over at the South Portico, I could not tell if the President was there listening or not. However, I think he was within earshot. One of the great things about America is our right to assemble, even within earshot of the White House, as well as the right to freedom of speech and the right to petition the Government.

This whole issue has had a very thorough hearing. It is a matter of great importance. It is a matter of importance to America to have a steel industry. Without a steel industry, what do you do for national defense in time of a national emergency? Without a steel industry, what do you do if you are at the mercy of foreign suppliers? We have laws to stop dumping in subsidy. They are not enforced.

Years ago, I introduced legislation for a private right of action. It has been very difficult to get enforcement proceedings. Through the International Trade Commission, they are laborious. They can be upset easily. By the time they take effect, the critical period has passed. They have not been adequate.

Now, that the President has introduced, to his credit, the Section 201 proceedings, there is a chance for real action. Under the law, the decision has to be made by March 6, 2002, which is next Wednesday. To repeat, I am optimistic there will be a good result.

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

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

NOMINATIONS

Mr. SPECTER. Mr. President, I have sought again recognition to comment on the pending nomination of District Court Judge Charles Pickering who is up for consideration for the Court of Appeals for the Fifth Circuit. I had spoken briefly on this subject yesterday and had stated my intention to support Judge Pickering because he is a different man in 2002 than he was in the early 1970s when he was a Mississippi State senator.

The world has come a long way in the intervening 30 years. Attitudes have evolved. Judge Pickering has evidenced his sensitivity to civil rights issues. He has been praised broadly by people who know him from Laurel, MS, for taking on the leader of the Ku Klux Klan in a way which was physically endangering to Judge Pickering himself.

I noted yesterday, and I think it worth commenting today, the votes probably will not be there to send Judge Pickering from the Judiciary Committee with an affirmative vote. It looks to me as if it will be a party-line vote of 10 to 9. Regrettably, there is a great deal of partisan politics in the way judges are confirmed by the Senate. Regrettably, that is a practice regardless of which party is in control of

the White House and which party has control of the Senate.

When President Clinton, a Democrat, was in the White House, sending over nominations, I expressed my personal dissatisfaction at the way they were handled by the Republican-controlled Senate, Republican-controlled Judiciary Committee. I crossed party lines and voted for Judge Paez, Judge Berzon, Judge Gregory, and the nomination of Bill Lann Lee. Now we have the situation reversed: A Republican President, President George W. Bush, and a Judiciary Committee controlled by the Democrats.

It is time for a truce. It is time for an armistice. We ought to sign a declaration if necessary to set forth a procedure to take partisan politics out of judicial confirmations. That is present very decisively with Judge Pickering. There is an element expressed by some members of the Judiciary Committee on the so-called litmus test, with some people believing that unless a judicial nominee is willing to endorse Roe v. Wade on a woman's right to choose, that individual should not be confirmed to the Supreme Court—really, an effort to place Roe v. Wade on a level with Brown v. Board of Education. But it is clear no one can be confirmed today who said Brown v. Board of Education should be reversed.

When the nominees are questioned before the Judiciary Committee, they frequently will say: I won't answer that question; it is a matter which may come before the court. That is customarily accepted. If someone were to say that about Brown v. Board of Education, not affirming that conclusion—that the decision ending segregation is a vital part of America—I think that person could not be confirmed. To establish that standard for Roe v. Wade I think is very contentious, but that awaits another day.

The issue of taking partisan politics out of judicial selection is one with us right now. Earlier this week, Judge D. Brooks Smith, who is a chief judge of the U.S. District Court for the Western District of Pennsylvania, a person recommended for that position by Senator Heinz and myself back in 1988, was confirmed and is now up for the Court of Appeals for the Third Circuit. Although not as heavily overlaid as Judge Pickering's confirmation was, there is an element of partisanship as to Judge Smith. I believe he has answered the questions adequately, and I am cautiously confident he will be confirmed.

It is my hope that if I am right—hopefully, I am not right and Judge Pickering will be confirmed by a majority here—if it turns out to be a vote along party lines, I am hopeful the Judiciary Committee will send Judge Pickering for action by the full Senate. There is precedence for that. Judge Thomas was not recommended by the committee and received a tie, 7-to-7, vote. That meant it failed. But by a 13-to-1 vote, the Judiciary Committee sent Judge Thomas, who was then a circuit judge, to the Senate, where they voted 13-to-1 that the full Senate should consider him. The full Senate confirmed him 52 to 48.

Judge Bork received a negative vote of 5 in favor and 9 against, and then on a motion to send to the floor, Judge Bork got 9 votes that the full Senate should consider him, with 5 members of the Judiciary Committee dissenting.

In the old days, we used to have the Judiciary Committee bottleneck civil rights litigation, stopping it from coming to the floor.

I believe on the judicial nominations with the overtones of partisanship, this is a matter which ought to be decided by the full Senate. I urge my colleagues to give consideration that in the event there is not an affirmative vote in committee, at least Judge Pickering ought to have standing to have the full Senate consider his nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent morning business be extended to the hour of 5:30 today.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. 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.

ORDER OF BUSINESS

Mr. DASCHLE. Madam President, there have been discussions all day long with regard to the so-called Schumer amendment, the matter involving photo identification and the election reform legislation. I think it is accurate to say that while no resolution has been reached, the discussions continue.

This has been an unfortunate and very unproductive period of time, but nonetheless I think it is appropriate at this point to announce there will be no more rollcall votes today. We will be in session tomorrow, and there is a likelihood that we will have at least a cloture vote. There may be other votes as well. So Senators should be advised that at least in the morning tomorrow there will be votes, perhaps beginning at 10 o'clock.

So we will keep Senators informed of our progress. We will not be going out of session tonight. My hope is we might still resume debate and further consideration of the election reform bill, but I think the time has come to recognize that at least if votes could be cast, we could postpone those votes until tomorrow. So no votes tonight but votes certainly in the morning.

I yield the floor.

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. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators allowed to speak for up to 5 minutes.

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

ELECTION REFORM

Ms. STABENOW. Madam President, I would like to express my strong support for the Schumer-Wyden amendment to S. 565, the Martin Luther King Jr., Equal Protection of Voting Rights Act of 2001. While one of the important goals of this legislation is to prevent voter fraud, we must be careful that we do not go so far that we keep eligible voters out of the electoral process.

This bill currently requires first-time voters who registered by mail to provide either a photo ID or a copy of a utility bill, bank statement, a Government paycheck or other government document that shows the name or address of the voter when they go to cast their vote. While this may sound like a reasonable requirement on the surface, the practical consequences of this requirement could easily prevent countless eligible voters from voting.

For example, senior citizens, who vote in large numbers, often do not drive and therefore, do not have a driver's license to use as a photo ID. Voting age high school and college students, a group that we need to encourage to vote and participate in the democratic process, may not have a photo ID, and certainly will not have a Government paycheck or a utility bill in their name. A photo ID requirement also would place a heavy burden on the millions of Americans with disabilities who do not drive or do not live independently so that their name would be listed on a bank statement or utility bill.

Finally, a photo ID requirement could have an adverse impact on minority voters. Immigrants who have newly become U.S. citizens and come

from countries where governments instill fear instead of trust, could be intimidated by these requirements and might be afraid to vote.

The Schumer-Wyden amendment allows States to use signature verification and attestation, in addition to a photo ID and government checks, to verify voters; or a State can opt to use only a signature verification system. This amendment will allow us to be just as tough on voter fraud without turning away eligible voters.

In Michigan, we have several laws that effectively prevent voter fraud, without disenfranchising eligible voters. First-time voters who registered by mail are required to vote in person the first time they cast a ballot. Michigan also requires a voter signature for all voters at the polls, and has a signature verification system to confirm a voter's identity. These measures protect our electoral system against fraud, without undermining voter participation.

I urge my colleagues to support the Schumer-Wyden amendment that protects our electoral system, without preventing eligible voters from exercising their right to vote.

AFRICAN AMERICAN HISTORY MONTH

Mr. LEVIN. Madam President, today, I join the many Americans who this month reflect on the rich and extraordinary achievements of African Americans. We do so in keeping with the spirit and the vision of Dr. Carter G. Woodson, son of a former slave, who in 1926, proposed such a recognition as a way of preserving the history of the Negro. Each year, during the month of February, we celebrate African American History Month.

Dr. Woodson was, himself, an extraordinary individual and I would like to pay tribute to him, as well as several courageous and accomplished individuals claimed by my state of Michigan, all of whom have earned a unique place in African American history.

Dr. Woodson overcame seemingly insurmountable challenges in his rise from the coal mines of West Virginia to one of the highest levels of academic achievement of his time. Author Lerone Bennett, writes of the struggles and successes of Carter G. Woodson, who was an untutored coal miner at the age of 17; and at the age of 19, after teaching himself the fundamentals of English and arithmetic, 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, Woodson 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 be became the second African American to receive a doctorate in history. The rest, of course, is history.

Dr. Benjamin Solomon Carson, Sr., who was born and raised in Detroit, had a childhood dream of becoming a physician. In his books, Gifted Hands. THINK BIG, and The Big Picture he reveals how growing up in dire poverty with horrible grades and being called ''dummy'' as well as having a horrible temper, and low self-esteem,'' appeared to preclude the realization of that dream. He writes about an inspiring mother, with a third grade education, who worked two and sometimes three jobs as a domestic to care for her two sons, determined that they would succeed. Carson remembers, ''we had to read two books a week from the Detroit Public Library, and submit to her written book reports, which she could not read, but we didn't know that . . . my mother was one of twenty four children, went through the foster care system and married at the age of 13—a marriage that rapidly deteriorated.''

Today, despite all of the odds stacked against her and him, Sonya Carson's son is one of the world's most gifted surgeons, performing over 500 critical operations on children in dire need each year, over triple the average neurosurgeon's caseload. Dr. Ben Carson is Director of Pediatric Neurosurgery at the Johns Hopkins Medical Institutions, a position he had held since 1984 when he was 32 years old, then the youngest surgeon in the nation to hold this distinguished title. He is also a professor of neurosurgery, oncology, plastic surgery, and pediatrics. On the occasion of its 200th anniversary the Library of Congress named him one of the 89 ''Living Legends.'' In 2001, he was chosen by CNN and Time Magazine as one of America's top 20 physicians and scientists. After graduating with honors from high school, Ben Carson was accepted to Yale University on a scholarship. He received his M.D. from the University of Michigan.

In 1987, he gained worldwide recognition as the principal surgeon in the 22-hour separation of the Binder Siamese twins from Germany. This was the first time occipital craniopagus twins had been separated with both surviving. In 1997, Dr. Carson was the primary surgeon in the team of South African and Zambian surgeons that separated type-2 vertical carniopagus twins (joined at the top of the head) in a 28-hour operation. It represents the first time such complexly joined siamese twins have been separated with both remaining neurologically normal. He is noted for his use of cerebral hemispherectomy to control intractable seizures as well as for his work in craniofacial reconstructive surgery, achondroplasia (human dwarfism), and pediatric neuro-oncology (brain tumors).

Dr. Carson is the president and cofounder of the Carson's Scholars Fund, which recognizes young people of all backgrounds for exceptional academic and humanitarian accomplishments, which he hopes will positively change the perception of high academic achievers among their peers across our nation.

Madam President, I would also like to pay tribute to two women who played a pivotal role in addressing American injustice and inequality. They are 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.

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 quality for women. Michigan honored her several years ago with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, Michigan on September 25, 1999.

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. 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, Michigan. 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, DC 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 six years ago in Montgomery, Alabama 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. Rosa Parks and her husband made the journey to Michigan in 1957. Unceasing threats on their lives and persistent harassment by phone prompted the move to Detroit where Rosa Parks' brother resided.

Rosa Parks' arrest 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.

Mr. CLELAND. Madam President, Thomas Carlyle once said, ''a mystic bond of brotherhood makes all men one.'' In light of the events of September 11, this statement has never rung truer. To see the firefighters, police, and rescue teams working side by side in the recovery effort at the World Trade Center, seeking peace for their fallen comrades whether black, white, Hispanic or Asian reminds us just how far we have come in only a few short decades.

And yet there is still a great distance to travel. This month, as we celebrate Black History and the contributions made by members of the African American community, we must remember that work still remains to be done. Senior leadership at Fortune 500 companies and even our own Congress fails to reflect America's racial demographics. But we are certainly moving in the right direction.

Less than 50 years ago, it was unthinkable that a black man or woman be an elected official, or university president, or hold any number of other prestigious positions across our Nation. That started to change, though, with the bravery of men like Doctors Martin Luther King, Jr. and Benjamin E. Mays.

While most everyone has heard of the former, Dr. Mays' name is not as easily recognized by most Americans, but he is every bit as important in the annals of history. Born in South Carolina in 1895, Benjamin Mays distinguished himself as a dean at Howard University and president of Morehouse College. Throughout his life, he served his community, speaking early and often against segregation and on behalf of education.

Mays urged his students to strive for academic excellence, fight for racial justice, and introduced his students to Gandhi's philosophy of non-violence. Years after graduating from Morehouse College, Dr. Martin Luther King, Jr. called Mays his most important ''spiritual and intellectual mentor.''

Dr. Mays was Martin Luther King, Jr.'s teacher, inspiration, and friend. He stood beside Dr. King as during the struggle for racial equality, and walked behind his casket during one of the darkest times in our Nation's history.

The son of former slaves, Dr. Mays had to fight every day of his life for many of the advantages Americans today take for granted. Mays was a civil and human rights leader, noted theologian, educator, and the recipient of 56 honorary degrees.

It was with great pleasure that I submitted, and witnessed the passage of a resolution encouraging President Bush to award the Presidential Medal of Freedom, the highest honor the U.S. government can bestow upon a civilian, posthumously to Dr. Mays. It is an honor that is well overdue, and rightfully deserved.

Benjamin Mays understood disappointment and pain, and dealt with both during his long life of public service, but he never lost site of his ultimate goals. He explained why when he said, ''The tragedy in life doesn't lie in not reaching your goal. The tragedy lies in having no goal to reach. It isn't a calamity to die with dreams unfulfilled, but it is a calamity not to dream. . . . It is not a disgrace not to reach the stars, but it is a disgrace to have no stars to reach for. Not failure, but low aim, is sin.''

It is with those words in mind that we must continue to fight for more equity in our society. Certainly we have come a long way in a relatively short period of time, but let us not lose site of how far away the horizon still lies.

Mr. REED. Madam President, as we conclude Black History Month, I rise to join in the celebration of the achievements of African Americans throughout our Nation's history, and especially in my home State of Rhode Island. Indeed, African Americans have contributed a great deal to my State, and I am honored to be able to acknowledge two such individuals today, the late Reverend Mahlon Van Horne of Newport, and the late John Hope of Brown University.

Reverend Van Horne was one of Newport's most prominent African Americans in the late 1800's. He was an avid civil rights activist, a three term State representative, and was also one of the Nations first black diplomats. Reverend Van Horne came to Newport, RI, in 1868 after being ordained, and graduating from Lincoln University in Pennsylvania. He began his ministry in Rhode Island as the Acting Pastor of the Colored Union Congregational Church of Newport. Despite the times in which he lived, due to his charismatic leadership and scholarly sermons, his congregation was made up of both black and white Rhode Islanders, and the many black professionals from New York, Washington, D.C., and Philadelphia who would come to Newport during the summer months. By 1871, his congregation had grown to the point where they had to tear down the old church to make way for a larger building which was renamed the Union Congregational Church. Despite his success as a minister, Reverend Van Horne did not stop there, in 1871 he was able to successfully draw votes from both blacks and whites to win election to the Newport School Committee, the first African American ever to serve in this capacity. As a member of the school committee, he used his position to continue his civil rights movement and pressed for integration and better education for Newport's black children. In 1885, he was elected to the Rhode Island General Assembly, becoming the first African American to ever serve in the State legislature. He was re-elected in 1886, and 1887, and after his last term he continued in his role as pastor of the Union Congregational Church. His service did not end there. In 1896, President William McKinley appointed Reverend Van Horne as the United States Counsel to the Danish West Indies, in where he served his Nation honorably for 12 more years.

Another great Rhode Islander that I would like to bring attention to was a champion of education; John Hope. Mr. Hope first came to Rhode Island in 1890 when he enrolled as a freshmen at Brown. While in school he became very involved in the African-American community, and later joined the Second Free Will Baptist Church in Providence. While a member of the Church, he started a literary club with the help of other prominent African Americans in the community. In honor of his work in Providence, in 1944, the community center on Burgess street was renamed the John Hope Settlement House and continues to be a vital resource for many of the residents of Providence today. In addition to his community involvement and dedication to the education of blacks in Providence, John Hope was a founding editorial board member of the Daily Herald and a campus correspondent for the New York Tribune, and wrote many articles for the Providence Journal and the Chicago Tribune. After his graduation from Brown, John Hope continued his mission of improving educational opportunities for blacks by taking a position teaching Greek and Latin at the

Roger Williams University in Nashville, Tennessee an all black institution. From there, he moved on to become the President of one of the most prestigious historically black institutions of higher education Morehouse College, from 1906 to 1929. He culminated his career in education as the President of Atlanta University, which was the only black graduate school in the Nation at the time, where he served until his death in 1936. John Hope's vision that education is the key to improving the quality of life for not only African Americans, but for all Americans, is one I share.

It is truly my honor and privilege to acknowledge such great Rhode Islander's during Black History Month, and it is my hope that these and other African American leaders from both past and present will continue to inspire our Nation's youth.

SONNY MONTGOMERY AWARD TO SENATOR ROBERTS

Mr. WARNER. Madam President, on Monday night Senator PAT ROBERTS was recognized as the 2002 recipient of the National Guard Bureau's ''Sonny Montgomery'' Award.

Senator ROBERTS' comments upon receiving this award highlight, in a most thoughtful and eloquent manner, the absolutely critical role our Nation's National Guard plays in the defense of our homeland and our own strategic defense in critical areas beyond our shores—an example being the 29th Division, with elements from Virginia, now serving in Bosnia.

This vital role is nowhere more evident than in Virginia where our National Guard men and women patrol the skies over our Nation's Capital and help defend key military posts and bases across the State.

I would like to highlight my colleague's wise admonition that we must ''preserve our founding fathers intent with respect to the National Guard, specifically preserving the connection between military forces and the States, between our national defense and America's local cities and towns.'' Excellent advice, we in the Congress must be very careful to heed it.

As America is continuing its preparations to defend our homeland against territorial threats, we owe a debt of gratitude to our respected colleague, from the great State of Kansas, as he, serving as chairman of the ''Subcommittee on Emerging Threats'' of the Armed Services Committee during the 106th Congress, laid foundations—at times in the face of skepticism and resistance—before the attacks of September 11, foundations we are rapidly building on today to strengthen our Homeland Defense.

As Americans reflect, with deep gratitude, on the proud history of America's military, let us never forget that the Guard was our first, being founded in 1636.

I ask unanimous consent that Senator ROBERTS' remarks be printed in the RECORD along with introductory comments by the distinguished Chief of the National Guard Bureau, Lieutenant General Russell C. Davis.

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

REMARKS BY CHIEF OF THE NATIONAL GUARD BUREAU (GENERAL RUSS DAVIS) PRESENTING THE SONNY MONTGOMERY AWARD TO SENATOR PAT ROBERTS OF KANSAS, MONDAY, 25, 2002

This evening we gather to bestow the 6th Annual Major General G.V. ''Sonny'' Montgomery Award. This award was established in 1996 to honor an outstanding individual whose accomplishments were of major significance to the National Guard of the United States. Specifically, it is presented to an individual: who has demonstrated exemplary service to the National Guard at the national level; whose performance exceeded the normal scope of public or private service in support to the Nation's defense; who demonstrated skill and initiative to introduce new policies or procedures that significantly advance the mission of the National Guard; and who exhibited integrity, competence, and the ability to inspire others.

This year we are very pleased to present this Award to Senator Pat Roberts of Kansas. Throughout his career, Senator Roberts has been an industrious and effective advocate for a robust national security posture for the United States. Today he is a member of the Senate Armed Services Committee. He plays a key, forward-thinking role in making certain that America is ready to counter post-Cold War and terrorist threats. He was the first chairman and today is the ranking member of the Emerging Threats and Capabilities Subcommittee.

Senator Roberts has led the way in strengthening America's ability to meet the threat posed by Weapons of Mass Destruction. Years before the events of September 11, Senator Roberts was at the forefront of the debate on increasing the security of the United States homeland.

His strong support for the creation, expansion and sustainment of the National Guard's Weapons of Mass Destruction Civil Support Teams is but one example of the demonstrated leadership, wisdom and foresight of Senator Roberts.

We are joined tonight by a number of other highly distinguished Kansans including the Nation's Chairman of the Joint Chiefs of Staff, General Richard Meyers and the Adjutant General of Kansas, Major General Greg Gardner. I would ask the Honorable Sonny Montgomery to come forward to make the presentation of the award that bears his name.

STATEMENT OF SENATOR PAT ROBERTS, RECIPIENT, THE NATIONAL GUARD BUREAU G.V. ''SONNY'' MONTGOMERY AWARD

Thank you General Myers, General Davis, General Rees, General Gardner, the Kansas Guard, and distinguished visitors to the Capitol. It is truly an honor to receive the Sonny Montgomery Award from the National Guard Bureau and from the Guardsman and women currently serving our Nation here at home as well as around the world.

2001 was a challenging year for America and her National Guard. Determined enemies attacked America and our way of life, killing thousands, but the Guard sprung into action. Army Guard personnel were tasked to secure our airports, harbors, military bases and other critical infrastructure while Air Guard personnel, along with their active brothers and sisters, were tasked to secure our airspace and yes, if need be, take out the threat of another hijacked jetliner bearing down on an America city.

Guard personnel are participating in the ongoing mission in Afghanistan to kill or capture remaining al Qaeda. On top of that, the Guard continues to develop its primary role in the evolving Homeland security mission area.

Indeed, the National Guard was deployed and in action well before September 11: Southwest Asia, Former Yugoslavia, South America, disaster relief and other missions here at home. The list goes on.

However, I wanted to specifically mention your performance since the attacks: outstanding and inspiring. Your country needs you now more than ever. Keep up the good work and know there are those in Congress who will champion your mission and cause.

It is a privilege to receive an award for ''exceptional support to the nation's defense for significantly advancing the mission of the National Guard.'' I hope I have indeed done so and can live up to Sonny's namesake in the months and years ahead.

And, what a privilege it is to receive and award so deservedly named after the veteran's all time champion Sonny Montgomery: successful businessman; decorated Veteran of World War II & Korea; champion of the Guard; congressman; general; chairman; and colleague, Southern Gentleman.

I don't want to leave the podium tonight without discussing an issue of great importance to the Guard and to our Nation.

This past year I was a part of the dialogue between the Department of Defense and the Air Guard on the future of the active component-National Guard relationship.

Indeed, we can and ought to discuss new missions for various units be they active component, Army Guard, or Air Guard.

Any changes, however, must preserve our founding fathers intent with respect to the National Guard, specifically preserving the connection between military forces and the states, between our national defense and America's local cities and towns.

This relationship serves a critical practical purpose today: when America goes to war, which we are doing often, so to do America's States, cities, and towns.

That kind of connection between the people and their military helps to ensure our forces are not used without at least the knowledge, if not consent and support, of the American people.

So let us have a discussion on transformation, the weapons and tactics of the future, and the future of the active component, National Guard relationship.

But let us not consider severing a critical link between the American people and their military. Let us not make the mistake of taking down flags, consolidating all authority and control in Washington, DC, and broadening whatever gap already exists between the military and civilian sectors.

America needs her Guard now more than ever but not just your outstanding skills, capability and dedication.

For the current international obligations, the War Against Terrorism, and the wars of the future, America must bring to the fight every state, city, town, and community.

Thank you again for this honor and I look forward to working with you in the years ahead.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last

year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 11, 1993 in New Orleans, LA. A group of attackers stabbed a gay man to death and injured his friend. The assailants, several men, chased the victims, beat them, and yelled anti-gay slurs.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

ABDUCTION AND DEATH OF DANIEL PEARL

Mrs. BOXER. Madam President, the shock of September 11 has been replaced with a focus on rebuilding and recovery, but the abduction and death of Daniel Pearl remind us that cold-blooded terrorism continues and that its casualties are too often innocent individuals: moms, dads, sisters, brothers, husbands, wives, and children.

A writer for The Wall Street Journal since 1990, Daniel Pearl, was abducted in Karachi, Pakistan on January 23, while going, he thought, to conduct an interview about the Islamic militant underground. Instead of being granted that interview, Mr. Pearl was abducted, and it is now clear that his kidnappers intended all along to kill him, in the most horrifying fashion.

Born in Princeton, NJ, Daniel Pearl moved as a young man with his family to California's San Fernando Valley, where his parents still reside. He attended Birmingham High School in Van Nuys, and went onto Stanford University where he graduated with a degree in Communications.

Journalism was clearly his calling, and he returned to the northeast to begin his career. Following a stint with a newspaper in Massachusetts, he joined the staff of The Wall Street Journal. Over the next decade, he would see the world, beginning with postings in Atlanta and Washington, and later in London and Paris.

Wherever he went, people were drawn to and delighted by Daniel Pearl. His warmth and wit, his kindness and intelligence, defined him as a person and were gifts that he shared generally with those around him.

I offer my deepest condolences to Daniel Pearl's wife Mariane, 7 months pregnant with their first child; to his parents Dr. Yehuda and Ruth Pearl, and to his sisters Tamara and Michelle, who describe their brother, son and husband as ''such a gentle soul . . . the musician, the writer, the storyteller, the bridge builder.''

Their courage and dignity in the face of this tragic loss is nothing short of inspirational, and my heart goes out to them.

It is time for the terrorism to stop. In the name of Daniel Pearl and the other innocent victims, we must seek to understand the roots of terrorism in the world and bring to an end the ever-escalating cycle of violence.

U2'S CONTRIBUTION TO A LOST GENERATION

Mr. FRIST. Madam President, I would like to take this time to congratulate Bono and the band U2 on receiving four Grammy Awards at last night's ceremony. While music listeners across the globe recognize Bono's music is well deserving of such accolades, I believe that another aspect of his career is also deserving of recognition.

I was first introduced to Bono when he came by my office to talk about Africa and the struggles many third world countries face, including the issues of debt relief and the global HIV/AIDS epidemic. As chair of the Senate subcommittee on African Affairs and an active participant in medical missionary work in Africa, I was interested in learning how a rock star could contribute to international policy. I quickly found out that Bono was much more than a music icon. He is a serious person, well versed in the many issues that plague third world countries. More importantly, I found a person who was willing to use his time and talent to champion issues that will help end poverty and disease throughout the world.

In January, Bono joined me on my trip to Uganda, where we visited health centers and AIDS clinics to learn how countries are coping with what's become the world's greatest health crisis. In a region where over half the population is under 15, Bono was able to carefully balance compassion and pragmatism. He asked the hard questions that countries like Uganda now face and how we, as a world, can aid in the fight. His interest was genuine. His commitment to making a difference was concrete. And because of his efforts, countries like Uganda and many others have a viable spokesperson committed to ending their strife.

U2's music has always been one of compassion and humanity, committed as much to what their lyrics say as to how the music sounds. But this higher level of political consciousness goes far beyond U2's music. It's a part of their advocacy efforts and apparent in their ability to stay committed to the issues they support. Just as U2 is still being honored for their music after 25 years, I fully expect them to also be remembered for their efforts to improve international policy 25 years from now.

Taking home four of music's most prestigious honors is, in itself, an inspiring feat. But it's Bono and U2's ability to be a voice for a lost generation that deserves the real honor.

WATER INVESTMENT ACT OF 2002

Mr. SMITH of New Hampshire. Madam President, I am pleased to join my colleagues on the Environment & Public Works Committee in introducing the Water Investment Act of 2002. The introduction of this bill to provide clean water for our nation comes in the year that we are celebrating the 30th anniversary of the Clean Water Act. When I became chairman of the committee in 1999, one of my top priorities was a renewed commitment to our nation's water systems and the Americans served by them. Since that time, the committee has held a number of hearings, both at the subcommittee level, chaired by my good friend from Idaho, Senator CRAPO, and at the full committee level. I am pleased that Senators JEFFORDS and GRAHAM have continued to make this a priority in their new roles as full committee and subcommittee chairmen. Today that effort culminates with the introduction of this bipartisan piece of legislation that will address the many water infrastructure problems facing our local communities.

So much of our nation's water infrastructure is aging and in desperate need of replacement. Coupled with the aging problem is the cost burden that local communities face in order to comply with ever increasing State and Federal clean water mandates. This bill addresses these problems and makes structural changes to ensure that we avoid a national crisis now and in the future.

I am a strong advocate of limited government and when it comes to water infrastructure, I do not believe the primary responsibility of financing local water needs lies with the Federal government. I am equally adamant, however, that the Federal government shouldn't place unfunded mandates on our local communities. This bill recognizes both of these principles and strikes a responsible balance. The legislation authorizes $35 billion over the next five years in Federal contribution to the total water infrastructure need to help defray the cost of the mandates placed on communities. This is a substantial increase in Federal commitment, but not nearly as high as some would have preferred. Even so, this commitment does not come without additional responsibilities. When the Clean Water Act was amended by Congress in 1987, a debate I remember well, we set up a revolving fund so more federal money would not be required. The fund would continually revolve providing a continual pool of money for water needs. Unfortunately, many officials did not meet their commitment to properly plan for future needs and what was not to be Federal responsibility became a Federal necessity. Now we are faced with a near crisis situation. This bill makes certain that we do not go down that road again. The Federal government will help to defray the costs of Federal mandates, but with the new money comes a new requirement that all utilities do a better job of managing their funds and plan for future costs. The Federal trough

will not continue to be filled up every so many years because there is a dereliction of responsibility—so that 15 years from now, these utilities will not be coming back to Congress looking for an additional $57 billion. The bill requires utilities to assess the condition of their facility and pipes and develop a plan to pay for the long-term repair and replacement of these assets. That plan will include Federal assistance, but it will be limited assistance.

We also make additional structural changes to the law both to address financial concerns and to help achieve improved management of these water systems. One such change to the Clean Water Act is to incorporate a Drinking Water Act provision that allows States, at their discretion, to provide principal forgiveness on loans and to extend the repayment period for loans to disadvantaged communities. This flexibility will provide help to communities struggling with high combined sewer overflow cost to secure additional financial help. This bill also promotes other important cost saving measures that many communities are ready experimenting with throughout the country.

Finally Madam President, New Hampshire is the midst of our worst drought in 50 years. In an effort to help communities facing water shortages, this bill directs the U.S. Geological survey to assess the state of water resources. The USGS is then to share with localities information on water shortages and surplus, planning models and streamlined procedures for local interaction with federal agencies responsible for water resources. This type of information will be helpful to New Hampshire communities facing a severe water shortage.

I am pleased that Republicans and Democrats worked together to introduce this bipartisan bill to address one of the very urgent needs of the nation. It will be a tremendous help to many struggling communities in New Hampshire and across the country. It is my hope that we can move it through the committee process and see it passed by the Senate in short order. Madam President, I want to express my appreciation to Senator CRAPO, who has been my partner in this for over two years. I also want to thank Senators JEFFORDS and GRAHAM for their work in getting us to this point—their leadership will be crucial in getting this bill to the President's desk.

UNIVERSITY OF WISCONSIN BIG TEN CONFERENCE CHAMPIONS

Mr. KOHL. Madam President, it is with great pride that I rise today to honor the University of Wisconsin's men's basketball team. On Wednesday, the Badgers beat Michigan, 74–54, in Madison to finish 11–5 and clinch at least a share of the Big Ten Conference Championship and a No. 1 seed in next week's Conference Tournament. The players and coaches on the University of Wisconsin men's basketball team provide an example of commitment, skill and sportsmanship as they bring the school its first Big Ten Conference title in men's basketball since 1947.

Not too many people gave this young team a chance to succeed before the season began. Based on the preseason consensus, this was to be a rebuilding year and the Badgers would finish near or at the bottom of the league standings. However, in the spirit of the Wisconsin faithful who have supported the men's basketball program both in times of glory and moments of frustration, the Badgers proved themselves to be a hardworking, highly motivated and resilient team.

I especially want to recognize the phenomenal job of first-year UW coach Bo Ryan, who, from day one, brought a winning atmosphere. Likewise, the close-knit group of players committed themselves to improving throughout the season. It all culminated with the team winning its last six Big Ten games. Coach Ryan and his players have given the State of Wisconsin a lot of great basketball to look forward to in the years to come.

Winning the Big Ten is an impressive achievement, one that the players, coaches, and fans should be proud of for as long as they live. The Badgers' season, however, is not done yet. I look forward to cheering the team on during ''March Madness,'' and hope to watch this hard-working team make it all the way to Atlanta for the Final Four. On Wisconsin!

ADDITIONAL STATEMENTS

IN CELEBRATION OF THE 100TH ANNIVERSARY OF 4–H

• Mr. ALLARD. Mr. President, today, it is with great pride that I congratulate one of the finest organizations in the United States for a truly remarkable accomplishment. This year marks the centennial anniversary of 4–H, a youth organization that was launched by a group of volunteer visionaries who wanted to challenge America's youth to become a fundamental building block of our Nation's communities. With the motto, ''To make the best better,'' the organization has grown from an agriculture based institution into a well balanced mix of 7 million urban and rural members.

4–H encourages service; it promotes civility; broadens life experiences; and pushes a better way of life through a healthy spirit and healthy living. After 100 years of existence, the organization has grown to more than 50 million alumni, of which 55 are Members of Congress.

In an interview with Roll Call Daily, I had the chance to reflect on my 4–H experience. I remember well how 4–H taught me how to be a leader, how to prioritize and organize, as well as running meetings with efficiency and purpose. 4–H projects paid for nearly all of my tuition to become a Doctor of Veterinary Medicine.

The value of 4–H to America's youth can be measured in the accomplishments of its members—both past and present, and in the hours and hours of service the many 4–H clubs across the country have dedicated to service projects and personal development. Congratulations, and, I wish the organization many more successful years.•

TRIBUTE TO DREW HENDERSON OF HENRY CLAY HIGH SCHOOL

• Mr. BUNNING. Madam President, I proudly pay tribute to Drew Henderson of Henry Clay High School in Lexington, KY for his most recent academic accomplishment.

Drew Henderson recently discovered, via his mom's delivery bright and early one morning, that he belongs to an elite academic category. He is one of only 12 students nationwide to score a perfect 36 on the ACT Assessment. Drew has been blessed with natural learning abilities and has worked extremely hard to ensure that these talents are not ignored or denied the proper attention. Drew has already applied to 11 schools, with his top choices being Harvard, Princeton, and Penn State. He wants to focus his studies primarily on biology during his time as an undergraduate and then pursue a career in the area of medicine. Besides his commitment to his studies, Drew serves as the National Honor Society treasurer at Henry Clay High School, belongs to both the debate team and beta club, and is the captain for the golf team.

I applaud Drew for his academic as well as his extra curricular achievements and wish him the best of luck in his future endeavors. Drew has made Henry Clay High School and the Commonwealth of Kentucky very proud.•

CONGRATULATIONS TO DAVIESS COUNTY HIGH SCHOOL

• Mr. BUNNING. Madam President, I stand today among my distinguished colleagues to congratulate the students, administration, and faculty of Daviess County High School for winning a Preparing America's Future Award from the U.S. Department of Education.

This recent accolade is just one in the line of many bestowed upon the diligent students and devout faculty of Daviess County High School. In 2001, the U.S. Department of Education selected Daviess County High School as a 1999–2000 National Blue Ribbon School shortly after the Commonwealth awarded them with a Kentucky Blue Ribbon award.

The prestigious Preparing America's Future prize is presented to six high schools throughout the entire Nation that have taken significant strides in improving their academic standards for all students. Daviess County High School was among this elite group

based specifically upon their reputation for excellence and a rigorous evaluation of their progress in 12 key school improvement strategies. The review showed above all else that the school is accurately meeting the needs and expectations of today's students. I would like to offer a special thanks to Principal Brad Stanley for his inspiring leadership and robust commitment to the education of our nation's and the Commonwealth's future. With this competent captain at the helm, Daviess County High School will surely experience smooth sailing ahead.

I hope Daviess County High School is as proud of this accomplishment as I am. This award highly reflects upon not only the students and faculty but also the overall community and its dedication to its children. I thank you all for working towards a better educated Kentucky.●

RECOGNIZING SARAH CONN AND JEWELL OF WINCHESTER, KENTUCKY

● Mr. BUNNING. Madam President, I have the distinct honor today of recognizing the recent accomplishments of Sarah Conn and Jewell, both residents of Winchester, KY.

At this year's 126th Westminster Kennel Club Dog Show held in New York City, 12-year-old Sarah Conn and her graceful Boston Terrier, Jewell, put on quite a performance, taking Best in Breed and winning the prestigious Open Junior Handler title. In winning Best in Breed, Sarah amazingly bested a woman who has been showing Boston Terriers for an astonishing 50 years and a man who is rated the top handler in the Boston Terrier category. Sarah and Jewell rose to the occasion, overcoming all obstacles to prove that they do indeed belong at the top.

Sarah and Jewell have obviously worked extremely hard to earn this honorable distinction and deserve our praise for their diligent efforts. I know that the people of Winchester as well as the people of the Commonwealth of Kentucky are proud of their achievements. I finally ask my colleagues to join me in thanking Sarah and Jewell for proudly representing the Commonwealth of Kentucky in this year's Westminster Dog Show.●

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 appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1542. An act to deregulate the Internet and high speed data services, and for other purposes.

The message also announced that pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), the Speaker has appointed the following member on the part of the House to the Board of Directors of the National Urban Air Toxics Research Center to fill the existing vacancy thereon: Mr. Hans P. Blascheck of Champaign, Illinois.

At 12:32 p.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 following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 311. Concurrent resolution recognizing the Civil Air Patrol for 60 years of service to the United States.

H. Con. Res. 335. Concurrent resolution recognizing the significance of Black History Month and the contributions of Black Americans as a significant part of the history, progress, and heritage of the United States.

The message also announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

From the Committee on Agriculture, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. COMBEST, Mr. BOEHNER, Mr. GOODLATTE, Mr. POMBO, Mr. EVERETT, Mr. LUCAS of Oklahoma, Mr. CHAMBLISS, Mr. MORAN of Kansas, Mr. STENHOLM, Mr. CONDIT, Mr. PETERSON of Minnesota, Mr. DOOLEY of California, Mrs. CLAYTON, and Mr. HOLDEN.

The message further announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 3448) to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that the following Members be the managers of the conference on the part of the House.

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. TAUZIN, Mr. BILIRAKIS, Mr. GILLMOR, Mr. BURR of North Carolina, Mr. SHIMKUS, Mr. DINGELL, Mr. WAXMAN, and Mr. BROWN of Ohio: Provided, that Mr. PALLONE is appointed in lieu of Mr. BROWN of Ohio for consideration of title IV of the House bill, and modifications committed to conference.

From the Committee on Agriculture, for consideration of title II of the House bill and section 216 and title V of the Senate amendment, and modifications committed to conference: Mr. COMBEST, Mr. LUCAS of Oklahoma, Mr. CHAMBLISS, Mr. STENHOLM, and Mr. HOLDEN.

From the Committee on the Judiciary, for consideration of title II of the House bill and sections 216 and 401 of the Senate amendment, and modifications committed to conference: Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. CONYERS.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1542. An act to deregulate the Internet and high speed data services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 311. Concurrent resolution recognizing the Civil Air Patrol for 60 years of service to the United States; to the Committee on Armed Services.

H. Con. Res. 335. Concurrent resolution recognizing the significance of Black History Month and the contributions of Black Americans as a significant part of the history, progress, and heritage of the United States; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time on February 27, 2002, and placed on the calendar:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

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–5558. A communication from the Acting General Counsel, National Endowment for the Humanities, transmitting, pursuant to law, the report of a vacancy and a nomination confirmed for the position of Chairman of the National Endowment for the Humanities, received on February 1, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC–5559. A communication from the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report dated February 27, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC–5560. A communication from the Principal Deputy Associate Administrator of the

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hydrogen Peroxide; An Amendment to an Exemption from the Requirement of a Tolerance'' (FRL6822–7) received on February 26, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5561. A communication from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing Book-Entry Treasury Bonds, Notes and Bills—Interim Rule with Request for Comments'' (31 CFR Part 357) received on February 12, 2002; to the Committee on Finance.

EC–5562. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the Commission's Budget Request for Fiscal Year 2003, the Commission's Information Technology Strategic Plan for Fiscal Years 2002–2007, and the Commission's Performance Plan for Fiscal Year 2003; to the Committee on Rules and Administration.

EC–5563. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Wrangell—St. Elias National Park and Preservation—Resident Zone Communities'' (RIN1024–AC83) received on February 25, 2002; to the Committee on Energy and Natural Resources.

EC–5564. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Parks Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Appalachian National Scenic Trails—Designation of Snowmobile Routes'' (RIN1024–AC67) received on February 25, 2002; to the Committee on Energy and Natural Resources.

EC–5565. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning Nonproliferation and Disarmament Fund activities; to the Committee on Foreign Relations.

EC–5566. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report concerning the Foreign Agents Registration Act for the period beginning January 1, 2001 through June 30, 2001; to the Committee on Foreign Relations.

EC–5567. A communication from the Administrator of the General Service Administration, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–5568. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the Department's Accountability Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–5569. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for Fiscal Year 2001 and the Commission's Inspector General Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–5570. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department's Annual Report on Performance and Accountability for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC–5571. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination that State has Corrected the Deficiencies'' (FRL7149–7) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5572. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Iowa'' (FRL7151–7) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5573. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Operating Permits Program; State of Iowa'' (FRL7151–9) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5574. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7150–6) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5575. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, El Dorado Air Pollution Control District'' (FRL7149–6) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5576. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL7148–8) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5577. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Wisconsin: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7150–9) received on February 26, 2002; to the Committee on Environment and Public Works.

EC–5578. A communication from the Chairman of the Office of Economics, Environmental Analysis and Administration, Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled ''Electronic Access to Case Filings'' (Ex Parte No. 576) received on February 14, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5579. A communication from the Senior Regulations Analyst, Transportation Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Securities Programs for Aircraft 12,500 Pounds or More'' (RIN2110–AA04) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5580. A communication from the Senior Regulations Analyst, Transportation Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Aviation Security Infrastructure Fees'' (RIN2110–AA02) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5581. A communication from the Senior Regulations Analyst, Transportation Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Civil Aviation Security Rules'' (RIN2110–AA03) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5582. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Model DH 125, HS 125, BH 125, and BAe 125 Series Airplanes; Model Hawker 800, 800 (U–125A), 800XP, and 1000 Airplanes; Correction'' ((RIN2120–AA64)(2002–0113)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5583. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Short Brothers Model SD3 Series Airplanes'' ((RIN2120–AA64)(2002–0114)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5584. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767 Series Airplanes'' ((RIN2120–AA64)(2002–0112)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5585. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company GE90 Series Turbofan Engines'' ((RIN2120–AA64)(2002–0111)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5586. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls-Royce plc RB211–524G and –524H Series Turbofan Engines'' ((RIN2120–AA64)(2002–0119)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5587. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 9–81, –82, –83, and –87 Series Airplanes; and Model MD 88 Airplanes'' ((RIN2120–AA64)(2002–0118)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5588. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Model Beech 400, 400A, and 400T Series Airplanes; Model Beech MU 300–10 Airplanes; and Model Mitsubishi MU 300 Airplanes'' ((RIN2120–AA64)(2002–0166)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5589. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F.28 Mark 0070 and 0100 Series Airplanes'' ((RIN2120–AA64)(2002–0117)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5590. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8–100, –200, and –300 Series Airplanes'' ((RIN2120–AA64)(2002–0115)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5591. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(2002–0124)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5592. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pilatus Aircraft Ltd. Models PC7, PC12, and PC12/45 Airplanes'' ((RIN2120–AA64)(2002–0123)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5593. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Canada Model 430 Helicopters'' ((RIN2120–AA64)(2002–0122)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5594. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fairchild Aircraft, Inc. SA26, SA226, and SA227 Series Airplanes'' ((RIN2120–AA64)(2002–0121)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5595. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Israel Aircraft Industries, Ltd., Model 1124 and 1124A, and Model 1125 Westwind Astra Series Airplanes'' ((RIN2120–AA64)(2002–0120)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5596. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model BAe 146–200A Series Airplanes'' ((RIN2120–AA64)(2002–0126)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5597. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64)(2002–0125)) received on February 25, 2002; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, with an amendment in the nature of a substitute:

H.R. 3005: A bill to extend trade authorities procedures with respect to reciprocal trade agreements. (Rept. No. 107–139).

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 Mr. HAGEL (for himself, Mr. DAYTON, Mr. SESSIONS, Mr. CLELAND, Mr. WARNER, Mr. BREAUX, Mr. BUNNING, Ms. MIKULSKI, and Mrs. BOXER):

S. 1973. A bill to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of a member of a uniformed service from the determination of eligibility for free and reduced price meals of a child of the member; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1974. A bill to make needed reforms in the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

By Mr. REID (for himself and Mrs. LINCOLN):

S. 1975. A bill to amend title III of the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. JEFFORDS, Mrs. CLINTON, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. SNOWE, Mrs. BOXER , Ms. COLLINS, Ms. LANDRIEU, Mr. CHAFEE, Mrs. MURRAY, Mrs. LINCOLN, Ms. STABENOW, Ms. CANTWELL, Mrs. CARNAHAN, Mr. SCHUMER, Mr. TORRICELLI, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. REED, Mr. BREAUX, Mr. CORZINE, Mr. LEAHY, Mr. REID, Mr. KERRY, Mr. NELSON of Florida, Mr. GRAHAM, and Mr. DODD):

S. 1976. A bill to provide for a comprehensive Federal effort relating to treatments for, and the prevention of cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THURMOND:

S. 1977. A bill to amend chapter 37 of title 28, United States Code, to provide for appointment of United States marshals by the Attorney General; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WELLSTONE (for himself and Mr. BROWNBACK):

S. Res. 213. A resolution condemning human rights violations in Chechnya and urging a political solution to the conflict; to the Committee on Foreign Relations.

By Mr. BIDEN (for himself and Mr. CARPER):

S. Con. Res. 99. A concurrent resolution expressing the sense of the Congress that a commemorative stamp should be issued honoring Felix Octavius Carr Darley; to the Committee on Governmental Affairs.

ADDITIONAL COSPONSORS

S. 414

At the request of Mr. CLELAND, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of 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.

S. 572

At the request of Mr. CHAFEE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 572, a bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000.

S. 682

At the request of Mr. MCCAIN, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 682, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 946

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 946, a bill to establish an Office on Women's Health within the Department of Health and Human Services.

S. 957

At the request of Mr. WELLSTONE, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 957, a bill to provide certain safeguards with respect to the domestic steel industry.

S. 1087

At the request of Mr. CONRAD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1087, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period of the depreciation of certain leasehold improvements.

S. 1278

At the request of Mrs. LINCOLN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit.

S. 1329

At the request of Mr. JEFFORDS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1329, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes.

S. 1335

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1335, a bill to support business incubation in academic settings.

S. 1644

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1644, a bill to further the protection and recognition of veterans' memorials, and for other purposes.

S. 1786

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1786, a bill to expand aviation capacity in the Chicago area.

S. 1899

At the request of Mr. BROWNBACK, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1899, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 1912

At the request of Mr. SMITH of Oregon, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1912, a bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior and the Secretary of Commerce to give greater weights to scientific or commercial data that is empirical or has been field-tested or peer-reviewed, and for other purposes.

S. 1917

At the request of Mr. JEFFORDS, the names of the Senator from Georgia (Mr. CLELAND), the Senator from Michigan (Ms. STABENOW), the Senator from Missouri (Mrs. CARNAHAN), and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1917, supra.

S. 1945

At the request of Mr. JOHNSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1945, a bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes.

S. RES. 206

At the request of Mr. MURKOWSKI, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Illinois (Mr. DURBIN), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 206, a resolution designating the week of March 17 through March 23, 2002 as ''National Inhalants and Poison Prevention Week.''

S. RES. 208

At the request of Ms. COLLINS, the names of the Senator from Montana (Mr. BURNS), the Senator from Nebraska (Mr. HAGEL), the Senator from Wyoming (Mr. THOMAS), the Senator from Ohio (Mr. DEWINE), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 208, a resolution commending students who participated in the United States Senate Youth Program between 1962 and 2002.

S. RES. 211

At the request of Ms. COLLINS, the names of the Senator from Louisiana (Mr. BREAUX), the Senator from New Hampshire (Mr. GREGG), the Senator from Indiana (Mr. LUGAR), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 211, a resolution designating March 2, 2002, as ''Read Across America Day.''

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

S. CON. RES. 98

At the request of Mrs. MURRAY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 98, a concurrent resolution commemorating the 30th anniversary of the inauguration of Sino-American relations and the sale of the first commercial jet aircraft to China.

AMENDMENT NO. 2907

At the request of Mr. ROBERTS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of amendment No. 2907 intended to be proposed to S. 565, a bill to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HAGEL (for himself, Mr. DAYTON, Mr. SESSIONS, Mr. CLELAND, Mr. WARNER, Mr. BREAUX, Mr. BUNNING, Ms. MIKULSKI, and Mrs. BOXER):

S. 1973. A bill to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of a member of a uniformed service from the determination of eligibility for free and reduced price meals of a child of the member; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HAGEL. Madam President, 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. 1973

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

SECTION 1. EXCLUSION OF CERTAIN MILITARY BASIC ALLOWANCES FOR HOUSING FOR DETERMINATION OF ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS.

Section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)) is amended by adding at the end the following:

''(7) EXCLUSION OF CERTAIN MILITARY HOUSING ALLOWANCES.—For the 2-year period beginning on the date of enactment of this paragraph, the amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of a member of a uniformed service for housing that is acquired or constructed under subchapter IV of chapter 169 of title 10, United States Code, or any related provision of law, shall not be considered to be income for the purpose of determining the eligibility of a child of the member for free or reduced price lunches under this Act.''.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 1974. A bill to make needed reforms in the Federal Bureau of Investigation, and for other purposes; to the committee on the Judiciary.

Mr. LEAHY. Madam President, I rise today, joined by my good friend Senator GRASSLEY, to introduce the FBI Reform Act of 2002. This bill stems from the lessons learned during a series of Judiciary Committee hearings on oversight of the FBI that I chaired beginning last June. Even more recently, the important changes which are being made under the FBI's new leadership after the September 11 attacks and the new powers granted the FBI by the USA PATRIOT Act have resulted in FBI reform becoming an pressing matter of national importance.

Since the attacks of September 11, 2001, and the anthrax attacks last fall, we have relied on the FBI to detect and prevent acts of catastrophic terrorism that endanger the lives of the American people and the institutions of our country. The men and women of the FBI are performing this task with great professionalism at home and abroad. I think that we have all felt safer as a result of the full mobilization of the FBI's dedicated Special Agents, its expert support personnel, and its exceptional technical capabilities. We owe the men and women of the FBI our thanks.

For decades the FBI has been an outstanding law enforcement agency and a vital member of the United States intelligence community. As our hearings and recent events have shown, however, there is room for improvement at

the FBI. We must face the mistakes of the past, and make the changes needed to ensure that they are not repeated. In meeting the international terrorist challenge, the Congress has an opportunity and obligation to strengthen the institutional fibre of the FBI based on lessons learned from recent problems the Bureau has experienced.

This view is not mine alone. When Director Bob Mueller testified at his confirmation hearings last July, he forthrightly acknowledged ''that the Bureau's remarkable legacy of service and accomplishment has been tarnished by some serious and highly publicized problems in recent years. Waco, Ruby Ridge, the FBI lab, Wen Ho Lee, Robert Hanssen, and the McVeigh documents—these familiar names and events remind us all that the FBI is far from perfect and that the next director faces significant management and administrative challenges.'' Since then, the Judiciary Committee has forged a constructive partnership with Director Mueller to get the FBI back on track.

Congress sometimes has followed a hands-off approach about the FBI. But with the FBI's new increased powers, with our increased reliance on them to stop terrorism, and with the increased funding requested in the President's budget will come increased scrutiny. Until the Bureau's problems are resolved and new challenges overcome, we have to take a hands-on approach.

Indeed our hearings and other oversight activities have highlighted tangible steps the Congress should take in an FBI reform bill as part of this hands-on approach. Last year's hearings demonstrated the need to improve FBI internal accountability, extend whistleblower protection, end the double-standard for discipline of senior FBI executives, enhance the FBI's internal security program to protect against espionage as occurred in the Hanssen case, and modernize the FBI's information technology systems. Since last year's oversight hearings, the committee has explored additional management issues that are reflected in the FBI Reform Act. Senator GRASSLEY called attention to concerns about the practices of the FBI and other Federal criminal investigative agencies in reporting and using statistics on their investigations. In addition, FBI officials responsible for protecting its facilities informed us of difficulties in retaining the most qualified people on the FBI's own police force to protect some of our nation's most important and, unfortunately, most targeted facilities.

When Director Mueller announced the first stage of his FBI reorganization last December, he stressed the importance of taking a comprehensive look at the FBI's missions for the future, and Deputy Attorney General Thompson's office has told us that the Attorney General's management review of the FBI is considering this matter. Director Mueller has stated that the second phase of FBI reorganization will be part of a ''comprehensive plan to address not only the new challenges of terrorism, but to modernize and streamline the Bureau's more traditional functions. . . .'' Thus, through our hearings, our other oversight efforts, and the statements and efforts of the new management team at the FBI, an initial list of challenges facing the FBI has been developed.

The provisions in the FBI Reform Act address each of these challenges.

Titles I, II, and VII of the FBI Reform Act strengthen the system for uncovering and reviewing FBI misconduct and imposing appropriate discipline, so that there is appropriate accountability. Title I creates statutory jurisdiction for the DOJ Inspector General over allegations of misconduct in the FBI. It brings the statutory authorities of the Justice Department's Inspector General into line with the administrative regulations adopted by the Attorney General on July 11, 2001, ensuring that there will be no return to a system in which the FBI enjoyed unique exemption for scrutiny by an independent Inspector General. Title II strengthens whistleblower protection for FBI employees and protects them from retaliation for reporting wrongdoing. Title VII eliminates statutory disparities in disciplinary penalties for Senior Executive Service and non-SES personnel.

The committee received testimony in our oversight hearings showing that, too often, the independence that is part of the FBI's culture crossed the line into arrogance. Senator Danforth expressed concern to the committee about entrenched executives at the FBI who had created a closed and insular culture resistant to disclosure of mistakes and to reforms. His concern was echoed in testimony the committee heard from experienced FBI Special Agents, including a unit chief in the FBI's own Office of Professional Responsibility, who told us of a ''club'' mentality among some Bureau executives who viewed any criticism or change as a threat to their careers.

If there was one message from these witnesses, it was that FBI executives needed to be more willing to admit their mistakes. Too often their response was to shield the Bureau from embarrassment by sacrificing accountability and needed reform. For example, Senator Danforth testified that the FBI helped fan the flames of conspiracy theories at Waco by covering up evidence that it used pyrotechnic rounds, even though they had nothing to do with starting the fire. The FBI culture demanded covering up rather than admitting a mistake. Of course, as the FBI painfully discovered, the price for circling the wagons in this way can be the loss of public confidence.

The Justice Department Inspector General is in a position to conduct an independent investigation that enables the Attorney General and the FBI Director to hold FBI personnel accountable and learn the necessary lessons from mistakes. When Director Mueller was asked at his confirmation hearing about a separate FBI Inspector General, he replied, ''If I were the Attorney General I might have some concern about a separate Inspector General feeding the perception that the FBI was a separate institution accountable only to itself. And I'm not certain in my own mind whether or not what the accountability you seek cannot be discharged by an Inspector General with appropriate personnel in the Department of Justice, as opposed to establishing another Inspector General in the FBI.'' Attorney General Ashcroft decided to follow this route, and Title I of the FBI Reform Act codifies his action.

The committee also heard disturbing testimony about retaliation against FBI Agents who are tasked to investigate their colleagues or who discuss issues with the Congress, either directly or through cooperation with the General Accounting Office, which assists in congressional oversight. Therefore, Title II is important to ensure that the Federal whistleblower protection laws protect FBI personnel to the greatest extent possible. Senator GRASSLEY deserves great credit for stressing the need for this provision and developing the language in the bill. The bill extends whistleblower protections to employees who report wrongdoing to their supervisors or to Congress, and ensures that whistleblowers will enjoy basic procedural protections, including the normal procedures and judicial review provided under the Administrative Procedure Act, if they are subjected to retaliation. It also ensures that those who report wrongdoing to the Office of the Special Counsel have access to the normal Merit System Protection Board rights if retaliated against.

Title VII addresses the issue of a double standard for discipline of senior executives. Internal investigations must lead to fair and just discipline. A troubling internal FBI study that was released at the committee's July hearing documented a double standard at work, with senior FBI executives receiving a slap on the wrist for the same kind of conduct that would result in serious discipline for lower level employees. At his confirmation hearing, Director Mueller said it is ''very important that there be no double standards in accountability. I know there have been allegations that senior FBI officials are sometimes treated more leniently than more junior employees. Any such double standard would be fundamentally unfair and enormously destructive to employee morale.'' Title VII embodies that principle by eliminating the disparity in authorized punishments between Senior Executive Service members and other Federal employees.

The Hanssen espionage case was a tremendous shock to the nation and to the FBI. A trusted and experienced FBI Supervisory Special Agent was found

to have sold many of the nation's most sensitive national security secrets to the Soviet Union and to Russia. Just as the Ames case forced the CIA to revamp its security program after 1994, the Hanssen case requires major changes in FBI security. Former FBI and CIA Director William Webster chairs a commission that is completing its review of lessons learned from the Hanssen case for the Attorney General and the FBI Director. It is my hope that Judge Webster will testify before the Judiciary Committee when his report is complete to present his unclassified findings and recommendations. The FBI Reform Act includes provisions that are based on the Judiciary Committee's initial oversight hearings and we remain open to incorporating the considered recommendations and reforms for which the Webster Commission may call.

Title III of the FBI Reform Act would establish a Career Security Program in the FBI and Title IV would establish an FBI Counterintelligence Polygraph Program for screening personnel in exceptionally sensitive positions with specific safeguards. In addition, as a result of concerns about terrorist attacks against FBI targets, Title V would authorize an FBI police force as part of comprehensive security enhancements.

The FBI Career Security Program would bring the FBI into line with other U.S. intelligence agencies that have strong career security professional cadres whose skills and leadership are dedicated to the protection of agency information, personnel, and facilities. The challenges of espionage, information technology vulnerability, and the FBI's high profile as a target of terrorist attack require that the FBI match or exceed the best security programs in the intelligence and national security community. This can only be achieved by a fundamental change that reverses the tendency, found too often in civilian agencies, to treat security as a secondary mission and security assignments as obstacles to career advancement. Before the Hanssen case, an FBI Special Agent experienced as a criminal investigator might be assigned for a few years to a security position and then move on without building continuity of security expertise. Turnover in FBI security work was high, the top rank was Headquarters Section Chief.

Director Mueller has changed direction by creating a Assistant Director position to head a new Security Division and supporting the principle of a Security Career Program. I support this change. Title II of the FBI Reform Act provides the statutory mandate and tools to achieve this goal based on the experience of the Defense Department in reforming its acquisition career program. The key requirements are leadership and accountability in a Security Director, creation of security career program boards, designation of security positions, identification of security career paths requiring appropriate training and experience, and development of education programs for security professionals. To help ensure that security professionals gain stature comparable to Special Agents, the program would limit the preference for Special Agents in considering persons for security positions. FBI security managers would complete a security management course accredited by the Joint Security Training Consortium recently formed by the Intelligence Community and the Department of Defense.

The FBI Counterintelligence Polygraph Program that would be established under Title III of the Act also addresses the security issue. Title III recognizes the security value of polygraph screening, but provides specific safeguards for those who may be subject to adverse action based on polygraph exams. Screening procedures must address the problems of ''false positive'' responses, limit adverse actions taken solely by reason of physiological reactions in an examination, ensure quality assurance and control, and allow subjects to have prompt access to unclassified reports on examinations that relate to adverse actions against them. Title III is based upon the simple conviction that increased security and protection of employee rights can and must coexist at the FBI.

Title IV of the Act provides long overdue statutory authorization for a permanent FBI Police force, to protect critical FBI facilities. It would provide the men and women who currently guard the highest risk targets with the same pay and benefits as members of the Uniformed Division of the United States Secret Service. Today the FBI police force operating under delegated authority from the General Services Administration has been unable to retain skilled personnel at a rate commensurate with the threat and the need for experienced leadership. The FBI Reform Act would bring the FBI police force generally into line not only with the Uniformed Division of the Secret Service, but also with the Capitol Police and the Supreme Court police. It is intended to be consistent with the current Memorandum of Agreement between the FBI and the Metropolitan Police Force of the District of Columbia with respect to FBI buildings and grounds covered in Washington, D.C..

The Attorney General has directed Deputy Attorney General Thompson to lead a management review of the FBI, while Director Mueller has already begun reorganizing the Bureau. Congress must participate in reviewing the FBI's structure and identifying its future priorities. The FBI is being called on today to protect the national security from terrorist and intelligence threats mounted from abroad. FBI investigations now extend overseas far more often because of our government's decision to use law enforcement as an instrument of national security along with diplomacy, military deployments, and intelligence operations. At the same time, it must continue with other uniquely Federal areas of enforcement. Title VI requires a set of reports that would enable Congress to engage the Executive branch in a constructive dialogue building a more effective FBI for the future.

To help Congress participate in charting the FBI's course, Title VI directs the Attorney General to submit a comprehensive report on the legal authorities for FBI programs and activities. In the late 1970s the Judiciary Committee considered enactment of a legislative charter for the FBI that would spell out its authorities and responsibilities. That proposal was set aside in 1980 despite determined efforts by then-Judiciary Committee Chairman KENNEDY, Judge Webster and Attorney General Civiletti to reach agreement. The time is ripe to revive consideration of this effort.

In addition to a comprehensive charter, Congress should consider whether the FBI should continue to have responsibility for the broad range of investigations that it is currently expected to conduct. I believe we have gone too far in federalizing criminal law enforcement and that more responsibilities which are not uniquely federal can be transferred back to the states. In addition, even within the Federal law enforcement family, numerous agencies perform redundant functions. The Attorney General's report would recommend whether the FBI should continue to have all its current investigative responsibilities, whether existing legal authority for any FBI program or activity should be modified or repealed, and whether the FBI must or should have express statutory authority for new or existing programs or activities.

Title VI also recognizes that the task of modernizing FBI's information technology and management is as important as setting the FBI's future missions. Judiciary Committee oversight hearings have documented, and Director Mueller has acknowledged, that the FBI must overcome years of neglect in this regard. Congress is providing the funds, especially in the FY 2002 Counterterrorim Supplemental for technology assistance. We must ensure, however, that the FBI can and does use these funds effectively. There is concern that the FBI may need greater flexibility than is allowed under current law to procure new technologies. Congress also needs to see detailed plans as to how the FBI plans to update its information technology systems. Unfortunately, the Department of Justice and the FBI have not provided quarterly status reports on the principal FBI computer upgrade program, known as TRILOGY, as requested in the Appropriations act for FY 2001. Title VI directs the Attorney General to address these concerns in a comprehensive report on FBI information management and technology.

Finally, Title VI requires the Comptroller General to investigate and complete a report on how statistics are reported and used by Federal law enforcement agencies, including the FBI. Senator GRASSLEY has focused attention on the question whether the FBI and other agencies may be double-counting criminal investigations and arrests in the reporting of accomplishments. We also need to ascertain whether the FBI and other agencies properly use the statistics which they compile in making management decisions. It is important to get the facts and recommendations that put the FBI into the context of the full spectrum of Federal law enforcement agencies. Title VI ensures that the GAO can complete this important task by requiring agencies to comply with its requests for the information that is necessary to assist in preparing this report.

The legislation which Senator GRASSLEY and I introduce today is just one part of a bipartisan, hands-on approach to FBI reform. The committee plans additional oversight hearings to consider the Justice Department Inspector General's report on the belated production of documents in the Oklahoma City bombing case and the report of Judge Webster's Commission on the security lessons of the Robert Hanssen espionage case. The committee also intends to hear from Director Mueller and Deputy Attorney General Thompson on their response to these reports and on their actions and goals in reorganizing the FBI and charting its management course for the future.

At the same time, we are focusing oversight attention on key aspects of FBI and law enforcement performance in connection with the September 11 terrorist attacks and the lessons learned for developing an effective counterterrorism and homeland security program. As contemplated by the sunset provisions in the USA PATRIOT Act, we must monitor the implementation of new surveillance and investigative powers provided to strengthen counterterrorism efforts and, in some provisions, law enforcement and counterintelligence generally.

The FBI Reform Act is designed to strengthen the FBI as an institution that has a unique role as both a law enforcement agency and a member of the intelligence community. As the Judiciary Committee continues its oversight work and more is learned about recent FBI performance, additional legislation may prove necessary. Especially important will be the lessons from the attacks of September 11, 2001, the anthrax attacks, and implementation of the USA PATRIOT Act and other counterterrorism measures. Strengthening the FBI cannot be accomplished overnight, but today, with the introduction of FBI Reform Act, we take an important step into the future.

For all of these reasons, I am pleased to introduce this legislation with Senator GRASSLEY. I ask unanimous consent that the text of the bill be printed in the RECORD along with the sectional analysis.

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

S. 1974

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 ''Federal Bureau of Investigation Reform Act of 2002''.

TITLE I—IMPROVING FBI OVERSIGHT

SEC. 101. AUTHORITY OF THE DEPARTMENT OF JUSTICE INSPECTOR GENERAL.

Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b), by striking paragraphs (2) and (3) and inserting the following:

''(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsibility or the internal affairs office of the appropriate component of the Department of Justice; and

''(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility.''; and

(2) by adding at the end the following:

''(d) The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice shall report that information to the Inspector General.''.

SEC. 102. REVIEW OF THE DEPARTMENT OF JUSTICE.

(a) APPOINTMENT OF OVERSIGHT OFFICIAL WITHIN THE OFFICE OF INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of Justice shall direct that 1 official from the office of the Inspector General be responsible for supervising and coordinating independent oversight of programs and operations of the Federal Bureau of Investigation until September 30, 2003.

(2) CONTINUATION OF OVERSIGHT.—The Inspector General may continue individual oversight in accordance with paragraph (1) after September 30, 2003, at the discretion of the Inspector General.

(b) INSPECTOR GENERAL OVERSIGHT PLAN FOR THE FEDERAL BUREAU OF INVESTIGATION.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to the Chairman and ranking member of the Committees on the Judiciary of the Senate and the House of Representatives, a plan for oversight of the Federal Bureau of Investigation, which plan may include—

(1) an audit of the financial systems, information technology systems, and computer security systems of the Federal Bureau of Investigation;

(2) an audit and evaluation of programs and processes of the Federal Bureau of Investigation to identify systemic weaknesses or implementation failures and to recommend corrective action;

(3) a review of the activities of internal affairs offices of the Federal Bureau of Investigation, including the Inspections Division and the Office of Professional Responsibility;

(4) an investigation of allegations of serious misconduct by personnel of the Federal Bureau of Investigation;

(5) a review of matters relating to any other program or operation of the Federal Bureau of Investigation that the Inspector General determines requires review; and

(6) an identification of resources needed by the Inspector General to implement a plan for oversight of the Federal Bureau of Investigation.

(c) REPORT ON INSPECTOR GENERAL FOR FEDERAL BUREAU OF INVESTIGATION.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit a report and recommendation to the Chairman and ranking member of the Committees on the Judiciary of the Senate and the House of Representatives concerning whether there should be established, within the Department of Justice, a separate office of the Inspector General for the Federal Bureau of Investigation that shall be responsible for supervising independent oversight of programs and operations of the Federal Bureau of Investigation.

TITLE II—WHISTLEBLOWER PROTECTION

SEC. 201. INCREASING PROTECTIONS FOR FBI WHISTLEBLOWERS.

Section 2303 of title 5, United States Code, is amended to read as follows:

''§ 2303. Prohibited personnel practices in the Federal Bureau of Investigation

''(a) DEFINITION.—In this section, the term 'personnel action' means any action described in clauses (i) through (x) of section 2302(a)(2)(A).

''(b) PROHIBITED PRACTICES.—Any employee of the Federal Bureau of Investigation who has the authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of the Bureau or because of—

''(1) any disclosure of information by the employee to the Attorney General (or an employee designated by the Attorney General for such purpose), a supervisor of the employee, the Inspector General for the Department of Justice, or a Member of Congress that the employee reasonably believes evidences—

''(A) a violation of any law, rule, or regulation; or

''(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or

''(2) any disclosure of information by the employee to the Special Counsel of information that the employee reasonably believes evidences—

''(A) a violation of any law, rule, or regulation; or

''(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety,

if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

''(c) INDIVIDUAL RIGHT OF ACTION.—Chapter 12 of this title shall apply to an employee of the Federal Bureau of Investigation who claims that a personnel action has been taken under this section against the employee as a reprisal for any disclosure of information described in subsection (b)(2).

''(d) REGULATIONS.—The Attorney General shall prescribe regulations to ensure that a personnel action under this section shall not

be taken against an employee of the Federal Bureau of Investigation as a reprisal for any disclosure of information described in subsection (b)(1), and shall provide for the enforcement of such regulations in a manner consistent with applicable provisions of sections 1214 and 1221, and in accordance with the procedures set forth in sections 554 through 557 and 701 through 706.''.

TITLE III—FBI SECURITY CAREER PROGRAM

SEC. 301. SECURITY MANAGEMENT POLICIES.

The Attorney General shall establish policies and procedures for the effective management (including accession, education, training, and career development) of persons serving in security positions in the Federal Bureau of Investigation.

SEC. 302. DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—Subject to the authority, direction, and control of the Attorney General, the Director of the Federal Bureau of Investigation (referred to in this title as the ''Director'') shall carry out all powers, functions, and duties of the Attorney General with respect to the security workforce in the Federal Bureau of Investigation.

(b) POLICY IMPLEMENTATION.—The Director shall ensure that the policies of the Attorney General established in accordance with this Act are implemented throughout the Federal Bureau of Investigation.

SEC. 303. DIRECTOR OF SECURITY.

The Director shall appoint a Director of Security, or such other title as the Director may determine, to assist the Director in the performance of the duties of the Director under this Act.

SEC. 304. SECURITY CAREER PROGRAM BOARDS.

(a) ESTABLISHMENT.—The Director acting through the Director of Security shall establish a security career program board to advise the Director in managing the hiring, training, education, and career development of personnel in the security workforce of the Federal Bureau of Investigation.

(b) COMPOSITION OF BOARD.—The security career program board shall include—

(1) the Director of Security (or a representative of the Director of Security);

(2) the senior officials, as designated by the Director, with responsibility for personnel management;

(3) the senior officials, as designated by the Director, with responsibility for information management;

(4) the senior officials, as designated by the Director, with responsibility for training and career development in the various security disciplines; and

(5) such other senior officials for the intelligence community as the Director may designate.

(c) CHAIRPERSON.—The Director of Security (or a representative of the Director of Security) shall be the chairperson of the board.

(d) SUBORDINATE BOARDS.—The Director of Security may establish a subordinate board structure to which functions of the security career program board may be delegated.

SEC. 305. DESIGNATION OF SECURITY POSITIONS.

(a) DESIGNATION.—The Director shall designate, by regulation, those positions in the Federal Bureau of Investigation that are security positions for purposes of this Act.

(b) REQUIRED POSITIONS.—In designating security positions under subsection (a), the Director shall include, at a minimum, all security-related positions in the areas of—

(1) personnel security and access control;

(2) information systems security and information assurance;

(3) physical security and technical surveillance countermeasures;

(4) operational, program, and industrial security; and

(5) information security and classification management.

SEC. 306. CAREER DEVELOPMENT.

(a) CAREER PATHS.—The Director shall ensure that appropriate career paths for personnel who wish to pursue careers in security are identified in terms of the education, training, experience, and assignments necessary for career progression to the most senior security positions and shall make available published information on those career paths.

(b) LIMITATION ON PREFERENCE FOR SPECIAL AGENTS.—

(1) IN GENERAL.—Except as provided in the policy established under paragraph (2), the Attorney General shall ensure that no requirement or preference for a Special Agent of the Federal Bureau of Investigation (referred to in this title as a ''Special Agent'') is used in the consideration of persons for security positions.

(2) POLICY.—The Attorney General shall establish a policy that permits a particular security position to be specified as available only to Special Agents, if a determination is made, under criteria specified in the policy, that a Special Agent—

(A) is required for that position by law;

(B) is essential for performance of the duties of the position; or

(C) is necessary for another compelling reason.

(3) REPORT.—Not later than December 15 of each year, the Director shall submit to the Attorney General a report that lists—

(A) each security position that is restricted to Special Agents under the policy established under paragraph (2); and

(B) the recommendation of the Director as to whether each restricted security position should remain restricted.

(c) OPPORTUNITIES TO QUALIFY.—The Attorney General shall ensure that all personnel, including Special Agents, are provided the opportunity to acquire the education, training, and experience necessary to qualify for senior security positions.

(d) BEST QUALIFIED.—The Attorney General shall ensure that the policies established under this Act are designed to provide for the selection of the best qualified individual for a position, consistent with other applicable law.

(e) ASSIGNMENTS POLICY.—The Attorney General shall establish a policy for assigning Special Agents to security positions that provides for a balance between—

(1) the need for personnel to serve in career enhancing positions; and

(2) the need for requiring service in each such position for sufficient time to provide the stability necessary to carry out effectively the duties of the position and to allow for the establishment of responsibility and accountability for actions taken in the position.

(f) LENGTH OF ASSIGNMENT.—In implementing the policy established under subsection (b)(2), the Director shall provide, as appropriate, for longer lengths of assignments to security positions than assignments to other positions.

(g) PERFORMANCE APPRAISALS.—The Director shall provide an opportunity for review and inclusion of any comments on any appraisal of the performance of a person serving in a security position by a person serving in a security position in the same security career field.

(h) BALANCED WORKFORCE POLICY.—In the development of security workforce policies under this Act with respect to any employees or applicants for employment, the Attorney General shall, consistent with the merit system principles set out in paragraphs (1) and (2) of section 2301(b) of title 5, take into consideration the need to maintain a balanced workforce in which women and members of racial and ethnic minority groups are appropriately represented in Government service.

SEC. 307. GENERAL EDUCATION, TRAINING, AND EXPERIENCE REQUIREMENTS.

(a) IN GENERAL.—The Director shall establish education, training, and experience requirements for each security position, based on the level of complexity of duties carried out in the position.

(b) QUALIFICATION REQUIREMENTS.—Before being assigned to a position as a program manager or deputy program manager of a significant security program, a person—

(1) must have completed a security program management course that is accredited by the Intelligence Community-Department of Defense Joint Security Training Consortium or is determined to be comparable by the Director; and

(2) must have not less than 6 years experience in security, of which not less than 2 years were performed in a similar program office or organization.

SEC. 308. EDUCATION AND TRAINING PROGRAMS.

(a) IN GENERAL.—The Director, in consultation with the Director of Central Intelligence and the Secretary of Defense, shall establish and implement education and training programs for persons serving in security positions in the Federal Bureau of Investigation.

(b) OTHER PROGRAMS.—The Director shall ensure that programs established under subsection (a) are established and implemented, to the maximum extent practicable, uniformly with the programs of the Intelligence Community and the Department of Defense.

SEC. 309. OFFICE OF PERSONNEL MANAGEMENT APPROVAL.

(a) IN GENERAL.—The Attorney General shall submit any requirement that is established under section 307 to the Director of the Office of Personnel Management for approval.

(b) FINAL APPROVAL.—If the Director does not disapprove the requirements established under section 307 within 30 days after the date on which the Director receives the requirement, the requirement is deemed to be approved by the Director of the Office of Personnel Management.

TITLE IV—FBI COUNTERINTELLIGENCE POLYGRAPH PROGRAM

SEC. 401. DEFINITIONS.

In this title:

(1) POLYGRAPH PROGRAM.—The term ''polygraph program'' means the counterintelligence screening polygraph program established under section 402.

(2) POLYGRAPH REVIEW.—The term ''Polygraph Review'' means the review of the scientific validity of the polygraph for counterintelligence screening purposes conducted by the Committee to Review the Scientific Evidence on the Polygraph of the National Academy of Sciences.

SEC. 402. ESTABLISHMENT OF PROGRAM.

Not later than 6 months after publication of the results of the Polygraph Review, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation and the Director of Security of the Federal Bureau of Investigation, shall establish a counterintelligence screening polygraph program for the Federal Bureau of Investigation that consists of periodic polygraph examinations of employees, or contractor employees of the Federal Bureau of Investigation who are in positions specified by the Director of the Federal Bureau of Investigation as exceptionally sensitive in order to minimize the potential for unauthorized release or disclosure of exceptionally sensitive information.±

SEC. 403. REGULATIONS.

(a) IN GENERAL.—The Attorney General shall prescribe regulations for the polygraph program in accordance with subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedures Act).

(b) CONSIDERATIONS.—In prescribing regulations under subsection (a), the Attorney General shall—

(1) take into account the results of the Polygraph Review; and

(2) include procedures for—

(A) identifying and addressing false positive results of polygraph examinations;

(B) ensuring that adverse personnel actions are not taken against an individual solely by reason of the physiological reaction of the individual to a question in a polygraph examination, unless—

(i) reasonable efforts are first made independently to determine through alternative means, the veracity of the response of the individual to the question; and

(ii) the Director of the Federal Bureau of Investigation determines personally that the personnel action is justified;

(C) ensuring quality assurance and quality control in accordance with any guidance provided by the Department of Defense Polygraph Institute and the Director of Central Intelligence; and

(D) allowing any employee or contractor who is the subject of a counterintelligence screening polygraph examination under the polygraph program, upon written request, to have prompt access to any unclassified reports regarding an examination that relates to any adverse personnel action taken with respect to the individual.

SEC. 404. REPORT ON FURTHER ENHANCEMENT OF FBI PERSONNEL SECURITY PROGRAM.

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to Congress a report setting forth recommendations for any legislative action that the Director considers appropriate in order to enhance the personnel security program of the Federal Bureau of Investigation.

(b) POLYGRAPH REVIEW RESULTS.—Any recommendation under subsection (a) regarding the use of polygraphs shall take into account the results of the Polygraph Review.

TITLE V—FBI POLICE

SEC. 501. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term ''Director'' means the Director of the Federal Bureau of Investigation.

(2) FBI BUILDINGS AND GROUNDS.—

(A) IN GENERAL.—The term ''FBI buildings and grounds'' means—

(i) the whole or any part of any building or structure which is occupied under a lease or otherwise by the Federal Bureau of Investigation and is subject to supervision and control by the Federal Bureau of Investigation;

(ii) the land upon which there is situated any building or structure which is occupied wholly by the Federal Bureau of Investigation; and

(iii) any enclosed passageway connecting 2 or more buildings or structures occupied in whole or in part by the Federal Bureau of Investigation.

(B) INCLUSION.—The term ''FBI buildings and grounds'' includes adjacent streets and sidewalks not to exceed 500 feet from such property.

(3) FBI POLICE.—The term ''FBI police'' means the permanent police force established under section 502.

SEC. 502. ESTABLISHMENT OF FBI POLICE; DUTIES.

(a) IN GENERAL.—Subject to the supervision of the Attorney General, the Director may establish a permanent police force, to be known as the FBI police.

(b) DUTIES.—The FBI police shall perform such duties as the Director may prescribe in connection with the protection of persons and property within FBI buildings and grounds.

(c) UNIFORMED REPRESENTATIVE.—The Director, or designated representative duly authorized by the Attorney General, may appoint uniformed representatives of the Federal Bureau of Investigation as FBI police for duty in connection with the policing of all FBI buildings and grounds.

(d) AUTHORITY.—

(1) IN GENERAL.—In accordance with regulations prescribed by the Director and approved by the Attorney General, the FBI police may—

(A) police the FBI buildings and grounds for the purpose of protecting persons and property;

(B) in the performance of duties necessary for carrying out subparagraph (A), make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia;

(C) carry firearms as may be required for the performance of duties;

(D) prevent breaches of the peace and suppress affrays and unlawful assemblies; and

(E) hold the same powers as sheriffs and constables when policing FBI buildings and grounds.

(2) EXCEPTION.—The authority and policing powers of FBI police under this subsection shall not include the service of civil process.

(e) PAY AND BENEFITS.—

(1) IN GENERAL.—The rates of basic pay, salary schedule, pay provisions, and benefits for members of the FBI police shall be equivalent to the rates of basic pay, salary schedule, pay provisions, and benefits applicable to members of the United States Secret Service Uniformed Division.

(2) APPLICATION.—Pay and benefits for the FBI police under paragraph (1)—

(A) shall be established by regulation;

(B) shall apply with respect to pay periods beginning after January 1, 2003; and

(C) shall not result in any decrease in the rates of pay or benefits of any individual.

SEC. 503. AUTHORITY OF METROPOLITAN POLICE FORCE.

This title does not affect the authority of the Metropolitan Police Force of the District of Columbia with respect to FBI buildings and grounds.

TITLE VI—REPORTS

SEC. 601. REPORT ON LEGAL AUTHORITY FOR FBI PROGRAMS AND ACTIVITIES.

(a) IN GENERAL.—Not later than December 31, 2002, the Attorney General shall submit to Congress a report describing the statutory and other legal authority for all programs and activities of the Federal Bureau of Investigation.

(b) CONTENTS.—The report submitted under subsection (a) shall describe—

(1) the titles within the United States Code and the statutes for which the Federal Bureau of Investigation exercises investigative responsibility;

(2) each program or activity of the Federal Bureau of Investigation that has express statutory authority and the statute which provides that authority; and

(3) each program or activity of the Federal Bureau of Investigation that does not have express statutory authority, and the source of the legal authority for that program or activity.

(c) RECOMMENDATIONS.—The report submitted under subsection (a) shall recommend whether—

(1) the Federal Bureau of Investigation should continue to have investigative responsibility for each statute for which the Federal Bureau of Investigation currently has investigative responsibility;

(2) the legal authority for any program or activity of the Federal Bureau of Investigation should be modified or repealed;

(3) the Federal Bureau of Investigation should have express statutory authority for any program or activity of the Federal Bureau of Investigation for which the Federal Bureau of Investigation does not currently have express statutory authority; and

(4) the Federal Bureau of Investigation should—

(A) have authority for any new program or activity; and

(B) express statutory authority with respect to any new programs or activities.

SEC. 602. REPORT ON FBI INFORMATION MANAGEMENT AND TECHNOLOGY.

(a) IN GENERAL.—Not later than December 31, 2002, the Attorney General shall submit to Congress a report on the information management and technology programs of the Federal Bureau of Investigation including recommendations for any legislation that may be necessary to enhance the effectiveness of those programs.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall provide—

(1) an analysis and evaluation of whether authority for waiver of any provision of procurement law (including any regulation implementing such a law) is necessary to expeditiously and cost-effectively acquire information technology to meet the unique need of the Federal Bureau of Investigation to improve its investigative operations in order to respond better to national law enforcement, intelligence, and counterintelligence requirements;

(2) the results of the studies and audits conducted by the Strategic Management Council and the Inspector General of the Department of Justice to evaluate the information management and technology programs of the Federal Bureau of Investigation, including systems, policies, procedures, practices, and operations; and

(3) a plan for improving the information management and technology programs of the Federal Bureau of Investigation.

(c) RESULTS.—The results provided under subsection (b)(2) shall include an evaluation of—

(1) information technology procedures and practices regarding procurement, training, and systems maintenance;

(2) record keeping policies, procedures, and practices of the Federal Bureau of Investigation, focusing particularly on how information is inputted, stored, managed, utilized, and shared within the Federal Bureau of Investigation;

(3) how information in a given database is related or compared to, or integrated with, information in other technology databases within the Federal Bureau of Investigation;

(4) the effectiveness of the existing information technology infrastructure of the Federal Bureau of Investigation in supporting and accomplishing the overall mission of the Federal Bureau of Investigation;

(5) the management of information technology projects of the Federal Bureau of Investigation, focusing on how the Federal Bureau of Investigation—

(A) selects its information technology projects;

(B) ensures that projects under development deliver benefits; and

(C) ensures that completed projects deliver the expected results; and

(6) the security and access control techniques for classified and sensitive but unclassified information systems in the Federal Bureau of Investigation.

(d) CONTENTS OF PLAN.—The plan provided under subsection (b)(3) shall ensure that—

(1) appropriate key technology management positions in the Federal Bureau of Investigation are filled by personnel with experience in the commercial sector;

(2) access to the most sensitive information is audited in such a manner that suspicious activity is subject to near contemporaneous security review;

(3) critical information systems employ a public key infrastructure to validate both users and recipients of messages or records;

(4) security features are tested by the National Security Agency to meet national information systems security standards;

(5) all employees in the Federal Bureau of Investigation receive annual instruction in records and information management policies and procedures relevant to their positions;

(6) a reserve is established for research and development to guide strategic information management and technology investment decisions;

(7) unnecessary administrative requirements for software purchases under $2,000,000 are eliminated;

(8) full consideration is given to contacting with an expert technology partner to provide technical support for the information technology procurement for the Federal Bureau of Investigation;

(9) procedures are instituted to procure products and services through contracts of other agencies, as necessary; and

(10) a systems integration and test center, with the participation of field personnel, tests each series of information systems upgrades or application changes before their operational deployment to confirm that they meet proper requirements.

SEC. 603. GAO REPORT ON CRIME STATISTICS REPORTING.

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report on the issue of how statistics are reported and used by Federal law enforcement agencies.

(b) CONTENTS.—The report submitted under subsection (a) shall—

(1) identify the current regulations, procedures, internal policies, or other conditions that allow the investigation or arrest of an individual to be claimed or reported by more than 1 Federal or State agency charged with law enforcement responsibility;

(2) identify and examine the conditions that allow the investigation or arrest of an individual to be claimed or reported by the Offices of Inspectors General and any other Federal agency charged with law enforcement responsibility;

(3) examine the statistics reported by Federal law enforcement agencies, and document those instances in which more than 1 agency, bureau, or office claimed or reported the same investigation or arrest during the years 1998 through 2001;

(4) examine the issue of Federal agencies simultaneously claiming arrest credit for in-custody situations that have already occurred pursuant to a State or local agency arrest situation during the years 1998 through 2001;

(5) examine the issue of how such statistics are used for administrative and management purposes;

(6) set forth a comprehensive definition of the terms ''investigation'' and ''arrest'' as those terms apply to Federal agencies charged with law enforcement responsibilities; and

(7) include recommendations, that when implemented, would eliminate unwarranted and duplicative reporting of investigation and arrest statistics by all Federal agencies charged with law enforcement responsibilities.

(c) FEDERAL AGENCY COMPLIANCE.—Federal law enforcement agencies shall comply with requests made by the General Accounting Office for information that is necessary to assist in preparing the report required by this section.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. ALLOWING DISCIPLINARY SUSPENSIONS OF MEMBERS OF THE SENIOR EXECUTIVE SERVICE FOR 14 DAYS OR LESS.

Section 7542 of title 5, United States Code, is amended by striking ''for more than 14 days''.

S. 1974—SECTION-BY-SECTION ANALYSIS

TITLE I

Title I of this bill provides for improved Department of Justice and Congressional oversight of the FBI by ensuring that the Department of Justice Office of the Inspector General, ''OIG'', is authorized to investigate allegations of misconduct at the FBI and requiring a report to the Judiciary Committees on how the OIG carries out this new authority. This title is consistent with provisions in the DOJ Authorization Act, S. 1319/H.R. 2215, which have passed the Senate by unanimous consent.

Section 101. Authority of Department of Justice Inspector General

This section would amend Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) to provide explicit statutory authority for the OIG to investigate all allegations of criminal or administrative misconduct by DOJ employees, including FBI personnel. The OIG is also authorized to refer certain matters to the FBI Office of Professional Responsibility or to the internal affairs office of the appropriate component of the Department. The Attorney General is directed to promulgate regulations implementing this OIG authority.

For many years, the FBI was excluded from OIG jurisdiction and the FBI's own internal Office of Professional Responsibility had sole authority to investigate FBI personnel misconduct, unless the Attorney General made an exception. The FBI's exclusive domain to investigate its own misconduct was unique in the Department and created the appearance of a conflict of interest. On July 11, 2001, Attorney General Ashcroft issued a new rule expanding the OIG's jurisdiction over the FBI. This section is consistent with, and codifies, the Attorney General's new rule.

Section 102. Review of the Department of Justice

To ensure that the OIG has the necessary structure and resources to effectively assume its new jurisdiction over the FBI and that the Congress is fully informed of such needs, this subsection requires the Inspector General to: 1. appoint an official to help supervise and coordinate oversight operations and programs of the FBI during the transition period; 2. conduct a comprehensive study of the FBI and report back to the Judiciary Committees with a plan for auditing and evaluating various parts of FBI, including information technology, and for effective continued OIG oversight; and 3. report back to the Judiciary Committee on whether an Inspector General for the FBI should be established.

TITLE II

This title of the bill amends Title 5, U.S.C. §2303, to enhance the whistle blower protection provided to FBI employees and protect them from retaliation.

Section 201. Providing whistle blower protection for FBI employees

Section 2303 of title 5, United States Code, is amended to expand the types of disclosures that trigger whistle blower protections by protecting disclosures, which the employee ''reasonably believes'' evidences misconduct, to the OIG, the Congress, a supervisor of the employee, or the Special Counsel (an office of the Merit Systems Protection Board, ''MSPB'', provided for by 5 U.S.C. §1214). The amendment would also ensure that the procedural protections of the Administrative Procedure Act, including but not limited to 5 U.S.C. sections 554–57 and 701–706, would be followed in cases where a complaint of retaliation was made by an FBI employee. These procedural protections include, among other things, an impartial decision maker and decision based on the ''record'' of any proceedings without ex parte contacts and judicial review as provided. Current laws and regulations which allow for the protection of classified material would also be available for such proceedings in appropriate situations. The amendment, in new subsection (c), provides an individual right of action as provided under Chapter 12 of Title 5 before the MSPB. The amendment, in new subsection (d), requires the Attorney General to prescribe regulations to ensure that the title is enforced at the FBI.

TITLE III

Title III requires the FBI to establish a career security program to enhance the internal security of the FBI and ensure that appropriate management tools and resources are devoted to that task. Security professional career development requirements would be modeled generally on the statutory Department of Defense Acquisition Career Program.

Sections 301–305. Establishing and defining career security program

Section 301 requires the Attorney General to establish policies and procedures for career management of FBI security personnel. Section 302 authorizes the Attorney General to delegate to the FBI Director the Attorney General's duties with respect to the FBI security workforce. Section 303 directs the FBI Director to appoint a Security Director, who, under Section 304, would chair a security career program board to advise in managing hiring, training, education, and career development. Section 305 directs the FBI Director to designate certain positions as security positions, with responsibility for personnel security and access control, information systems security, information assurance, physical security, technical surveillance countermeasures, operational, program and industrial security, and information security and classification management.

Sections 306–309. Career development and training

Section 306 requires that career paths to senior positions would be published. FBI Special Agents would not have preference for a security position, and no positions would be restricted to Special Agents unless the Attorney General makes a special determination. All FBI personnel would have the opportunity to acquire the education, training and experience needed for senior security positions. The Attorney General would ensure that policies are designed to select the best qualified individuals, consistent with other applicable law. Consideration would also be given to the need for a balanced workforce.

Section 307 would direct that education, training, and experience requirements would be established for each position. Before assignment as manager or deputy manager of a

significant security program, a person would have to complete a security program management course accredited by the Joint DoD-Intelligence Security Training Consortium or determined to be comparable by the Director, and have 6 years security experience including 2 years in a similar program. Section 308 directs the Director, in consultation with the DCI and Secretary of Defense, to establish education and training programs for FBI security personnel that are, to the maximum extent practical, uniform with Intelligence and DoD programs. Section 309 sets forth the process for approval of requirements set forth under section 307.

TITLE IV

This title would require the Attorney General to establish an FBI Counterintelligence Polygraph Program for personnel in exceptionally sensitive positions that reflects the results of a pending National Academy of Sciences review of the validity of the polygraph, within 6 months after publication of that review. The regulations would be prescribed in accordance with the Administrative Procedures Act. A similar requirement for the Department of Energy was passed in the latest Defense Authorization Act.

Sections 401–404. Definitions, establishment of program, regulations, report

Section 402 requires the establishment of a counterintelligence screening polygraph program consisting of periodic polygraph examinations of employees and contractors with access to sensitive compartmented information, special access program information, on restricted data. This program shall be established within 6 months of the publication of the results of the report of the Committee to Review the Scientific Evidence on the Polygraph of the National Academy of Sciences. Section 403 directs that the program have procedures that address ''false positive'' results and ensure quality assurance and control in accordance with guidance from the DoD Polygraph Institute and the DCI. No adverse personnel action could be taken solely by reason of physiological reactions on an exam without further investigation and personal decision by the Director. Employees could have prompt access to unclassified reports on their exams that relate to adverse personnel action. Section 404 requires a report within 9 months of the enactment of the Act on any further legislative action appropriate in the personnel security area.

TITLE V

This title provides statutory authorization for an already existing FBI police force that protects FBI buildings and adjacent streets. Currently, the FBI police suffers from a high rate of turnover due to lower pay and fewer benefits than the Uniformed Division of Secret Service or Capitol and Supreme Court police. This title would close the disparity.

Sections 501–503. Definitions; establishment; authority of metropolitan police

Section 501 defines the terms ''Director,'' ''FBI buildings and grounds,'' and ''FBI police'' as used in the title. Section 502 authorizes the FBI Director to establish the FBI police, subject to the Attorney General's supervision, to protect persons and property within FBI buildings and grounds, including adjacent streets and sidewalks within 500 feet. FBI buildings and grounds would include any building occupied by the FBI and subject to FBI supervision and control, the land on which such building is situated, and enclosed passageways connecting such buildings. FBI police would be uniformed representatives of the FBI with authority to make arrests and otherwise enforce federal and D.C. laws, carry firearms, prevent breaches of the peace, suppress unlawful affrays and unlawful assemblies, and hold the same powers as sheriffs and constables. FBI police would not have authority to serve civil process. Pay and benefits would be equivalent to pay and benefits for the Secret Service Uniformed Division. Section 503 provides that the authority of the Washington, D.C. Metropolitan Police would not be affected by this title.

TITLE VI

This title requires two separate reports by the Attorney General and one by the General Accounting Office.

Section 601. FBI authority and mission

Section 601 requires the Attorney General to submit a report to Congress on the legal authority for FBI programs and activities, identifying those that have express statutory authority and those that do not. The FBI does not have a statutory charter. One was proposed in 1979 but never enacted. Many FBI functions including its national intelligence and counterintelligence activities are authorized by Executive order rather than by statute. This section also requires the Attorney General to recommend the criminal statutes for which the FBI should have investigative responsibility, whether the authority for any FBI program or activity should be modified or repealed, whether the FBI should have express statutory authority for any program or activity for which it does not currently have such authority, and whether the FBI should have authority for any new program or activity.

Section 602. FBI information management

Section 602 requires the Attorney General to submit a report on FBI information management and technology, including whether the authority is needed to waive normal procurement regulations. The report would provide the results of pending Justice Management Council studies and Inspector General audits and submitting a 10-point plan for improving FBI information management and technology to ensure that 1. appropriate FBI technology management positions are filled by personnel with commercial sector experience, 2. access to the most sensitive information is audited so that suspicious activity is subject to near contemporaneous review, 3. critical information systems employ a public key infrastructure, 4. security features are tested by the National Security Agency, 5. FBI employees receive annual instruction in records and information management, 6. a research and development reserve is established, 7. undue requirements for less costly software purchases are eliminated, 8. contracting with an expert technology partner is considered, 9. procedures are instituted to procure through contracts of other agencies as necessary, and 10. system upgrades are tested before operational deployment.

Section 603. GAO report on crime statistics reporting

Section 603 requires the General Accounting Office to report on how crime statistics are reported and used by Federal law enforcement agencies. Specifically, the report would identify policies that allow a case to be claimed or reported by more than one law enforcement agency, the conditions that allow such reporting to occur, the number of such cases reported during a 4-year period, similar multiple claims of credit for arrests, the use of such statistics for administrative and management purposes, and relevant definitions. The report would include recommendations for how to eliminate unwarranted and duplicative reporting. Federal law enforcement agencies would be required to comply with GAO requests for information necessary to prepare the report.

TITLE VII

This title would address the issue of the ''double standard'' in the FBI, to prevent lower level employees from being more harshly disciplined than senior FBI officials. Section 7542 of title 5, United States Code, would be amended to allow disciplinary suspensions of SES members for 14 days or less, as is the case for other federal personnel. Current law provides only for suspension ''for more than 14 days.''

Section 702. Allowing disciplinary suspensions of members of the senior executive service for 14 days or less

This section would lift the minimum of 14 days suspension that applies in the FBI's SES disciplinary cases and thereby provide additional options for discipline in SES cases and encourage equality of treatment. The current inflexibility of disciplinary options applicable to SES officials was cited at a Senate Judiciary Committee oversight hearing in July, 2001, as one underlying reason for the ''double standard'' in FBI discipline. In effect, those deciding the discipline of SES employees are often left with the choice of an overly harsh penalty or no penalty at all—so they decide not to impose any meaningful disciplinary action.

Mr. GRASSLEY. Madam President, I am pleased to introduce with Senator LEAHY a bill to reform the FBI. For almost a decade I have been engaged in FBI oversight and during that time I have seen numerous scandals and coverups. While Director Mueller is working to address these problems, Congress also has a role to play in the overhaul of the FBI. The FBI reform bill is designed to address the accountability problems that have plagued the FBI for years. The bill expands the Department of Justice Inspector General's jurisdiction, protects FBI whistleblowers, creates an FBI Security Career program and a Counterintelligence Polygraph program, enhances the FBI police force, and mandates various reports by the Attorney General.

I have advocated some of these measures, particularly those dealing with protecting whistleblowers and expanding the jurisdiction of the DOJ Inspector General's Office to include the FBI. Let me provide some more detail about the most important provisions in the bill.

In the past the FBI's own internal Office of Professional Responsibility was tasked with the sole authority to investigate the misconduct of FBI personnel. Clearly this constitutes a conflict of interest. In fact, no other area of the Department of Justice maintains this type of accountability system.

Last summer, Attorney General Ashcroft issued an order which changed that situation by expanding the jurisdiction of the Department of Justice Office of Inspector General to encompass both the FBI and the DEA. Specifically, the order gave the DOJ Inspector General primary jurisdiction over allegations of misconduct against employees of the FBI and DEA. Previously, the Inspector General could not initiate an investigation within the FBI or the DEA, without receiving permission from the Deputy Attorney General. I commended Attorney General Ashcroft's order because I had been saying for many years that the FBI should not be allowed to police

itself. I was encouraged that the establishment of a free and independent oversight entity would have a beneficial impact on the FBI's management culture.

The bill codifies the Attorney General's order making it a permanent fixture in the plan to reform the FBI. Specifically, the bill provides statutory authority for the DOJ Office of Inspector General to investigate all allegations of criminal and administrative misconduct by DOJ employees, including those in the FBI and the DEA. However, it does not abolish the FBI's Office of Professional Responsibility, OPR, but rather gives the DOJ Inspector General discretion to refer certain investigations to the FBI OPR. Because the FBI OPR is particularly good at investigating certain types of low level offenses, it is good that the Inspector General will have this discretion.

The bill also contains much needed protections for FBI whistleblowers. As many of you know, I believe that good government requires that the brave men and women who blow the whistle on wrongdoing be protected. I have been an active champion of the rights of federal whistleblowers since 1983. This is because of my strong belief that disclosures of wrongdoing by whistleblowers are an integral part of our system of checks and balances. Whistleblowers ensure that waste, fraud, and abuse are brought to light. Whistleblowers play a critical role in ensuring that public health and safety problems are exposed.

I truly believe that reform at the FBI will only occur when FBI employees feel free to blow the whistle on wrongdoing. Since the FBI was excluded from the Whistleblower Protection Act I have been concerned about the retaliation that is often perpetrated against whistleblowers at the FBI, such as Dr. Fred Whitehurst, who speak out about abuses and problems with the system.

So, the bill gives FBI whistleblowers the same rights and protections that other Federal employees currently possess. When FBI employees are retaliated against for blowing the whistle, they can avail themselves of all the protections afforded them by the Whistleblower Protection Act.

Since the FBI has made the fight against terrorism its top priority, many would be FBI whistleblowers may blow the whistle on wrongdoing that involves national security issues. Because of the need to keep that information secure, the bill directs the Attorney General to formulate regulations to provide specific protections for these employees consistent with the relevant portions of the WPA and the Administrative Procedures Act.

Our FBI reform bill addresses several other issues that contribute to the FBI's culture of arrogance. I have believed for a long time that one of the biggest contributors to this culture is the cumbersome and unwieldy jurisdiction of the FBI. The Bureau currently investigates over 300 different federal offenses, which are divided between violent crime, white collar crime, organized crime, drugs, national security, and civil rights. Contained within these areas are numerous instances of concurrent or overlapping jurisdiction with other Federal law enforcement agencies.

Despite having what many would describe as an already overburdened array of jurisdiction, the FBI has established a campaign of jurisdictional encroachment. This ''Pacman'' philosophy of the Bureau's past has only served to feed the culture of arrogance. I pointed this problem out to the DOJ and was pleased to hear of the Attorney General and the FBI Director's intention to put a stop to that ''Pacman'' mentality and limit the FBI's investigatory scope.

But, this will be a complex issue. Just as Congress has been complicit in the FBI's expansion, we will need to be involved in the divestiture. The Department of Justice's Strategic Plan states that the FBI will focus on building and maintaining its utmost capacity to detect, deter, counter, and prevent terrorist activity. The plan also encourages the FBI to promote and, when available, use new legislation and authorities to conduct investigations of terrorist incidents.

It is ironic that in light of this, the FBI continues to view many violations that it has traditionally investigated as being of strategic importance. Why are environmental crimes, health care fraud, bank robbery, telemarketing and financial institution fraud, computer intrusions, intellectual property crimes, and credit card fraud still viewed by the FBI as of strategic importance? I understand that terrorism investigations could potentially involve any one, or a number, of the above violations, but there are many other Federal regulatory and investigative agencies that have established historic expertise in these same program areas.

In its reorganization, the FBI needs to scale back on some of its law enforcement activities which are duplicated by other Federal and state agencies. The Bureau needs to completely jettison some of these areas, but in other areas the Bureau could simply take a secondary role, allowing another agency to take the lead. It is my hope that by scaling back on certain FBI investigative activities, the FBI will send a positive signal in dealing with its counterparts in state, local, and federal government.

To assist in cutting back on the FBI's jurisdiction, the bill directs the Attorney General to report to Congress on the legal authority for FBI programs and activities, identifying those that have express statutory authority and those that don't. The bill also requires the Attorney General to recommend what criminal statutes he believes the FBI should have investigative responsibility for. This report will help Congress, as we continue to address the FBI's culture of arrogance.

Another issue that contributes to the FBI's culture of arrogance is the collection, use, and reporting of crime statistics. It is often the case in Federal law enforcement that several agencies will claim credit for a single arrest. This double and triple counting of arrests leads to an inflation of statistics that often misrepresents the actual work load of the various agencies. This is a problem because these statistics are used by federal law enforcement agencies, including the FBI, to justify increases in their funding.

To get a handle on the exact nature and extent of this problem, our bill directs the GAO to conduct a review of how crime and investigation statistics are reported and used by Federal law enforcement agencies. This report will assist us in future legislation on this issue.

There are many more reforms contained in our FBI reform bill, but there is just one more that I want to focus on today. This reform is a change in the way employees of the Senior Executive Service are punished.

Last summer, four exceptional and courageous FBI agents alerted the Judiciary Committee to the fact that there exists a gross inequality in the way Senior Executive Service (SES) employees of the FBI and rank and file agents are disciplined. SES employees are given a slap on the wrist for their infractions, while the rank and file agents are often punished to the letter of the law. This issue was further exposed by a GAO report on the investigation of the Larry Potts Retirement Dinner scandal. That report reemphasized what had been reveled in the FBI Law Enforcement Ethics Unit's position paper, ''FBI SES Accountability, a Higher Standard or a Double Standard.'' These two reports document the existence of a double standard.

I was glad to see that former Director Freeh abolished the SES Review Board, but I'm not sure it was a sufficient change for a culture that has historically treated SES employees with kid gloves.

So our FBI Reform bill attempts to address this problem by providing some flexibility in how SES employees can be punished. The Senate Judiciary Committee has heard repeatedly that this inflexibility is one of the main causes for the inequality in punishment at the FBI. Currently, the minimum suspension that SES employees can receive is 14 days, to the Bureau's management is often left with the choice of an overly harsh penalty or no penalty at all—so often they decide not to impose any meaningful disciplinary action.

Specifically, our bill would lift the 14-day minimum suspension for SES disciplinary cases to provide for additional options in disciplining senior executive employees. Hopefully, this change will help to remedy this double standard.

In conclusion, I urge my colleagues to support this bill to foster reform in the FBI. The Bureau is crucial in the war on terrorism. Let's fix the problems we have helped to create, so that the FBI can again be he best at what it does.

By Mrs. FEINSTEIN (for herself, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. JEFFORDS, Mrs. CLINTON, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. SNOWE, Mrs. BOXER, Ms. COLLINS, Ms. LANDRIEU, Mr. CHAFEE, Mrs. MURRAY, Mrs. LINCOLN, Ms. STABENOW, Ms. CANTWELL, Mrs. CARNAHAN, Mr. SCHUMER, Mr. TORRICELLI, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. REED, Mr. BREAUX, Mr. CORZINE, Mr. LEAHY, Mr. REID, Mr. KERRY, Mr. NELSON of Florida, Mr. GRAHAM, and Mr. DODD):

S. 1976. A bill to provide for a comprehensive Federal effort relating to treatments for, and the prevention of cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the National Cancer Act of 2002. This bill is co-sponsored by Senators GORDON SMITH, DASCHLE, JEFFORDS, CLINTON, HUTCHISON, MIKULSKI, SNOWE, BOXER, COLLINS, LANDRIEU, CHAFEE, MURRAY, LINCOLN, STABENOW, CANTWELL, CARNAHAN, SCHUMER, TORRICELLI, BEN NELSON, JOHNSON, REED, BREAUX, CORZINE, LEAHY, REID, KERRY, and BILL NELSON.

Today, cancer is the Nation's second cause of death, trailing heart disease. Over the next 30 years, cancer will surpass heart disease and become the leading cause of death as the baby boomers age.

This bill represents a comprehensive national battle plan to reenergize the Nation's war on cancer, a war begun when President Richard Nixon on January 22, 1971 proposed to Congress that we launch a war on cancer.

That commitment was a critical first step. But it is clear that we must take further steps to address the scourge of cancer in every respect.

The bill we are introducing today is the product of more than 3 years and hundreds of hours of work.

I am the vice-chair of the National Dialogue on Cancer. In discussions with cancer experts from this group, it became clear to me that the National Cancer Act of 1971 was out of date.

We are now in the genomic era, on the cusp of discoveries and cures that we could only have dreamed about in 1971. The science of cancer has advanced dramatically with the revolution in molecular and cellular biology creating unprecedented opportunities for understanding how genetics, environmental risk factors, and lifestyle factors relate to cancer. The explosion in knowledge about the human genome and molecular biology will enable scientists to better target cancer drugs.

I believe the opportunity for new drugs is so bright, we might well find a cure for cancer in my lifetime.

With these advances, I thought it was time to update the National Cancer Act of 1971 to reflect these advances in science.

I asked John Seffrin, CEO of the American Cancer Society, and Dr. Vincent DeVita, Director of the Yale Cancer Center, to form a special committee of cancer experts to provide recommendations on a battle plan to conquer cancer.

The committee produced an ambitious plan and what I tried to do was take the most important components, given the current budget situation, and develop a piece of legislation that could pass the Senate.

On November 7, 2001, President George Bush commended the work of the committee when he wrote, ''The journey ahead will not be easy. But 30 years ago, no one would have imagined coming as far as we have. Working together, we will take the next steps necessary to defeat this deadly disease.'' I invite him today to join me in taking these steps.

Finding a cure for cancer is a very personal goal. I lost both my father, Leon Goldman, and my husband, Bert Feinstein, to cancer. I saw its ravages firsthand, and I experienced the frustrations, the difficulties, and the loneliness that people suffer when a loved-one has cancer. I determined that I would do all I could to reduce the number of people who go through this devastating experience.

And it is my great hope that this legislation will help do just that, and enable us to find a cure for cancer in my lifetime.

This may in fact be the most important thing I do in the Senate.

There are several reasons we need a major attack on cancer. Much has changed since 1971. The way we prevent, diagnose, treat, conduct research, and understand cancer has changed dramatically.

Cancer is a disease of aging and as the American population ages, cancer incidence will grow by 29 percent by 2010 and cancer deaths by 25 percent. The number of Americans over age 65 will double in the next 30 years.

Since 1971, survival rates for some cancers have improved, while others have not. More and more people live with cancer. Compared to 1971, twice as many people, 8.9 million in 1997, are living with a history of cancer.

Since 1971, more cancer care has moved from inpatient to outpatient settings. Some families find themselves virtually becoming nurses to their loved ones in their homes.

Since 1971, more research is collaborative, between the public and private sectors, and more cancer research requires a multi-disciplinary approach.

Since 1971, the biotechnology industry has blossomed and provided a broad array of new treatment options, promising even more innovations in cancer care.

Since 1971, computer technology and communications have expanded and increased in complexity, making the accessing and transmitting of information more widespread, more readily available and transforming research methodologies.

While the science of cancer has seen revolutionary change, there are still many gaps in the system, especially from the patient's perspective.

Just three months ago, the President's Cancer Panel in their report titled, Voices of a Broken System: Real People, Real Problems, told us that cancer is an ''equal opportunity'' killer, but if you are poor, uneducated, or isolated you are doubly disadvantaged in America. They said, ''Access to appropriate cancer care is the crucial fundamental step needed to relieve the desperate physical suffering, financial devastation, and loss of dignity so many people endure when cancer is diagnosed.''

Take cancer screening, for example. Cancer screening can reduce cancer mortality. While many screening tools have been developed, screening rates are still low, especially for colorectal cancer. Screening technologies have improved, but cancer screening rates vary by cancer site, by population group, and by health insurance coverage.

Another ''hole'' in the system: Fewer than 5 percent of adult cancer patients participate in cancer trials. Among the elderly, the population most likely to get cancer, only 3-4 percent participate. Drugs cannot be brought to patients without clinical trials.

The quality of cancer care is uneven and often based on the pure coincidence of where one lives. According to the President's Cancer Panel, ''People living in rural, frontier, geographically isolated and impoverished inner city areas suffer the most from the uneven distribution of cancer care resources and providers. . . .'' Many studies show that many cancer patients do not receive optimal care.

Additionally, the cancer care workforce will face severe shortages, particularly in long-term care settings.

The pipeline of medical researchers is threatened with, the number of young physicians entering medical research declining.

Over 44 million Americans have no health care insurance and those that do have uneven coverage. The President's Cancer Panel says that at least 31 million Americans have inadequate coverage.

The National Cancer Act of 2002 takes a multi-pronged approach to winning the war against cancer. Here's what the bill will do:

The advances in science that I spoke of earlier on the human genome and molecular biology have thus far produced medications that can target cancer cells and leave in tack healthy cells.

This legislation would enable the National Cancer Institute (NCI) to fund

up to 40 percent of grants over 5 years, up from the current level of 28 percent. Why is this important? The research is what will bring the cure.

NCI now funds 4,500 research project grants at nearly 600 institutions every year. This represents 28 percent of the 16,000 grant proposals NCI receives. NCI scientists think funding 40 percent will allow them to fund the most promising grants. At 28 percent, it does not happen.

Funding basic research is a full frontal assault on cancer, which will lead to more breakthroughs, more treatments, and ultimately, I believe, to a cure.

We now have drugs, like Gleevec for Chronic Myeloid Leukemia and Herceptin for breast cancer, that can target and destroy cancer cells while leaving healthy cells unharmed.

Patients, who were considered terminal, have taken Gleevec and were able to get out of their beds and leave the hospice within days of treatment. After one-year of clinical trials for Gleevec, 51 out of 54 patients were still doing well. With 4,500 Americans diagnosed with Chronic Myeloid Leukemia a year, the potential for this drug is tremendous.

And just this month, Gleevec was approved by the FDA to treat another cancer Gastrointestinal Stromal Tumors, suggesting that the potential for this drug may be even greater than we hope.

The bill authorizes funds for new and existing research centers to conduct translational, multidisciplinary cancer research, and to establish networks linking translational research centers to community cancer providers, hospitals, clinics, doctors' practices, particularly in underserved areas.

The purpose of this provision is to greatly accelerate the movement of basic research to the patient, from the ''bench to the bedside,'' so that we can conduct more clinical trials.

Clinical trials test the safety and efficacy of drugs, devices or new medical techniques. They are required for FDA approval. These trials require thousands of participating people to help determine if drugs are safe and effective.

But clinical trials are expensive. They involve many people, who often have to travel to a cancer center; they involve staff time and careful monitoring and recordkeeping. The drug industry says it costs on average $500 million to develop a drug; a November 2001 Tufts University study puts the cost at $800 million. Whatever it is, it is expensive.

The bill includes several steps to expand clinical trials, those research projects that require thousands of people to determine whether new drugs are safe and effective.

First, the bill will provide $100 million per year for new grants for what is called ''translational'' research, work that moves promising drugs from the ''bench to the bedside.''

Right now, there are many new drugs under development that are stuck, as though in a funnel, because we have not put the resources into having the people-based research to test those drugs. There are approximately 400 new drugs that are held up in the development process because the resources are not available to fund clinical research to test those drugs.

For every one drug approved, 5,000 to 10,000 were initially considered. The entire process can take as long as 15 years. NCLAC said it takes 12 to 14 years to bring one drug from discovery to patients.

Second, the bill will require insurers to pay the routine or non-research costs for people to participate in clinical trials, while the drug sponsor would continue to pay the research costs. California already requires this coverage by private insurers.

Third, the bill requires the National Cancer Institute to establish a program to recruit patients and doctors to participate in clinical trials. Dr. Robert Comis, President of the Coalition of National Cancer Cooperative Groups, has said that eight out of ten cancer patients do not consider participating in a clinical trial. They are unaware that they might have the option. He also has found that physician involvement is key.

We must work all we can to make both physicians and patients more aware of the importance of participating.

Currently, only 4 to 5 percent of adult cancer patients participate in clinical cancer trials. But Research America polls found that 61 percent of Americans would participate in a clinical trial.

We should heed the example of what is called the ''pediatric model.'' Over 60 percent of children with cancer participate in clinical trials. Children in these trials get optimal care, with an overall physician manager or ''quarterback.'' The five-year survival rates for children with cancer have increased significantly.

In the 1960s, childhood leukemia could not be cured. It was a death sentence. Today, 70 percent of children with acute lymphoblastic leukemia enter remission. This is but one example of the power and importance of clinical trials. An investigational treatment yesterday is standard treatment today.

Only by injecting new funding into cancer research will we enable cancer researchers to conduct the trials that are necessary to bring promising new drugs to market.

Scientists say we will stop defining cancer by body part, like breast cancer or prostate cancer. Because everyday we are understanding better the genetic basis of cancer and can focus drugs on molecular targets, we may have, for example, 50 different kinds of breast cancer, defined by their genetic basis. As NCI's Dr. Rabson has said, ''As we've come to understand the molecular signatures of cancer cells, we can classify tumors according to their genetic characteristics.''

This means that we need to create incentives to encourage companies to make these targeted drugs because as we redefine cancer, we will have smaller numbers of people who have that particular kind of breast cancer. Companies are often reluctant to make drugs for small patient populations.

This legislation would provide tax and marketing incentives to encourage pharmaceutical companies to produce ''orphan drugs,'' or drugs targeted to small patient populations.

Beginning with Gleevec and continuing into the future, drugs will target a narrow genetic or cellular mutation.

While this holds great promise for patients, it also means that the number of treatments will proliferate, thereby segmenting cancer patients into smaller and smaller populations. In some cases, this will mean that pharmaceutical companies—for strictly financial reasons—may not want to produce a given drug.

This provision would create incentives for those companies to produce and market the drugs targeted to patient populations of less than 200,000.

The impact: This will help to ensure that patients receive the highest quality care, even when the number of people faced with a particular type of cancer is small.

The bill will create a new initiative to train more cancer researchers. Specifically, it will (1) pay off the medical school loans of 100 physicians who commit to spend at least 3 years doing cancer research; and (2) boost the salaries of postdoctoral fellows from $28,000 to $45,000 per year over 5 years.

Every year, young physicians and researchers avoid the field of cancer research because, frankly, they feel they can make more money elsewhere. This provision will help reverse that trend and add thousands of men and women on the front lines of the fight.

The physician-scientist is endangered and essential, concluded a January 1999 study, showing that the number of first-time M.D. applicants for NIH research projects has been declining. The study, published in Science, said, ''. . . fewer young M.D.'s are interested in or perhaps prepared for careers as independent NIH-supported investigators.''

Young doctors and Ph.Ds do not want to go into cancer research because they can make more money elsewhere. Graduating physicians have medical school debt averaging $75,000 to $80,000. Because of the low pay to be a physician-scientist, these doctors cannot afford to go into research.

Postdoctoral fellows, who conduct the bulk of day-to-day research, receive pay that is neither commensurate with their education and skills nor adequate. To attract the best and the brightest to the field of cancer research, we need to pay them more than $28,000 to start.

The National Academy of Sciences in September 2000 called for increasing their compensation.

All too often having cancer is a lonely and frightening experience. Cancer patients have a team of doctors, from the primary care physician to the radiologist to the oncologist. Patients need one doctor to be in charge.

The Institute of Medicine told the Senate Cancer Coalition in our June 16, 1999 hearing that the care that cancer patients get is all too often just a matter of circumstance: ''. . . for many Americans with cancer, there is a wide gulf between what could be construed as the ideal and the reality of Americans' experience with cancer care . . . The ad hoc and fragmented cancer care system does not ensure access to care, lacks coordination, and is inefficient in its use of resources.'' The Institute of Medicine study on the uneven quality of health care says, ''Health care today is characterized by more to know, more to manage, more to watch, more to do, and more people involved in doing it than at any time in the nation's history.''

The bill will require plans to pay doctors, preferably oncologists, to become the overall managers of patients' care, what I call a ''quarterback physician,'' to be with the patient from diagnosis through treatment to prevent the patient from being forced to navigate the medical system alone.

I developed this concept after meeting Dr. Judy Schmidt, a solo-practicing oncologist from Montana. Dr. Schmidt cares for her patients from diagnosis to treatment, and she is really a model for doctors across the nation to emulate.

This ''quarterback physician'' would provide overall management of the patient's care among all the providers. Someone would be in charge. This provision could save money because good coordination can reduce hospitalization costs.

The bill also authorizes $8 million to the Agency for Health Care Research and Quality to convene cancer experts, providers, patients and other relevant experts to coordinate the development of practice guidelines for optimal cancer care, prevention, palliation, symptom management and end-of-life care.

People cannot get good health care if they have no way to pay for it, if insurance plans, public and private, do not cover the basics like screenings for cancer.

My bill will require public plans, like Medicare and Medicaid, and private insurance plans to cover five services important to good cancer care: (1) cancer screenings; (2) genetic testing and counseling for people at risk; (3) smoking cessation; and (4) nutrition counseling.

The coverage added by this bill is important to preventing cancer. Here's an example: On January 31, we read reports of a promising new screening test for colon cancer that can find extremely small traces of cancer in patients' stool, offering an entirely new approach to finding colon cancer, which kills 48,000 Americans annually and is often found too late to cure.

Mammograms, pelvic exams, reducing fat in the diet and stopping smoking—all of which could be enhanced by this bill—can stop cancer before it is too late.

Because too many Americans have no way to pay for their health care when cancer strikes and because seven percent of cancer patients are uninsured, the bill also requires the Institute of Medicine of the National Academy of Sciences to conduct a study of the feasibility and cost of providing Medicare coverage to individuals at any age who are diagnosed with cancer and have no other way to pay for their health care.

Medicare already covers care for people of any age who have End Stage Renal Disease and Amyotrophic Lateral Sclerosis, Lou Gehrig's Disease. This study could provide helpful guidance to the Congress.

Because no assault on cancer is complete without a strong cancer prevention component, the bill provides funds and requires the Centers and Disease Control and Prevention to prepare a model state cancer control and prevention program; expand the National Program of Comprehensive Cancer Control plans and to assist every state to develop a cancer prevention and control program.

The bill also authorizes $250 million to expand the Center for Disease Control and Prevention's breast and cervical cancer screening program and authorizes $50 million for CDC to begin screening programs for colorectal cancer.

Today, 16 states now have cancer plans and 16 states are creating or updating their plans. States could use these funds to promote cancer education and prevention, improve registries, study disparities and other uses.

Because of the aging of the American population, we face a virtual explosion of cancer in the coming 30 years. The number of cases will double. But the sad fact is that we do not have enough nurses and other health care professionals to take care of this expected rise in cancer patients.

My bill will provide $100 million for loans, grants and fellowships to train for the full range of cancer care providers, including nurses for all settings, allied health professionals, and physicians. The bill requires that these applicants have the intention to get a certificate, degree, or license and demonstrate a commitment to working in cancer care.

In nursing alone, those critical people on the front line of care, we face a national nursing shortage in virtually every setting, say many experts, which will peak in the next 10 to 15 years unless steps are taken. By 2020, the RN workforce will be 20 percent short of what is needed. My home state of California ranks 50th among registered nurses per capita.

And it's not just nurses. The Health Resources Services Administration says that the demand of health care professionals will grow at twice the rate of other occupations.

Cancer is primarily a disease of aging. As the baby boomers age, there will be more cancer. Cancer care is becoming more and more complex as technology improves. Skilled providers, from the nurse assistant to the oncologist are needed to administer the complex therapies. This bill should provide some help.

Cancer cannot be conquered without addressing smoking and the use of tobacco products. Smoking causes one-third of all cancers, and is the cause of approximately 165,000 deaths annually.

Over the past two decades, we have learned that tobacco companies have manipulated the level of nicotine in cigarettes to increase the number of people addicted to their product.

There are more than 40 chemicals in tobacco smoke that cause cancer in humans and animals, according to the CDC. Tobacco smoke has toxic components, as well as tar, carbon monoxide and other dangerous additives.

The cancer community is united in the belief that the single most important preventive measure is to place tobacco products under the regulatory control of the Food and Drug Administration (FDA).

It is long past time to reduce the addictive nature of cigarettes and curtail the marketing of these products to young people—I believe that empowering the FDA to regulate tobacco will help do that.

The U.S. Surgeon General and the Centers for Disease Control and Prevention have unequivocally demonstrated that, for example, anti-smoking campaigns can reduce smoking, a major cause of cancer.

California is a good example: My state started an aggressive tobacco control program in 1989 and throughout the 1990s, tobacco use dropped at two to three times faster than the rest of the country.

Ninety percent of adult smokers being before age 18 and every day, 3,000 young people become smokers.

This bill will provide meaningful regulation by the Food and Drug Administration of the content and marketing of tobacco products, especially the addicting and carcinogenic components. Dr. C. Everett Koop, former U.S. Surgeon General, and Dr. David Kessler, former Commissioner of the Food and Drug Administration, wrote in their 1997 report, cited FDA and other studies and said: ''Nicotine in cigarettes and smokeless tobacco has the same pharmacological effects as other drugs that FDA has traditionally regulated . . . nicotine is extremely addictive . . . and the vast majority of people who use nicotine-containing cigarettes and smokeless tobacco do so to satisfy their craving for the pharmacological effects of nicotine; that is, to satisfy their drug-dependence or addiction.''

They recommended: ''FDA should continue to have authority to regulate all areas of nicotine, as well as other constituents and ingredients, and that authority should be made completely explicit.''

I am pleased that to note that even the Philip Morris Companies has acknowledged the need for FDA to regulate tobacco. On their website, they say:

> We believe federal legislation that includes granting FDA authority to regulate tobacco products could effectively address many of the complex tobacco issues that concern the public, the public health community and us.

It is long past time to reduce the addictive nature of cigarettes and curtail the marketing of these products to young people. This bill gives FDA the power to regulate tobacco products' content, design, sale, and marketing.

The bill requires the NCI and the National Institute for Environmental Health Sciences to one or more strategic plans to intensify research in the following areas: quality of life for cancer patients and survivors; symptom management for patients and survivors; palliative care and pain management; health disparities for racial and ethnic minorities; cancer prevention; behavioral research associated with causing and preventing cancer; environmental risk factors for cancer and gene-environment interactions; new imaging and early detection technologies and methods; and cancer survivorship.

Patient advocates and others have called on NCI and other institutes to develop a broad and responsive portfolio.

Experts say we need to learn more about cancer survivorship. People used to die quickly of cancer, but today, more and more are living with cancer, as many as nine million Americans. Kathleen Foley of Memorial Sloan-Kettering Cancer Center said, ''While we work to cure the many types of cancer, nothing would have greater impact on the daily lives of cancer patients and their families than good symptom control and supportive therapy.'' Charles S. Cleeland, of the M.D. Anderson Cancer Center, said in the June 20, 2001 Washington Post, ''We need a new research agenda that focuses on alleviation of disease-related distress.'' The National Cancer Policy Board of the Institute of Medicine last year recommended that NCI conduct more research on palliative care.

This is an example of an area that needs more emphasis. While NCI's work has brought huge advances in understanding, preventing and treating cancer, there is no question that we could do more.

For eight years I have co-chaired the Senate Cancer Coalition. We have held eight hearings on cancer. With each hearing, I become more and more convinced that we can conquer cancer in my lifetime.

Polls by Research America show that the public wants their tax dollars spent on medical research and that in fact people will pay more in taxes for more medical research.

When Beatle George Harrison died in December of cancer, a Maryland nursery school teacher, Jennifer DeBernardis, said: ''All the fame and fortune and talent doesn't save you from something like cancer.'' Cancer impacts everyone. Everyone knows someone who has had cancer or will have cancer.

I am thoroughly convinced that if we just marshal the resources, we can conquer cancer in the 21st century. Let's begin. The road ahead is long and treacherous. But if we all work together, I honestly believe we can do it.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I am very pleased and honored to join Senator FEINSTEIN today to introduce this very important piece of legislation. Our country is very good at waging a winning war, but there is one more that we need to wage and win and that is the war on cancer.

I joined Senator FEINSTEIN as an original cosponsor of this for three reasons: First of all, because she asked me to. She is a person of remarkable leadership on this issue and so many more. Second, it was important to her and to me that the other cosponsor be a Republican because cancer is not a partisan issue. It attacks us both equally no matter how we register at the polls. This is one of those issues where truly we ought to be walking in lockstep together as Americans.

Finally, I know something of the pain that families experience through the contraction of cancer. As an honor and a tribute to my own mother, whom I recently lost to cancer, I cosponsor this legislation.

Oregon is a small State relatively—large geographically, but not in population—but cancer knows no boundaries as to States or as to countries. As we consider the statistics I can give, they apply to my State. In percentage terms, they would apply equally to every State. Truly, cancer is the second biggest killer in the State of Oregon, second only to heart disease. And at current rates, it will soon surpass that. This is a war we have to win.

There are 18,000 new cases of cancer diagnosed among Oregonians every year. That is about 50 a day. On average, 19 Oregonians die from cancer every day. Breast cancer is the most common form of diagnosed cancer in my State. Nine women every day hear the dreaded words: You have breast cancer. And every day, one family in Oregon will lose a family member to breast cancer. Every 3 days, a child in Oregon is told that he or she has cancer. I could go on. The statistics become rather numbing. But they are not unique to my State. That makes it all the more tragic that this is such a large and growing problem.

There is something we can do about it. I am proud to say that Senator FEINSTEIN has mentioned Dr. Druker of the Oregon Health Sciences University. He has, through his study of the genome, the genomic field, developed a promising new oral treatment for patients with chronic myeloid leukemia, a rare and life-threatening form of cancer. We met a wonderful woman yesterday who has been apparently cured on the basis of this drug. Gleevec is a target therapy based on new knowledge in this important area of research. It is hoped that future advances in cancer treatment will be equally as successful at targeting abnormalities with curative or less toxic drugs for cancer patients. This legislation will help us on this path.

In the interests of time, I will not review the details of our bill that Senator FEINSTEIN has so very ably and eloquently laid out. This is a good bill. This is a bill that should pass. It is expensive in dollar terms, but how can we put a pricetag on the health of the American people, on an issue as painful as this one?

Again, cancer is not a partisan disease.

I am proud today to cosponsor the National Cancer Act of 2002. I do so as a Republican, but more I do so as an American, and even more I do so as a member of the human family.

I yield the floor.

Mrs. CLINTON. Madam President, I rise today on behalf of legislation I am introducing along with Senator FEINSTEIN and others to help patients and their families around the country who are struggling against cancer.

It has been three decades since we declared war on cancer, and passed the National Cancer Act of 1971. And while we have many new weapons in our arsenal, new surgical techniques, new drugs like Gleevec, and new diagnostic tests to catch cancer in its early stages, the burden of this disease on our Nation is still devastating. One out of every two Americans will hear these devastating words sometime in their lives: ''you have cancer.'' It is the second leading cause of death in our country—surpassed only by heart disease, and it not only devastates the patient; it brings immeasurable pain into the lives of that person's family and friends.

Consider the statistic that 1,500 Americans die of cancer each day—that's 1 out of every 4 deaths attributable to cancer. And the new cases continue to mount. Last year in New York alone there were an estimated 83,200 new cases of cancer—including 14,200 cases of breast cancer and nearly 4,000 cases of Non-Hodgkin's Lymphoma.

Sadly, cancer has become a part of life for all American families. Thanks to research, early detection and treatment, cancer is not automatically a death sentence. It can be beaten. And it is even better to keep it from occurring in the first place. Our hope for this and future generations is this simple dream—that in the long fight against

this disease, some day we will ultimately win—that keeps so many patients and families going.

This bill we're introducing today can move us closer to making the dream a reality. It calls for: Recruiting talented medical experts by offering to cover the student loan payments of 100 physicians a year who agree to become cancer researchers; supporting the work of NCI Cancer centers like Memorial Sloan Kettering and Roswell Park in New York; improving cancer care by attracting and training health professionals to provide cancer care, to encourage cancer quarterbacks that can coordinate a patients care, and improving access to important cancer services such as screenings, smoking cessation therapy, genetic testing, and counseling about whether to undertake genetic testing.

While this legislation goes a long way to strengthening the biomedical research efforts, we will also be continuing to work with the States, communities, and public health institutions to educate the public about cancer prevention, to address the risk factors, and promote early intervention.

In the past, the phrase ''public health'' conjured up battles against infectious diseases like malaria or tuberculosis. Now with chronic diseases, such as heart disease and cancer, as the leading killers, we must think about ''public health'' in a new light, and fight carcinogens as well as pathogens.

For instance, this bill affirms FDA's authority over tobacco, the carcinogen that is responsible for 1 out of every 3 cancer deaths. Next week I will be chairing a hearing in the Subcommittee on Public Health to explore the need for better tracking of chronic disease and environmental exposure, so that we can identify and understand the connections between the environment and diseases like cancer.

I am a big believer in patient access to clinical trials. In the previous administration Medicare and Medicaid began covering the routine medical costs of participating in clinical trials, and I support extending that coverage to patients who have private insurance as well. The Senate-passed Patients' Bill of rights and the legislation we're introducing today takes steps toward allowing more cancer patients to participate in clinical trials that just might save their lives. I will continue fighting to strengthen this important cornerstone of patient care and scientific progress.

Our hope for this legislation and America's war on cancer is simple: to move cancer from the medical books to the history books. And to live in a world where no one has to hear the words, ''you have cancer,'' ever, ever again.

By Mr. THURMOND:

S. 1977. A bill to amend chapter 37 of title 28, United States Code, to provide for appointment of United States marshals by the Attorney General; to the Committee on the Judiciary.

Mr. THRUMOND. Madam President; I rise to introduce legislation that would improve the U.S. Marshals Service by making the U.S. Marshal at the district level a career position rather than a political one. This reform is long overdue and would create an improved management structure for the Marshal Service. This legislation would bring the Service in line with other Federal agencies that choose their top district and field officers by professional advancement, such as the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco and Firearms, and the Drug Enforcement Administration. As a result of this change, we will ensure that highly qualified and experienced individuals become U.S. Marshals. I encourage my colleagues to support this important reform, which would greatly improve the efficiency and effectiveness of the U.S. Marshals Service.

The U.S. Marshals Service is the oldest Federal law enforcement agency. While its most traditional role is assisting the Federal judges and witnesses and by transporting prisoners, it also plays a critical role in Federal law enforcement in other ways. For example, it is the primary Federal agency responsible for apprehending dangerous fugitives from justice, and it conducts many special operations for the Attorney General.

The management of the Marshals Service is unlike any other Federal law enforcement agency. While there is a national Director of the Marshals Service located in Arlington, VA, each judicial district has a U.S. Marshal that is appointed by the President and confirmed by the Senate. Consequently, the district U.S. Marshals are in reality independent and accountable only to the President. Eduardo Gonzalez, past Director of the U.S. Marshals Service, testified before the Senate Judiciary Committee in 1998 that neither the Director of the Marshals Service nor the Attorney General can directly discipline a U.S. Marshal. Rather, the President must specifically authorize the disciplinary action. Additionally, a House report that accompanied a similar reform bill from the 106th Congress stated that the Director of the Marshals Service is powerless to demote, suspend, or transfer a U.S. Marshal. The current system, therefore, undercuts the leadership capacity of the Director of the Marshals Service due to the political independence of the U.S. Marshals.

Each district also has the position of Chief Deputy Marshal, which is occupied by a career professional. The Chief Deputy Marshal assists the politically-appointed U.S. Marshal, who may have little or no experience in law enforcement, and provides continuity and leadership in the district offices. The Chief Deputy Marshals are vital to the operation of the field offices, providing stability during the comings and goings of U.S. Marshals. Due to the inexperience of many U.S. Marshals, the Chief Deputy Marshals have assumed critical roles in the operation of the field offices. In fact, the Marshals Service website states, ''The backbone of the Marshals Service has always been the individual Deputy Marshal.'' It is significant that the politically-appointed U.S. Marshal is not the ''backbone'' of the Service. Rather, the Deputy Marshal, who arrives at the position through career advancement, is the mainstay of the Marshals Service.

The Chief Deputies in turn have Supervisory Deputy U.S. Marshals to assist them with day-to-day activities. Due to the heavy turnover in leadership at the district level, there must be significant support for new and inexperienced U.S. Marshals. Therefore, the district level offices are heavily staffed. This situation results in an agency that is top heavy in management.

In an excellent book about the U.S. Marshals Service called ''The Lawmen'' by Frederick Calhoun, the author asserts that the Marshals Service is harmed by the process of appointing district marshals. He writes, ''The service remained too politicized. The presidential appointment of the U.S. marshals haunted the organization. It could never escape the taint of politics as long as its top district manager owed their appointments to political favors, not professional advancement.'' Mr. Calhoun recognized that because of the political appointment of the top field officers, career employees must walk a fine line between balancing their allegiances to the temporary U.S. Marshal and to headquarters. He goes on to say, ''The deputies dealt daily with their political supervisors, who controlled their work assignments and annual personnel evaluations, while they looked to headquarters for careers and promotions.''

The current organization of the Marshals Service not only causes political strains, but it is also structurally unsound. Wayne Colburn, Director of the U.S. Marshals Service in the early 1970s, argued that the agency functioned as a ''loosely organized group of ninety-four judicial districts'' due to the weakness of the Director. Mr. Colburn recognized that the management structure was flawed because the agency in effect had ninety-four directors who owed little allegiance to the national director. While Mr. Colburn's concerns were alleviated somewhat by the Marshals Service Act of 1988, which strengthened the policy-making powers of the Director, the Act did not go far enough. The Director has centralized authority, yet he is still extremely limited in his ability to make personnel and disciplinary decisions regarding the politically appointed U.S. Marshals. This situation is unacceptable in such an important Federal agency. We owe it to our Nation's oldest law enforcement organization to improve its structure and to make its operations more efficient.

I would like to point out that the U.S. Marshals Service has already

placed some of its most crucial functions under the management of the national office, thereby avoiding some of the problems that I have discussed so far. For example, the Witness Security Program, which ensures the safety of witnesses who testify for the government, is administered centrally by the Marshals Service. According to former Director Gonzalez's testimony before the Senate Judiciary Committee, the Witness Security Program's operation was changed because it was not functioning correctly at the district level. He said, ''Witness Security Inspectors assigned to the districts found they were attempting to serve two masters, the headquarters' Witness Security Program and the U.S. Marshal.'' This example of internal restructuring by the Service demonstrates the need for Congress to enact fundamental reform.

This reform legislation also has the potential to save taxpayer money. Mr. Gonzalez testified before the Senate Judiciary Committee that if the political selection of U.S. Marshals were ended, the Service would eliminate many field office positions. There would no longer be a need to provide the kind of support that is currently necessary to assist the political appointees, who often do not have the proper experience and expertise. A more streamlined management structure would save money and make operations more efficient. According to Mr. Gonzalez, the Marshals Service has estimated that this change would save over $10 million in the first three years.

Legislation to change the appointment process for district Marshals passed the house in 1997 but did not pass the Senate. That bill, as this one, essentially makes the change effective at the start of the upcoming four-year term for the President. This bill would be effective in January 2005, so that U.S. Marshals appointed by President Bush could complete the current four-year term of the Bush Administration.

It is important to recognize that many district U.S. Marshals who have served over the years have been distinguished public servants and are fine people. However, others had no experience in law enforcement and were not qualified to serve in these important positions.

For the benefit of the Marshals Service, I urge my colleagues to support this important reform measure. It is long overdue. Similar reforms have been supported by Presidential commissions under Presidents Howard Taft, Herbert Hoover, and Franklin Roosevelt. It is time that we professionalized one of our most important law enforcement agencies. We owe it to all those who have served honorably during the proud history of the U.S. Marshals Service, and we owe it to those who entrust their lives to the safekeeping of the U.S. Marshals.

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. 1977

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

SECTION 1. APPOINTMENTS OF UNITED STATES MARSHALS.

(a) SHORT TITLE.—This Act may be cited as the ''United States Marshals Service Reform Act of 2002''.

(b) APPOINTMENTS OF MARSHALS.—

(1) IN GENERAL.—Chapter 37 of title 28, United States Code, is amended—

(A) in section 561(c)—

(i) by striking ''The President shall appoint, by and with the advice and consent of the Senate,'' and inserting ''The Attorney General shall appoint''; and

(ii) by inserting ''United States marshals shall be appointed subject to the provisions of title 5 governing appointments in the competitive civil service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and pay rates.'' after the first sentence;

(B) by striking subsection (d) of section 561;

(C) by redesignating subsections (e), (f), (g), (h), and (i) of section 561 as subsections (d), (e), (f), (g), and (h), respectively; and

(D) by striking section 562.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 37 of title 28, United States Code, is amended by striking the item relating to section 562.

(c) MARSHALS IN OFFICE BEFORE EFFECTIVE DATE.—Notwithstanding the amendments made by this Act, each marshal appointed under chapter 37 of title 28, United States Code, before the effective date of this Act shall, unless that marshal resigns or is removed by the President, continue to perform the duties of that office until the expiration of that marshal's term and the appointment of a successor.

(d) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on January 20, 2005, and shall apply to appointments made on and after that date.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 213—CONDEMNING HUMAN RIGHTS VIOLATIONS IN CHECHNYA AND URGING A POLITICAL SOLUTION TO THE CONFLICT

Mr. WELLSTONE (for himself and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 213

Whereas the United States Department of State Country Reports on Human Rights for 2000 reports that the ''indiscriminate use of force by Russian government troops in Chechnya has resulted in widespread civilian casualties and the displacement of hundreds of thousands of persons'';

Whereas the United States Department of State Country Reports on Human Rights for 2000 reports that Russian forces continue to arbitrarily detain, torture, extrajudicially execute, extort, rape, and forcibly disappear people in Chechnya;

Whereas credible human rights groups within the Russian Federation and abroad report that Russian authorities have failed to launch thorough investigations into these abuses and have taken no significant steps toward ensuring that its high command has taken all necessary measures to prevent abuse;

Whereas there are credible reports of specific abuses by Russian soldiers in Chechnya, including in Alkhan-Yurt in 1999; Staropromysloviski and Aldi in 2000; Alkhan-Kala, Assinovskaia, and Sernovodsk in 2001; and Tsotsin-Yurt and Argun in 2002;

Whereas the Government of the Russian Federation has cracked down on independent media and threatened to revoke the license of RFE/RL, Incorporated, further limiting the ability to ascertain the extent of the crisis in Chechnya;

Whereas Chechen rebel forces are believed responsible for the assassinations of Chechen civil servants who cooperate with the Government of the Russian Federation, and the Chechen government of Aslan Maskhadov has failed unequivocally to condemn these and other human rights abuses or to distance itself from persons in Chechnya allegedly associated with such forces; and

Whereas the Department of State officially recognizes the grievous human rights abuses in Chechnya and the need to develop and implement a durable political solution: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the war on terrorism does not excuse, and is ultimately undermined by, abuses by Russian security forces against the civilian population in Chechnya;

(2) the Government of the Russian Federation and the elected leadership of the Chechen government, including President Aslan Maskhadov, should immediately seek a negotiated settlement to the conflict there;

(3) the President of the Russian Federation should—

(A) act immediately to end and to investigate human rights violations by Russian soldiers in Chechnya, and to initiate, where appropriate, prosecutions against those accused;

(B) provide secure and unimpeded access into and around Chechnya by international monitors and humanitarian organizations to report on the situation, investigate alleged atrocities, and distribute assistance; and

(C) ensure that refugees and displaced persons in the North Caucasus are registered in accordance with Russian and international law, receive adequate assistance, and are not forced against their will to return to Chechnya; and

(4) the President of the United States should—

(A) ensure that no security forces or intelligence units that are the recipients of United States assistance or participants in joint operations, exchanges, or training with United States or NATO forces, are implicated in abuses;

(B) seek specific information from the Government of the Russian Federation on investigations of reported human rights abuses in Chechnya and prosecutions against those individuals accused of those abuses;

(C) promote peace negotiations between the Government of the Russian Federation and the elected leadership of the Chechen government, including Aslan Maskhadov; and

(D) re-examine the status of Chechen refugees, especially widows and orphans, including consideration of the possible resettlement of such refugees in the United States.

Mr. WELLSTONE. Madam President, I rise today once again to draw attention to the suffering of people in

Chechnya. On behalf of myself and Senator BROWNBACK, I am submitting a resolution urging the Russian government to seek a negotiated settlement to the conflict there, to end human rights violations by Russian soldiers there, to investigate and initiate prosecutions against those accused, and to ensure that refugees receive the assistance they need. The resolution also urges President Bush to promote peace negotiations between the parties, to obtain assurances from the Russian government that no security forces who are recipients of U.S. assistance are implicated in human rights abuses and to seek specific information on the status of investigations into reported abuses.

The war in Chechnya has raged too long, and reports of egregious human rights violations by Russian soldiers continue to increase. Today, Human Rights Watch is releasing yet another report of such abuses, Swept Under: Torture, Forced Disappearances, and Extrajudicial Killings During Sweep Operations in Chechnya. Year after year we receive reports telling the same stories, yet nothing seems to change. Since September 11, Russian officials have argued more vigorously that they are fighting terrorism in Chechnya. Whether the Russian government believes this to be true or not is not the issue. What is clear is that Russia is acting illegally and immorally in Chechnya, and it must stop.

I want to talk briefly about the United States and our relationship to this war. As we increase our cooperation with various governments in the war on terrorism, we cannot condone some of the actions these friends are taking in the name of fighting terrorism.

Russia has been a key member of the anti-terrorist coalition since September 11. It has played a crucial role in our success in Afghanistan. I applaud and support this U.S.-Russian cooperation. But what is happening in Chechnya cannot be justified by the war on terrorism. Russian forces in Chechnya have acted illegally and with unspeakable brutality against the civilian population there. There continue to be credible reports of summary execution, mass detention, rape, torture, forced disappearance, arbitrary arrest and looting. The Russian government has so far refused to investigate such reports.

The Russian government believes it is fighting terrorism in Chechnya. In fact, it frequently compares the U.S. war on terrorism to its own efforts in Chechnya. But the world community must remind Russia's leaders that even in a war on terrorism, ends do not necessarily justify any means. A war against terrorism does not permit abuses against civilians. We must remind Russia that the war against terrorism is a struggle for freedom and democracy. Free and democratic nations do not round up boys and beat them so badly that they have to be carried home when the are finally released. They do not torture and rape women. Today as I read the reports of intensified human rights violations on a massive scale in Chechnya, as well as of Russia's refusal to investigate such reports and hold responsible individuals accountable, I have to question Russia's commitment to democratic norms and to internationally recognized human rights standards.

We have a moral duty not only to speak out against Russian atrocities in Chechnya, but also to ensure that we aren't unintentionally allowing them to continue. We must ensure that no security forces that are the recipients of U.S. assistance or participants in joint operations with the U.S. are implicated in human rights abuses in Chechnya. This resolution urges the President to provide that assurance.

It saddens me to speak once again about a war that has now entered its third year. It is a war that has been conducted with such brutality that it has been hard at times to imagine the situation getting worse. Unfortunately, it has gotten worse. The Russian government apparently has intensified its campaign against civilians in the name of fighting terrorism. When I met recently with the Chechen Foreign Minister, he made it clear to me that he believes the post-September 11 period will be remembered as one of the most savage times in Chechen history.

The New York Times reported recently that, according to Chechen police officials, Russian troops are killing civilians in a campaign of executions and looting that takes place alongside military operations aimed at destroying rebel forces. According to the article, Russian units roll into a town during the day to scout neighborhoods for residents who appear to have money or property worth stealing. Then, at night, the soldiers return in their tanks and burst into houses, stealing goods and killing witnesses. In one of the largest of Grozny's four districts, Chechen investigators have documented 17 cases in the last 12 months implicating Russian Interior Ministry troops in killing civilians during such looting.

Human Rights Watch and Amnesty International have both documented accounts of terrible human rights violations in Chechnya. Our own State Department Country Reports on Human Rights Practices reports the execution of at least 60 civilians last February in the suburbs of Grozny. It reports torture by police officers using electric shocks. It reports the rape of Chechen women by Russian soldiers. These are reports from 2000. The new report for 2001 will be released soon, and, sadly, no one expects it to be better.

There have been credible reports of human rights violations on both sides of the conflict in Chechnya. I condemn human rights violations by all parties, as does the resolution we offer today. Chechen rebel fighters have increasingly targeted for murder Chechen civilians they believe are cooperating with the Russian government. Human Rights Watch World Report for 2002 reports that Chechen fighters murdered at least 18 leaders of district and town administrations and at least five religious leaders, as well as numerous Chechen police officers, teachers and low ranking officials. There are extremist groups in Chechnya—some with ties to Arab extremist groups and possibly to al-Qaeda. I condemn all acts of terrorism, but what is happening in Chechnya is a human tragedy, and nothing justifies the often brutal use of violence by Russian soldiers there.

Credible reports estimate that the war in Chechnya from 1994–1996 left over 80,000 civilians dead. The State Department cities evidence that the current war has resulted in the deaths of thousands of innocent civilians. There is credible evidence of the displacement of nearly 40 percent of the civilian population, or close to 400,000 people. According to the American Committee for Peace in Chechnya, a group committed to finding a political solution to this conflict, a significant portion of the male population between the ages of 16–55 is simply gone.

Doctors without Borders reports that the humanitarian situation for an estimated 180,000 refugees in camps in the neighboring Republic of Ingushetia is deteriorating. The majority of the refugees are living with families, but over 60,000 people remain in tents, empty schools, and factory buildings. Shelter and sanitation facilities are poor, worn out and far below acceptable standards. Sometimes one latrine serves 100 people or more. The government of Russia also refuses to register the refugees, arguing they are economic migrants. Since these refugees are being accorded no legitimate status, they are often unable to get the humanitarian assistance they need. The resolution we offer today urges the Russian government to secure the distribution of humanitarian assistance and to register refugees as required by both Russian and international law.

The government of Russia must work to find a political solution to end the war in Chechnya. In must put a stop to human rights violations by its soldiers, hold those who are responsible accountable for their actions and ensure that refugees get the assistance they need. I urge my colleagues to support this resolution.

Again, this resolution, which Senator BROWNBACK from Kansas and I submit, urges the Russian Government to seek to negotiate a settlement to the conflict there. This deals with the suffering of the people in Chechnya, and it calls on the Russian Government to end human rights violations by Russian soldiers there, to investigate and initiate prosecution against those who are accused, and to ensure that refugees receive the assistance they need.

The resolution also urges President Bush to promote peace negotiations between the parties, to obtain assurances from the Russian Government that no security forces that are recipients of United States assistance are implicated in human rights abuses, and to seek specific information on the status of investigations into reported abuses.

Senator BROWNBACK and I submit this resolution timed with a report that Human Rights Watch is releasing today, which deals with these abuses. The title of the report is ''Swept Under: Torture, Forced Disappearances, and Extrajudicial Killings During Sweep Operations in Chechnya.''

I recommend that my colleagues and their staffs look at this report, which is deeply troubling.

I ask unanimous consent that a piece in the New York Times, written by Patrick Tyler, on January 25, 2002, be printed in the RECORD.

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

[From the New York Times, Jan. 25, 2002]

POLICE IN CHECHNYA ACCUSE RUSSIA'S TROOPS OF MURDER

(By Patrick E. Tyler)

ROZNY, Russia, Jan. 22.—Nearly two years after major hostilities ended here in Chechnya, the devastated republic in the Caucasus, Russian troops are killing civilians in a campaign of executions and looting that takes place alongside military operations aimed at destroying rebel forces, according to Chechen police officials.

Chechen police authorities working under the republic's pro-Russian government said in interviews over the past week that Russian Interior Ministry units, known by their acronym, Obron, have been scouting neighborhoods during mine-sweeping operations for residents who appear to have money or property worth stealing.

At night, the soldiers return in armored personnel carriers, some with identifying markings, and burst into the houses, stealing household goods and killing witnesses. Chechen police investigators say.

In the central Leninsky district of Grozny, skeletal shards of buildings teeter above a landscape of debris that evokes scenes from European cities destroyed in World War II. The rubble now lies sealed under a winter blanket of snow as thousands of Chechen families eke out an isolated existence in bomb-damaged homes.

In Leninsky, the largest of Grozny's four districts, Chechen investigators have documented 17 cases in the last 12 months implicating Interior Ministry troops in killing civilians during looting. One of the most notorious of the units is known as Obron–22, the Chechens say.

But in each case, military and civilian prosecutors have refused to bring criminal cases, the police said. Instead, the prosecutors set aside files as inactive or return them with demands to provide the names of soldiers involved.

''These units burst into people's houses on the pretext of 'mopping up' operations and commit murders,'' said Alvi Magomed-Mirzoyev, a police lieutenant colonel who returned to Grozny from Moscow a year ago to lead a criminal investigation department in Leninsky.

In Moscow, the Interior Ministry, the Defense Ministry and prosecutors were asked to comment on these allegations, but declined.

Chechen police authorities are drawing up a republic-wide list of unsolved killings of civilians in which federal forces have been implicated by witnesses, but which prosecutors have refused to pursue. One senior member of the Chechen administration in Grozny, taking a significant risk, provided documents on 163 such cases compiled under the heading, ''Some cases of detention by representatives of the federal forces of civilians who subsequently disappeared or were found dead.''

''These are the conditions we are living under,'' he said he handed over the document and disappeared into a police headquarters building where Chechen recruits are certified and inducted into a new force.

A typical case in the file is that of Magomed H. Vakhidov, 57, once mayor of Urus-Martan, just south of Grozny. He fled Chechnya when the second war with Russia broke out in September 1999; a year later he sought and received an amnesty to return home.

But at 3 a.m. on July 20, 2001, a squad of Russia soldiers fired smoke grenades into his home and then burst in and arrested him, according to the documents. Russian military authorities denied taking him into custody. On July 31, his body was found in the gardens of a state farm, badly mutilated from torture, electric shock, knife wounds and burns from a blow torch.

Russian officials routinely attribute such killings to ''rebels.'' But, as one Chechen police official noted, ''the rebels do not travel in armored personnel carriers.''

A number of unsolved cases relate to Chechen rebels who took advantage of amnesties issued by Moscow and by Russian military commanders.

In March 2000, after Russian forces had driven rebel forces from Grozny, Roman S. Bersanukayev, 19, turned himself in to the commander of Russia's 245th Rifle Regiment near Martan-Chu, near Urus-Martan.

When his relatives asked the local office of the Federal Security Service about his status, they were given a document showing that no criminal proceedings would be lodged against him. They also received an amnesty certificate signed by the Russian military commandant for the district, Y.A. Naumov. But Mr. Bersanukayev then disappeared from federal custody and is feared dead.

''I am an officer and I took an oath to Russia to uphold the law,'' said Colonel Magomed-Mirzoyev, the policeman, ''but I am sick and tired of being afraid and I hate the lawlessness that is going on here, and I want to do everything I can to bring it to an end.''

On a visit to Paris this month, President Vladimir V. Putin asserted that Russian troops committing acts of violence against Chechen civilians were being held accountable and that judicial and law enforcement organs were functioning normally. ''About 20 servicemen have already been brought to justice,'' he said.

By lending strong support to President Bush's war against terrorism, Mr. Putin has successfully blunted Western criticism of Russian conduct in Chechnya. Several governments have suggested that Russia had more justification for its actions than had been acknowledged.

But the situation on the ground has continued to fester.

Chechnya's top prosecutor, Vsevolod Chernov, said this week that 212 criminal cases based on reports of missing people had been opened in the last year. ''In some cases, the disappearance of people can be connected to special operations conducted by federal units,'' he said, but ''sufficient legally substantiated evidence'' was necessary to bring the cases to court.

Local police officials tell a different story. They say criminal cases sent to Mr. Chernov are technically open but are frozen by the inability of criminal investigators to interview Russian soldiers who may be witnesses or suspects involved in crimes against civilians.

The police investigators say that they have tried to gain access to Russian military units, but that they are afraid to approach Russian military prosecutors, who must approve any contact with federal soldiers.

The military prosecutors are housed at Russia's main military base, at Khankala, on the southeast edge of Grozny. The base is known to Chechens as a place where detainees are taken and sometimes never return.

''If the shelling of a civilian neighborhood involved federal servicemen, I wouldn't be able to send my investigator because he might not come back,'' Colonel Magomed-Mirzoyev said.

Earlier this month, a senior official of the new Chechen administration, Ruslan Yunusov, deputy minister of the Chechen Emergencies Ministry and a veteran of the Soviet military campaign in Afghanistan, was shot dead by federal troops in front of the Russian military police headquarters here when he tried to arrest Russian soldiers in an armored personnel carrier. The soldiers were suspected of wounding one of Mr. Yunusov's officers on Dec. 29.

Several high-profile cases against federal troops have been brought to court in the past year, like the murder trial of Col. Yuri Budanov, accused of the rape and murder of an 18-year-old Chechen woman in March 2000. The trial began nearly a year ago and has suffered numerous delays over demands for psychiatric evaluations by military officials to determine whether Colonel Budanov was temporarily insane when he strangled the woman in a fit of rage over the deaths of his comrades at the hands of rebels.

Chechen officials also point out that there appear to be no active investigations of reports of civilian massacres during the intense Russian military campaign that was begun in Chechnya by Mr. Putin after he became prime minister in 1999. That campaign followed incursions by armed men—Russia called them Islamic extremists—and terrorist attacks that left more than 300 dead in Moscow and other Russian cities.

A martial-style curfew is enforced so strictly here that ambulance service is halted at night, when lethal mayhem takes over. Russian forces hide in their fortified checkpoints as rebels creep into the city to shoot at them or to lay mines to blow up military convoys the next day.

In addition to reported abuses by Interior Ministry forces, regular Russian Army troops continue to inflict punitive raids on Chechen towns and villages, as they did earlier this month in Tsotsin-Yurt, just southeast of Grozny, after two suspected rebels fleeing federal forces took refuge in a house there on Dec. 30. The rebels were killed, and a large column of Russian armored forces surrounded the town.

Town residents said that over the next several days, soldiers seized young and middle-aged men from their homes and looted a number of houses, all in violation of military pledges made last year calling for Chechen authorities to be present to observe such ''mopping up'' operations.

Seven civilians died during the initial gun battle, town officials said, two of them after they were used as human shields by soldiers attacking the house where the suspected rebels holed up.

One of the men used as a shield was Idris Zakiyev, a 42-year-old tractor driver with four daughters. The other was Musa Ismailov, 43, an elder of the mosque who performed a traditional dance at Chechen funerals; he had five children.

''They were shot at short distance and their bodies showed signs of mutilation,'' said Ilyas Zakiyev, a brother of Idris.

Even now, weeks later, Russian units have blocked all roads into Tsotsin-Yurt and more than 15,000 residents are being held virtually as prisoners, forced to pay a bribe—amounting to a day's wages in many cases—to enter or leave. Entering Tsotsin-Yurt on Monday, this reporter saw Russian soldiers collecting these tolls from Chechen drivers passing the checkpoints.

Turko Aliev, 51, the chairman of the town elders' council, was among the first to meet with the Russian commander who ordered the assault on the town. The commander threatened to open an artillery attack in 30 minutes unless the elders sent the mayor out to meet him and to identify the seven corpses laid out before Russian news reporters as ''rebels.''

''I told him that was impossible because the mayor was in Grozny, but he replied, 'You now have 28 minutes,''' said Ilyas Zakiyev, who accompanied the elders.

At that moment, Mr. Aliev stepped forward as chairman of the council and identified the bodies of Idris Zakiyev and Mr. Ismailov, the mosque elder.

The town officials were allowed to take the two bodies away in a car, which Mr. Aliev said he drove through a gantlet of checkpoints where one Russian soldier stopped him and threatened to kill him.

''Where can we complain?'' asked Mr. Aliev, as he stood in a makeshift morgue at the town mosque to make the final grim accounting from the raid on the village: three bundles of tattered clothing that belonged to unidentified men blown up in a field on the edge of town.

Mr. WELLSTONE. Madam President, I will read 2 paragraphs:

In Leninsky, the largest of Grozny's four districts, Chechen investigators have documented 17 cases in the last 12 months implicating Interior Ministry troops in killing civilians during looting. One of the most notorious of the units is known as Obron-22, the Chechens say.

In the central Leninsky district of Grozny, skeletal shards of buildings teeter above the landscape of debris that evokes scenes from European cities destroyed in World War II. The rubble now lies sealed under a winter blanket of snow as thousands of Chechen families eke out an isolated existence in bomb-damaged homes.'

Let me summarize. The conclusions are as follows: It is the sense of the Senate that the war on terrorism does not excuse and is ultimately undermined by abuses by Russian security forces against civilians in Chechnya. It also is the sense of the Senate that Russia and Chechen leadership should seek a negotiated settlement. It is the sense of the Senate that Russian President Putin should: 1, end human rights violations, investigate them, and prosecute them; 2, provide secure access to international monitors and humanitarian organizations; and 3, ensure the registration of refugees and not force them to return against their will.

Finally, the sense of the Senate says President Bush should: 1, ensure no United States assistance goes to Russian units implicated in these abuses; 2, seek specific information on the status of investigations, or lack of investigations, of the human rights abuses; 3, promote peace negotiations; and 4, reexamine the status of Chechen refugees in regard to possible resettlement in the United States.

The reason we introduce this resolution today is, again, this very powerful report that came out by Human Rights Watch. I want the Russian Government to know, and I want the people in Chechnya and in Russia to know, that here on the floor of the Senate we are paying attention to what is happening.

I will send this resolution to the desk, and we will take steps to pass it, and I think there is strong support for this resolution in the Foreign Relations Committee. Most important is the message. The message is that we want to see an end to the terrorism, to the murder of innocent civilians. But, quite frankly, much of what the Russian Government is trying to excuse—all in the name of a war against terrorism—is, unfortunately, rape, torture, and murder of innocent people. That is not acceptable. That needs to be settled before the Senate and we need to pass this resolution.

SENATE CONCURRENT RESOLUTION 99—EXPRESSING THE SENSE OF THE CONGRESS THAT A COMMEMORATIVE STAMP SHOULD BE ISSUED HONORING FELIX OCTAVIUS CARR DARLEY

Mr. BIDEN (for himself and Mr. CARPER) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 99

Whereas Felix Octavius Carr Darley, a prolific 19th century illustrator and designer, was born on June 22, 1821, in Philadelphia, Pennsylvania, and completed most of his major works while living in Claymont, Delaware, before he died on March 27, 1888;

Whereas Darley was the illustrator for Washington Irving's ''The Legend of Sleepy Hollow'', ''Rip Van Winkle'', ''Tales of a Traveler'', and the five-volume ''Life of George Washington'';

Whereas Darley created the sketches for Henry Wadsworth Longfellow's ''Evangeline'', and was the illustrator for the American publications of Charles Dickens, including ''A Tale of Two Cities'';

Whereas Darley designed and executed the two woodcut illustrations for the first printing of Edgar Allen Poe's ''The Gold-Bug'' in the Philadelphia Dollar Newspaper;

Whereas Darley provided illustrations for the first known publication of Clement Moore's ''A Visit from St. Nicholas'', the edition featuring the first change of the last line from ''happy Christmas to all'' to ''merry Christmas to all'';

Whereas, in 1875, Darley engaged in preparing 500 drawings to illustrate a book entitled ''History of the United States'', by B. J. Lossing;

Whereas Darley illustrated more than 500 designs for James Fenimore Cooper's works, including a project involving designs for 64 steel engravings and 120 wood engravings, leading to the publication of ''The Cooper Vignettes'' which showcased the artist's works;

Whereas Darley provided the line drawings for Nathaniel Hawthorne's ''The Scarlet Letter'';

Whereas Darley was elected a member of the Academy of Design in 1852;

Whereas Darley was a member of the Artist's Fund Society and was one of the early members of the American Society of Painters in Watercolors;

Whereas Darley was inducted into the Society of Illustrators Hall of Fame in 2001; and

Whereas, for his accomplishments, Darley is credited by many scholars with helping to create the pioneer image of American History: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) a commemorative stamp should be issued honoring Felix Octavius Carr Darley; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

Mr. BIDEN. Madam President, I am pleased to submit today a resolution calling on the Citizens' Stamp Advisory Committee to recommend a commemorative stamp honoring the 19th century illustrator, Felix Octavius Carr Darley. My distinguished colleague from the other body, Congressman MICHAEL CASTLE, has already introduced an identical resolution in the House of Representatives.

Felix Darley was the consummate American artist. He was born in Philadelphia, PA in 1821, but spent much of his later years in Delaware, where he died in 1888. In fact, for the last 29 years of Darling's life he lived in my hometown of Claymont, DE, where he produced many of his most famous and renowned drawings. As a Delawarean, and a resident of Claymont, Felix Darley has special significance for me. But he also has a special significance for the entire Nation.

Mr. Darley has been described as ''one of the most famous illustrators of his time'' and ''the first major American illustrator.'' His works have even been said to have forged our very national identity. Felix Darley was the illustrator of books produced by the legendary writers of his time, including such masterful storytellers and poets as Charles Dickens, Henry Wadsworth Longfellow, Edgar Allan Poe, Washington Irving, Nathaniel Hawthorne, and James Fenimore Cooper. Moreover, he is credited with helping to capture the image of the American frontier, which has become such an integral image of our collective imagination and consciousness. As a testament to his greatness, he was inducted into the Society of Illustrators Hall of Fame last year.

Through his works, Felix Darley commemorated and captured our history and the creative achievements of some of our greatest writers. It is time we commemorate his life and his works for posterity by honoring him with a memorial postage stamp. I urge all of my colleagues to join me in sponsoring this resolution which calls on the Citizens' Stamp Advisory Committee to recommend such a stamp. It is a small, but needed step to recognize an American artist who gave us so much.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2943. Mr. LEVIN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table.

SA 2944. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2945. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2946. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 565, supra; which was ordered to lie on the table.

SA 2947. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2948. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2949. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2950. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2951. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2952. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2953. Mr. REID (for himself, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2954. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2955. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2956. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2957. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2958. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2959. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2960. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2961. Mr. SPECTER (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2962. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2963. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2943. Mr. LEVIN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

On page 14, between lines 2 and 3, insert the following:

Notwithstanding the preceding provisions of this subsection, a State that had a State law in effect before the date of enactment of this Act that provides for a provisional balloting process shall be deemed to meet the requirements of this subsection as long as such State law is in effect so long as such process includes the following components:

(1) Verification of the registration, identity, and residence of the individual seeking to cast a provisional ballot.

(2) An affidavit executed by the individual seeking to cast a provisional ballot in the precinct asserting that he or she is a registered voter of the jurisdiction and eligible to vote in the election.

(3) Procedures by which the ballot that is tabulated on election day may be retrievable after the election should there be an issue over the individual's eligibility to have voted in the election.

SA 2944. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

On page 68, between lines 2 and 3, insert the following:

SEC. ___. STUDY AND REPORT ON PERMANENT REGISTRATION OF OVERSEAS VOTERS; ADMINISTRATION OF OVERSEAS VOTING BY A SINGLE STATE OFFICE.

(a) STUDY AND REPORT ON PERMANENT REGISTRATION OF OVERSEAS VOTERS.—

(1) STUDY.—The Election Administration Commission established under section 301 (in this subsection referred to as the ''Commission''), shall conduct a study on the feasibility and advisability of providing for permanent registration of overseas voters under section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3), as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1279).

(2) REPORT.—The Commission shall submit a report to Congress on the study conducted under paragraph (1) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

(b) ADMINISTRATION OF OVERSEAS VOTING BY A SINGLE STATE OFFICE.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 1606(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1278), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Each State''; and

(2) by adding at the end the following new subsection:

''(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ALL VOTERS IN THE STATE.—

''(1) IN GENERAL.—Each State shall designate a single office which shall be responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used with respect to elections for Federal office (including procedures relating to the use of the Federal write-in absentee ballot) to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.

''(2) USE OF OFFICE TO ACCEPT AND PROCESS MATERIALS.—The State office designated under paragraph (1) shall be responsible for carrying out the State's duties under this Act that relate to the distribution of information and ballots (but not for carrying out any duties relating to the receipt or counting of ballots), including accepting valid voter registration applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.''.

(c) STUDY AND REPORT ON EXPANSION OF SINGLE STATE OFFICE DUTIES.—

(1) STUDY.—The Election Administration Commission established under section 301 (in this subsection referred to as the ''Commission''), shall conduct a study on the feasibility and advisability of including the duties relating to the receipt and counting of ballots described in section 102(b) of such Act (as added by subsection (b)) in the duties of the State office designated under paragraph (1) of such section (as so added).

(2) REPORT.—The Commission shall submit a report to Congress on the study conducted

under paragraph (1) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

SEC. ___. REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.

(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended by adding at the end the following new subsection:

''(c) REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 120 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government that administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Administration Commission (established under the Equal Protection of Voting Rights Act of 2002) on the number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the number of such ballots that were returned by such voters and cast in the election, and shall make such report available to the general public.''.

(b) DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS.—The Election Administration Commission shall develop a standardized format for the reports submitted by States and units of local government under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (as added by subsection (a)), and shall make the format available to the States and units of local government submitting such reports.

SEC. ___. OTHER REQUIREMENTS TO PROMOTE PARTICIPATION OF OVERSEAS AND ABSENT UNIFORMED SERVICES VOTERS.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 402, is amended by adding at the end the following new subsection:

''(d) REGISTRATION NOTIFICATION.—With respect to each absent uniformed services voter and each overseas voter who submits a voter registration application or an absentee ballot request, if the State rejects the application or request, the State shall provide the voter with the reasons for the rejection.''.

SEC. ___. STUDY AND REPORT ON THE DEVELOPMENT OF A STANDARD OATH FOR USE WITH OVERSEAS VOTING MATERIALS.

(a) STUDY.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission''), shall conduct a study on the feasibility and advisability of—

(1) prescribing a standard oath for use with any document under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq) affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury; and

(2) if the State requires an oath or affirmation to accompany any document under such Act, to require the State to use the standard oath described in paragraph (1).

(b) REPORT.—The Commission shall submit a report to Congress on the study conducted under subsection (a) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

SEC. ___. STUDY AND REPORT ON PROHIBITING NOTARIZATION REQUIREMENTS.

(a) STUDY.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission''), shall conduct a study on the feasibility and advisability of prohibiting a State from refusing to accept any voter registration application, absentee ballot request, or absentee ballot submitted by an absent uniformed services voter or overseas voter on the grounds that the document involved is not notarized.

(b) REPORT.—The Commission shall submit a report to Congress on the study conducted under subsection (a) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

SA 2945. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 62, between lines 16 and 17, insert the following:

Subtitle B—Election Administration Advisory Board

SEC. 311. ESTABLISHMENT OF THE ELECTION ADMINISTRATION ADVISORY BOARD.

There is established the Election Administration Advisory Board (in this title referred to as the ''Board'').

SEC. 312. MEMBERSHIP OF THE BOARD.

(a) NUMBER AND APPOINTMENT.—The Board shall be composed of 24 members appointed by the Election Administration Commission established under section 201 (in this title referred to as the ''Commission'') as follows:

(1) 12 members appointed by the chairperson of the Commission.

(2) 12 members appointed by the vice chairperson of the Commission.

(b) QUALIFICATIONS.—

(1) IN GENERAL.—Members appointed under subsection (a) shall have experience administering State and local elections.

(2) PROHIBITION.—A member of the Board appointed under paragraph (1) may not be a candidate (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)), or hold a Federal office (as defined in such section) while serving as a member of the Board.

(3) FEDERAL OFFICERS AND EMPLOYEES.—No member of the Board may be an officer or employee of the Federal Government.

(c) DATE OF APPOINTMENT.—The appointments of the members of the Board under subsection (a) shall be made not later than 90 days after the date on which all the members of the Commission have been appointed under section 202.

(d) PERIOD OF APPOINTMENT; VACANCIES.—

(1) PERIOD OF APPOINTMENT.—Members shall be appointed for a period of 2 years, except that of the members first appointed, 6 members appointed by the chairperson of the Commission shall be appointed for a term of 3 years and 6 members appointed by the vice chairperson of the Commission shall be appointed for a term of 3 years.

(2) VACANCIES.—

(A) IN GENERAL.—A vacancy on the Board shall not affect its powers, but shall be filled in the manner in which the original appointment was made. The appointment made to fill the vacancy shall be subject to any conditions that applied with respect to the original appointment.

(B) FILLING UNEXPIRED TERM.—An individual chosen to fill a vacancy on the Board occurring prior to the expiration of the term for which the individual's predecessor was appointed shall be appointed for the unexpired term of the member replaced.

(3) EXPIRATION OF TERMS.—A member of the Board may serve on the Board after the expiration of the member's term until the successor of such member has taken office as a member of the Board.

(e) CHAIRPERSON; VICE CHAIRPERSON.—

(1) IN GENERAL.—The Board shall elect a chairperson and vice chairperson from among its members to serve a term of 1 year.

(2) POLITICAL AFFILIATION.—The chairperson and vice chairperson may not be affiliated with the same political party.

SEC. 313. DUTY OF THE BOARD.

It shall be the duty of the Board to advise the Commission on the following matters:

(1) The revision and adoption of general policies and procedures under subparagraph (A) and clauses (ii) and (iii) of subparagraph (B) of section 305(b)(2).

(2) The revision of voting system standards under section 101(c)(2).

(3) Upon the request of the Commission, other matters relating to the administration of elections.

SEC. 314. MEETINGS OF THE BOARD.

(a) IN GENERAL.—The Board shall meet at the call of the chairperson.

(b) ANNUAL MEETING REQUIRED.—The Board shall meet not less often than annually.

(c) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold its first meeting.

(d) QUORUM.—A majority of the members of the Board shall constitute a quorum.

SEC. 315. VOTING.

Each action of the Board shall be approved by a majority vote of the members of the Board. Each member of the Board shall have 1 vote.

SEC. 316. BOARD PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Board shall serve without compensation, notwithstanding section 1342 of title 31, United States Code.

(b) TRAVEL EXPENSES.—Each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

SEC. 317. TERMINATION OF THE BOARD.

Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

SEC. 318. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Board such sums as may be necessary to carry out this title.

(b) AVAILABILITY.—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until expended.

SA 2946. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program

under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . RETROACTIVE PAYMENTS FOR CERTAIN DRE VOTING SYSTEMS.

In addition to any other payment made under section 206 or 215, the Attorney General may make retroactive payments under such section (as appropriate) to any State or locality having an application approved under section 203 or 213 (as appropriate) for any costs incurred by such State or locality for the purpose of acquiring a direct recording electronic voting system during calendar year 2000 if that State or locality is continuing to make payments for such system as of the date of enactment of this Act.

SA 2947. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 19, add the following:

SEC. 403. SEVERABILITY OF PROVISIONS.

If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

SA 2948. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 22 and all that follows through line 13 on page 6, and insert the following:

(3) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—

(A) IN GENERAL.—The voting system shall—

(i) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

(ii) except as provided in subparagraph (B), satisfy the requirement of clause (i) through the use of at least 1 direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place; and

(iii) meet the voting system standards for disability access if purchased with funds made available under title II on or after January 1, 2007.

(B) ACCESS TO VOTING SYSTEMS IN RURAL AREAS.—The requirement of subparagraph (A)(ii) shall not apply to a city, town, or unincorporated area in a State if—

(i) pursuant to the most recent Decennial Census (including any supplemental surveys thereto), the city, town, or area is determined to have a population of less than 50,000 inhabitants (other than an urbanized area immediately adjacent to a city, town, or unincorporated area that has a populations in excess of 50,000 inhabitants); and

(ii) the State submits, as part of the State plan submitted under section 202, a plan demonstrating that individuals with disabilities in the city, town, or unincorporated areas involved will be permitted to vote through the use of—

(I) direct recording electronic voting systems or other voting systems equipped for individuals with disabilities that are located at the office of each county clerk within the areas involved, or the office of each chief election official with jurisdiction over the areas involved, and that are available to such individuals during the entire period in which absentee ballots for the election involved are permitted to be submitted, at least 30 days in advance of the election and up through the day of the election; or

(II) other voting systems determined to be appropriate to provide voting accessibility to individuals with disabilities.

SA 2949. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. NATIONAL DEMONSTRATION PROGRAM IN EXPERIENCE-BASED CIVIC EDUCATION.

(a) GENERAL AUTHORITY.—The Attorney General is authorized to award a grant or contract to The Citizenship Trust and its American Village for the operation of a national educational demonstration and resource program in experience-based civic education that works to promote citizenship and voter participation.

(b) EDUCATIONAL ACTIVITIES AND PROGRAM CONTENT.—The grant or contract awarded under subsection (a) shall include provisions to—

(1) support, enhance, and expand the 'Securing the Blessings of Liberty' experienced-based civic education program administered by The Citizenship Trust and its American Village national civic education center;

(2) foster increased student learning of challenging and critical content in civics, government, and American history through comprehensive programs, projects, and activities which directly involve students as active participants in simulations, reenactments of historical and contemporary civic events, dramatizations, debates, proceedings, and other programs which illustrate and model important responsibilities of citizens; and

(3) demonstrate ways in which comprehensive experienced-based civic education programs can be implemented by States, school districts, public and private schools, classrooms, and other non-profit entities by developing and making available programs, training, seminars, projects, materials, media, resources and other services.

The content focus of activities under paragraph (2) shall be on the basic principles of the Constitution, the Bill of Rights, key founding documents and events in the history of the United States, and the important role of individual citizens in the founding and sustaining of the American system of liberty and self-government.

(c) AVAILABILITY AND EMPHASIS.—The program and activities carried out under this section shall be available as a national demonstration and resource project to serve public and private elementary and secondary schools throughout the United States. The emphasis of such activities shall be on the experiential component of civic education through a cooperative effort with other civic education programs. Such activities shall model and demonstrate ways in which experience-based civic education can enhance student knowledge and skills in critical areas of civics and government.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $650,000 for fiscal year 2002, and such sums as may be necessary for each of the succeeding 6 fiscal years.

SA 2950. Mr. MCCONNEL submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, after line 25, insert the following:

SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON RECEIPT OF FUNDS.

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title

unless that State or locality elects to apply for a grant under title II and has received funding under that title for the purpose of meeting such requirement.

SA 2951. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, strike lines 19 and 20, and insert the following:

''(a) IN GENERAL.—Nothing in this Act may be construed to authorize''.

SA 2952. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(ii) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

SA 2953. Mr. REID (for himself, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(ii) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

(4) RELATIONSHIP TO OTHER LAWS.—Notwithstanding section 402(a), nothing in this Act may be construed to authorize or require conduct prohibited under any of the laws described in such section, or supersede, restrict, or limit any of the laws described in such section.

SA 2954. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . PURGING OF VOTER REGISTRATION LISTS.

Not less than once every 2 years, each jurisdiction shall tally the number of registered voters in that jurisdiction and compare that number with the number of citizens of voting age in that jurisdiction, as determined by the U.S. Census Bureau. If the number of registered voters exceeds the number of citizens of voting age in that jurisdiction, the jurisdiction shall provide notice as described in section 8(d)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(d)(2)) to each citizen of voting age in that jurisdiction and shall remove the name of each citizen from the official list of eligible voters if that citizen does not return the card provided as part of such notice and has not voted in the election for Federal office immediately preceding, and

the election for Federal office immediately following, the date on which such notice was provided.

SA 2955. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administrative requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, between lines 6 and 7, insert the following:

(6) FREE VOTER IDENTIFICATION CARDS.—A State or locality shall not meet the requirements of this subsection unless the State or locality issues, upon request, to any registered voter who lacks appropriate documentation a voter identification card that contains the name, address, and photo of the voter and that is valid only for purposes of the requirements of this subsection. A State or locality may not charge any fee for the issuance of the voter identification card.

SA 2956. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, between lines 2 and 3, insert the following:

(b) RECENTLY REGISTERED VOTERS.—Any individual who registers to vote in an election for Federal office on or after the date that is 21 days before the date of the election may only vote in that election by casting a provisional ballot under subsection (a).

(c) VOTERS WHO VOTE AFTER THE POLLS CLOSE.—Any individual who votes in an election for Federal office for any reason, including a Federal or State court order, after the time set for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a).

SA 2957. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. CLARIFICATION OF ABILITY OF ELECTION OFFICIALS TO REMOVE REGISTRANTS FROM OFFICIAL LIST OF VOTERS ON GROUNDS OF CHANGE OF RESIDENCE.

(a) IN GENERAL.—Section 8(b)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(b)(2)) is amended by striking the period at the end and inserting the following: ", except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) to remove an individual from the official list of eligible voters if the individual has not voted or appeared to vote in 2 or more consecutive general elections for Federal office and has not either notified the applicable registrar (in person or in writing) or responded to a notice sent by the applicable registrar during the period in which such elections are held that the individual intends to remain registered in the registrar's jurisdiction.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the day after the date of enactment of this Act.

SA 2958. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, strike lines 17 through 19, and insert the following:

(B) The individual has not previously voted in an election for Federal office in the State.

SA 2959. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, strike lines 19 through 23, and insert the following:

(2) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(A) Each State and locality shall be required to comply with the requirements of subsection (b) on and after January 1, 2004; and

(B) The provisions of section (b) shall apply to any individual who registers to vote on or after the first day after the date on which voters must be registered under the law of that State in order to be eligible to vote in the election for Federal office to be held in 2002.

SA 2960. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, after line 19, insert the following:

Subtitle D—Federal Election Antifraud Pilot Program

SEC. 231. ESTABLISHMENT OF THE FEDERAL ELECTION ANTIFRAUD PILOT PROGRAM.

There is established a Federal Election Antifraud Pilot Program under which the Attorney General is authorized to make grants to States and localities to pay the costs of the activities described in section 234.

SEC. 232. APPLICATION.

(a) IN GENERAL.—Each State or locality that desires to receive a grant under this subtitle shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General shall require, consistent with the provisions of this section.

(b) CONTENTS.—Each application submitted under subsection (a) shall—

(1) describe the activities for which assistance under this section is sought; and

(2) provide such additional assurances as the Attorney General determines to be essential to ensure compliance with the requirements of this subtitle.

(c) RELATION TO FEDERAL ELECTION REFORM INCENTIVE GRANT PROGRAM.—A State or locality that desires to do so may submit an application under this section as part of any application submitted under section 212(a).

(d) SAFE HARBOR.—No action may be brought against a State or locality on the basis of any information contained in the application submitted under subsection (a).

SEC. 233. APPROVAL OF APPLICATIONS.

The Attorney General shall establish general policies and criteria for the approval of applications submitted under section 232(a).

SEC. 234. AUTHORIZED ACTIVITIES.

A State or locality may use grant payments received under this subtitle—

(1) for the purchase, lease, installation, use, and operation of video cameras or other surveillance equipment at registration and polling sites in order to monitor compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973a et seq.) and other Federal and State voting rights laws;

(2) for the costs of employing law enforcement officers at registration and polling sites in order to monitor compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973a et seq.) and other Federal and State voting rights laws. Such law enforcement officers working at registration and polling sites shall be readily identifiable to the public so that the law enforcement officer can be easily recognized and located in the event that a voter desires to complain that their voting rights have been or are being violated; and

(3) for the costs of implementing a photographic or biometric identification program for all registered voters in the State.

SEC. 235. PAYMENTS.

The Attorney General shall pay to each State or locality having an application approved under section 233 the costs of the activities described in that application.

SEC. 236. AUDITS AND EXAMINATIONS OF STATES AND LOCALITIES.

(a) RECORDKEEPING REQUIREMENT.—Each recipient of a grant under this subtitle shall keep such records as the Attorney General shall prescribe.

(b) AUDITS AND EXAMINATIONS.—The Attorney General and the Comptroller General, or any authorized representative of the Attorney General or the Comptroller General, may audit or examine any recipient of a grant under this subtitle and shall, for the purpose of conducting an audit or examination, have access to any record of a recipient of a grant under this subtitle that the Attorney General or the Comptroller General determines may be related to the grant.

SEC. 237. REPORTS TO CONGRESS AND THE ATTORNEY GENERAL.

(a) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than January 31, 2003, and each year thereafter, the Attorney General shall submit to the President and Congress a report on the grant program established under this subtitle for the preceding year.

(2) CONTENTS.—Each report submitted under paragraph (1) shall contain the following:

(A) A description and analysis of any activities funded by a grant awarded under this subtitle.

(B) Any recommendation for legislative or administrative action that the Attorney General considers appropriate.

(b) REPORTS TO THE ATTORNEY GENERAL.—The Attorney General shall require each recipient of a grant under this subtitle to submit reports to the Attorney General at such time, in such manner, and containing such information as the Attorney General considers appropriate.

SEC. 238. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary for fiscal year 2003 to carry out the provisions of this subtitle.

SEC. 239. EFFECTIVE DATE.

The Access Board shall establish the general policies and criteria for the approval of applications under section 233 in a manner that ensures that the Attorney General is able to approve applications not later than October 1, 2002.

SA 2961. Mr. SPECTER (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. STUDY AND REPORT ON SECURING THE VOTING RIGHTS OF INDIVIDUALS WHO HAVE SERVED THEIR SENTENCES.

(a) STUDY.—

(1) IN GENERAL.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission'') shall conduct a study on the feasibility and advisability of prohibiting States from restricting the right of an individual who is a citizen of the United States to vote in any election for Federal office because that individual has been convicted of a criminal offense unless, at the time of the election, such individual—

(A) is serving a felony sentence in a correctional institution or facility; or

(B) is on parole or probation for a felony offense.

(2) ISSUES STUDIED.—In conducting the study under paragraph (1) the Commission shall determine—

(A) whether the application of State laws that determine the qualifications for voting in Federal elections result in unfair discrepancies regarding which citizens may vote in Federal elections;

(B) the number of individuals in the United States that cannot vote in elections for Federal office as a result of a felony conviction;

(C) whether State disenfranchisement laws disproportionately impact ethnic minorities;

(D) the number of States that disenfranchise ex-offenders who have fully served their sentences, regardless of the nature or seriousness of the offense;

(E) whether the nature and seriousness of the offense should be considered in determining whether voting rights may be restored to an ex-offender; and

(F) the number of individuals who have regained the right to vote after losing that right as the result of a felony conviction and the feasibility and costs of regaining the right to vote through a pardon process on the State or Federal level.

(b) REPORT.—Not later than the date that is 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report on the study conducted under subsection (a)(1) together with recommendations for such legislative and administrative action as the Commission determines appropriate.

SA 2962. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . CONSTRUCTION REGARDING STATE REQUIREMENT OF PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.

Notwithstanding any other provision of law, nothing in this Act shall be construed to prohibit a State from requiring an individual to provide proof of the citizenship of that individual before permitting that individual to register to vote in an election for Federal office.

SA 2963. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, after line 25, insert the following:

SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON FUNDING.

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title prior to the date on which funds are appropriated pursuant to the authorization contained in section 209.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Dr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 9:30 a.m., in open session to receive testimony on the future of the North Atlantic Treaty Organization (NATO).

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 10 a.m. to conduct an oversight hearing on

''Issues Regarding the Sending of Remittances.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, February 28, 2002, at 9:30 a.m. on protecting content in a digital age-promoting broadband and the digital television transition, in room SR–253.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Fisheries, Wildlife and Water be authorized to meet on Thursday, February 28, 2002, at 2:30 p.m. to conduct a hearing that will focus on S. 1961, the Water Investment Act, a bill to improve the financial and environmental sustainability of the water programs of the United States.

The committee will also receive testimony on the following legislation:

S. 252: A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

S. 285: A bill to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements.

S 503: A bill to amend the Safe Water Act to provide grants to small public drinking water system.

S. 1044: A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed.

The hearing will be held in room SD–406.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 2:45 p.m. to hold a nomination hearing.

Agenda

Nominees: Mrs. Emmy B. Simmons, of the District of Columbia, to be an Assistant Administrator (Economic Growth, Agriculture, and Trade) of the United States Agency for International Development (New Position); and Robert B. Holland, III, of Texas, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Government Affairs be authorized to meet on Thursday, February 28, 2002, at 2:30 p.m. to consider the nomination of Louis Kincannon to be Director of the Census.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on ''Making Sense of the Mammography Controversy: What Women Need to Know'' during the session of the Senate on Thursday, February 28, 2002, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Immigration be authorized to meet to conduct a hearing on ''The Unaccompanied Alien Child Protection Act'' on Thursday, February 28, 2002, at 2:30 p.m. in Dirksen Room 226.

Witness List

Panel I: Michael Creppy, Chief Immigration Judge, Executive Office of Immigration Review, Falls Church, VA; and Stuart Anderson, Executive Associate Commissioner, U.S. Immigration and Naturalization Service, Washington, DC.

Panel II: Edwin Munoz, Grand Rapids, MI; Wendy Young, Director of Government Relations and U.S. Programs, Women's Commission on Refugee Women & Children, Falls Church, VA; Andrew Morton, Attorney, Latham & Watkins, Washington, DC; and Julianne Duncan, Director of Children's Services, United States Conference on Catholic Bishops, Washington, DC.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 2:30 p.m. to conduct an oversight hearing on ''Argentina's Economic Crisis.''

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Armed Services Committee be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 2:30 p.m., in open session to receive testimony on Department of Defense installation and environmental programs, in review of the defense authorization request for fiscal year 2003.

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

PRIVILEGES OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Michael Misterek, an intern in our office, be allowed to be on the floor during deliberations today.

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

Mr. DORGAN. Mr. President, I ask unanimous consent that Gabriel Adler be granted the privilege of the floor for the duration of my remarks on trade.

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

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appoints the Senator from Nevada, Mr. REID, to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice the Senator from Mississippi, Mr. LOTT.

SENATE YOUTH PROGRAM

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 208, and 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 legislative clerk read as follows:

A resolution (S. Res. 208) commending students who participated in the United States Senate Youth Program between 1962 and 2002.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements regarding thereto be printed in the RECORD.

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

The resolution (S. Res. 208) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 208

Whereas the students who have participated in the United States Senate Youth Program (referred to in this resolution as the ''Senate Youth Program'') over the past 40 years were chosen for their exceptional merit and interest in the political process;

Whereas the students demonstrated outstanding leadership abilities and a strong commitment to community service and have ranked academically in the top 1 percent of their States;

Whereas the Senate Youth Program alumni have continued to achieve unparalleled

success in their education and careers and have demonstrated a strong commitment to public service on the local, State, national, and global levels;

Whereas the Senate Youth Program alumni have reflected excellent qualities of citizenship and have contributed to the Nation's constitutional democracy, be it in either professional or volunteer capacities, and have made an indelible impression on their communities;

Whereas the chief State school officers, on behalf of the State Departments of Education, have selected outstanding participants for the Senate Youth Program;

Whereas the Department of Defense, Department of State, and other Federal Departments, as well as Congress, have offered support and provided top level speakers who have inspired and educated the students of the Senate Youth Program; and

Whereas the directors of the William Randolph Hearst Foundation have continually made the Senate Youth Program available for outstanding young students and exposed them to the varied aspects of public service: Now, therefore, be it

Resolved, That the Senate congratulates, honors, and pays tribute to the more than 4,000 exemplary students who have been selected, on their merit, to participate in the United States Senate Youth Program between 1962 and 2002.

ORDERS FOR FRIDAY, MARCH 1, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:15 a.m. on Friday, March 1; that following the prayer and pledge, 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 resume consideration of the election reform bill, with the time until 9:45 a.m. equally divided between Senators DODD and MCCONNELL or their designees; further, that the Senate vote on cloture at 9:45 a.m., and that Senators have until 9:30 a.m. tomorrow to file second-degree amendments.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate—and I believe there is none—I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:10 p.m., adjourned until Friday, March 1, 2002, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate February 28, 2002:

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

WESLEY J. ASHABRANNER, 0000
STEPHEN L. CARPENTER, 0000
JIM C. CHOW, 0000
BRUCE R. GUERDAN, 0000
DAVID D. HAMLAR JR., 0000
JOHN K. HAYES JR., 0000
GEORGE IVANOVSKIS, 0000
KENNETH L. KAYLOR, 0000
DENNIS P. LAWLOR, 0000
JOSEPH K. MARTIN JR., 0000
WALLACE D. MAYS, 0000
VABIAN L. PADEN, 0000
MICHAEL R. SCHOENHALS, 0000
DAVID L. WALTON, 0000

NATIONAL LABOR RELATIONS BOARD

RENE ACOSTA, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 27, 2003, VICE WILLIAM B. COWEN, WHO WAS APPOINTED TO THIS POSITION DURING THE RECESS OF THE SENATE FROM DECEMBER 20, 2001, TO JANUARY 23, 2002.

THE JUDICIARY

CHRISTOPHER C. CONNER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE SYLVIA H. RAMBO, RETIRED.

JOHN E. JONES III, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE JAMES F. MCCLURE, JR., RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MICHAEL HAJATIAN JR., 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

CATHERINE S. LUTZ, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

KAREN L. WOLF, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

ALBERT G. BALTZ, 0000
DONALD E. COOPER, 0000
DUANE KELLOGG JR., 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To Be Colonel

JAMES C. DEMERS, 0000
CLINTON C. HICKS, 0000
JAY R. HONE, 0000
MARY V. JOHNSON, 0000
CARLOS E. RODRIGUEZ, 0000

EXTENSIONS OF REMARKS

IN HONOR OF SARAH HUGHES—LADIES FIGURE SKATING OLYMPIC GOLD MEDALIST, 2002

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. ACKERMAN. Mr. Speaker, I rise today to honor and congratulate my constituent and America's newest sweetheart, Sarah Hughes, on her spectacular gold medal performance at the 2002 Winter Olympics.

On February 21, 2002, Sarah, a 16-year-old high school junior from Great Neck, New York, accomplished the unimaginable. After years of training and dedication, Sarah skated a flawless performance that included seven triple jumps with two triple-triple combinations. Sarah said that she wasn't skating for a gold medal that night, she just wanted to do her best. And that she did. While many discounted her chances, Sarah's long program left the world awestruck and moved her from fourth place to capture the gold medal ahead of the top skating competitors in the world.

It's not every day that Great Neck produces a gold medalist. Sarah is our hometown hero. Local supermarkets, stores, delis and police stations all proudly display signs of congratulations to Sarah. If you stop the people on the street, everyone has a smile and only praise to share about Sarah Hughes. In addition to being a gold medalist, Sarah is a top student at Great Neck North High School, who despite spending hours training to be an Olympic gold medalist, also attends a full schedule of class and maintains a straight-A average.

Last Thursday night, I had the pleasure to watch Sarah's performance on the big screen with her supporters at Great Neck House, the area's community center. The atmosphere was thick with excitement and the moment Sarah was awarded the gold was a moment I will never forget. To continue the celebration, on March 3rd at 11 a.m., Great Neck will welcome Sarah home with a parade through the center of town.

From her back, yard skating rink to the Olympic stadium, Sarah Hughes has captured the hearts of the American people. Mr. Speaker, it is with great pride that I rise today to honor Sarah for her magnificent performance at the 2002 Winter Olympics. I ask all my colleagues in the House of Representatives to please join me in congratulating Sarah as an Olympic gold medalist.

TRIBUTE TO DAN TANG

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor a constituent of mine, Mr. Dan Tang, who was recently featured in the Rocky Mountain News for his success as an entrepreneur in the restaurant business. Mr. Tang's story reminds us that perhaps no one enjoys the fruits of the opportunity that America has to offer as much as those who have never had the luxury of taking it for granted.

Over twenty years ago, having heard countless stories of how much our great country has to offer, Mr. Tang bravely escaped communist China with the hope of one day becoming an American citizen. He spent nearly a year in extremely harsh conditions at a refugee camp in Canton awaiting permission to come here. Thankfully, Mr. Tang had relatives in Los Angeles who were able to give him a floor to sleep on, and a roof over his head when he finally received permission to enter the United States.

As an immigrant who spoke no English, he had a life-sustaining dream to overcome the obstacles he faced and move to Colorado. In Colorado he was able to get a job as a dishwasher in an American-owned Chinese restaurant. He worked tirelessly, learned English, and moved up the ladder of the restaurant business, eventually becoming a chef. Recognizing Mr. Tang's talent, a Colorado restaurant owner took him under his wing and taught him the financial side of the business. This knowledge and experience enabled Mr. Tang to purchase his first restaurant, ''Heaven Dragon.'' The restaurant is one of the most popular and successful restaurants in my district and has enabled Mr. Tang to buy a second restaurant nearby, ''Pearl Wok''. He is a leader in the Chinese-American community of Colorado, a successful businessman, a friend to the Governor of Colorado, and an example of how the so-called ''American dream'' is still a reality.

Mr. Speaker, at a time in our country's history when many are skeptical of the enormous contribution that immigrants and their families make in contributing to the success of America and strengthening our communities, I am encouraged by the example of Dan Tang.

Mr. Speaker, I commend Dan Tang's story to this House and to my colleagues for the inspiration it evokes, and for a reminder of what it is to be an American.

[From the Rocky Mountain News, Feb. 20, 2002]

FEEDING THE AMERICAN DREAM

(By Marty Meitus)

Fourteen people. One rusty old boat, A harrowing glide down the river to Macau, then a Portuguese colony more than 100 miles from the farm near Canton, with two toddlers to keep quiet.

If the boat went toward the shore, Dan Tang says, they would cover the children with a blanket to make it look as if they were transporting something. If the boat had sprung a leak and sunk, or if the children had cried out at the wrong moment, Tang and company would have risked prison and a steep fine.

''It was pretty scary,'' he says in his heavily accented English.

Tang, owner of the Heaven Dragon restaurant, a hidden treasure tucked away in a strip mall in Thornton, has been asked to tell the tale of his escape from communist China over and over since he arrived in this country 20 years ago. The affable 40-year-old is given to easy laughter, taking pleasure and pride in his pretty restaurant.

In honor of the Chinese, New Year, which began Feb. 12 and lasts 15 days, we talked to Tang about his journey toward the American dream.

Tang's father was a rice and yam farmer in Canton; his mother was a housewife. He and his five brothers slept in the same bed in their two-bedroom wood-and-dirt house. Needed in the fields, he attended school only to fifth grade. The family never rose above the poverty level, restricted by a government that confiscated most of their earnings and limited their activities.

In 1980, hearing that fortunes could be made here, Tang decided to leave China for the United States. ''They (his parents) let me try it to escape to freedom,'' he says. ''The government limited what you could do. You had to escape, because there were no travel visas; you had to get permission to go from city to city.''

In Macau, he stayed in a refugee camp for 11 months, under rough conditions, while he waited for his visa to come through. His goal was to reach his aunt, his father's sister, who lived in Los Angeles.

Eventually, he was granted permission to leave. He lost sight of the other 13 people on the boat, although he knows that a couple of them immigrated to Canada. ''We were lucky,'' he says. ''I know people who tried to get out four or five times.''

In Los Angeles, he slept in his aunt's dining room, hoping to break into the restaurant business, one of the few fields open to an immigrant who spoke no English. Struggling to survive, he finally moved to Colorado, where he had friends, and went to work for Americans who owned a Chinese restaurant in Aurora.

His experience with cooking was limited. ''The first time I saw a grocery store in the U.S., I'm in paradise,'' he says.

He worked his way up from dishwasher to prep cook to deep-fry cook to chef, moving around the metro area to 10 restaurants in all. Then an American businessman took him under his wing and taught him the restaurant business, enabling Tang to buy Heaven Dragon in 1985.

Tang has brought all his family except two brothers to America, and they should be allowed to come in the next couple of years. The family includes his wife, Ying Li, the woman chosen to be his bride by his parents in an arranged marriage. When he brought her over as an adult for their wedding, he hadn't seen her since she was 9. ''When she got off the plane,'' he says. ''I didn't recognize her, except a little bit.''

Choosing his own wife would have been out of the question. ''We still have old culture, so I wouldn't even think of not doing it,'' he says. But all's well that ends well. He and Yung Li have been married for 11 years and have three children: Victor, 10, Tracey 8, and Audrey, 7.

Tang has been successful enough to open a second restaurant, the Pearl Wok, at West 120th Avenue and Sheridan Boulevard. Although he'd like to have more free time to devote to learning English and he regrets never being able to return to school, the restaurant life has been its own education. ''If you work hard,'' he says, ''you get rewarded.''

CELEBRATING THE 70TH ANNIVERSARY OF THE WOODLAND CHRISTIAN CHURCH IN HOUSTON, TEXAS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. GREEN of Texas. Mr. Speaker, I rise today to recognize and congratulate the Woodland Christian Church in Houston, Texas, which will celebrate its 70th Anniversary on March 2, 2002. Truly a milestone occasion, this celebration is a testament to the outstanding dedication and commitment of the entire church and community.

The Woodland Christian Church was organized on March 2, 1932 as Woodland Heights. It has been located on its present site in North side Houston for almost 45 years and has an active congregation of 125 people. Throughout its history, the church has provided a caring, loving environment and has faithfully ministered to the spiritual needs of its members. It has been a source of hope and comfort in times of distress, and its Christian ministry has been one of outreach to the homeless and day laborers.

The members of this church have operated a day care center and are active in a lunch program four days a week, providing sack lunches three days and a hot meal one day. Pastor Virzola Law, a new minister at Woodland Christian Church, has continued to give her endorsement and support to the ministry for the homeless.

Situated in a low-income neighborhood, the Woodland Christian Church has been very active in the community assisting single mothers, transients, and other people in need. It has also sponsored two homes for senior citizens and disabled people, Woodland Christian Towers and Pecan Grove Manor. By their actions, the congregation of the Woodland Christian Church and its pastor have proven their commitment and dedication for others. This is also the church in which my wife, Helen, and I were married in 1970.

Seventy years is a milestone, and that is why Mr. Speaker, I ask my colleagues in the House of Representatives to help me recognize this truly remarkable church. We congratulate you on your many good works, and we wish you seventy more years of dedicated service.

INTERNATIONAL MONETARY FUND

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. PAUL. Mr. Speaker, I rise to introduce legislation to withdraw the United States from the Breton Woods Agreement and thus end taxpayer support for the International Monetary Fund (IMF). Rooted in a discredited economic philosophy and a complete disregard for fundamental constitutional principles, the IMF forces American taxpayers to subsidize large, multinational corporations and underwrite economic destruction around the globe. This is because the IMF often uses the $37 billion line of credit provided to it by the American taxpayers to bribe countries to follow destructive, statist policies.

For example, Mr. Speaker, the IMF played a major role in creating the Argentine economic crisis. Despite clear signs over the past several years that the Argentine economy was in serious trouble, the IMF continued pouring taxpayer-subsidized loans with an incredibly low interest rate of 2.6 percent into the country. In 2001, as Argentina's fiscal position steadily deteriorated, the IMF funneled over 8 billion dollars to the Argentine government.

According to Congressman JIM SAXTON, chairman of the Joint Economic Committee, this continued lending over many years sustained and subsidized a bankrupt Argentine economic policy, whose collapse is now all the more serious. The IMF's generous subsidized bailouts lead to moral hazard problems, and enable shaky governments to pressure the IMF for even more funding or risk disaster.

Argentina is just the latest example of the folly of IMF policies. Only 4 years ago the world economy was rocked by an IMF-created disaster in Asia. The IMF regularly puts the taxpayer on the hook for the mistakes of the big banks. Often times, Mr. Speaker, IMF funds end up in the hands of corrupt dictators who use our taxpayer-provided largesse to prop up their regimes by rewarding their supporters and depriving their opponents of access to capital.

If not corrupt, most IMF borrowers are governments of countries with little economic productivity. Either way, most recipient nations end up with huge debts that they cannot service, which only adds to their poverty and instability. IMF money ultimately corrupts those countries it purports to help, by keeping afloat reckless political institutions that destroy their own economies.

IMF policies ultimately are based on a flawed philosophy that says the best means of creating economic prosperity is through government-to-government transfers. Such programs cannot produce growth, because they take capital out of private hands, where it can be allocated to its most productive use as determined by the choices of consumers in the market, and place it in the hands of politicians. Placing economic resources in the hands of politicians and bureaucrats inevitably results in inefficiencies, shortages, and economic crises, as even the best intentioned politicians cannot know the most efficient use of resources.

In addition, the IMF violates basic constitutional and moral principles. The federal government has no constitutional authority to fund international institutions such as the IMF. Furthermore, Mr. Speaker, it is simply immoral to take money from hard-working Americans to support the economic schemes of politically-powerful special interests and third-world dictators.

In all my years in Congress, I have never been approached by a taxpayer asking that he or she be forced to provide more subsidies to Wall Street executives and foreign dictators. The only constituency for the IMF are the huge multinational banks and corporations. Big banks used IMF funds—taxpayer funds—to bail themselves out from billions in losses after the Asian financial crisis. Big corporations obtain lucrative contracts for a wide variety of construction projects funded with IMF loans. It's a familiar game in Washington, with corporate welfare disguised as compassion for the poor.

The Argentine debacle is yet further proof that the IMF was a bad idea from the very beginning—economically, constitutionally, and morally. The IMF is a relic of an era when power-hungry bureaucrats and deluded economists believed they could micro-manage the world's economy. Withdrawal from the IMF would benefit American taxpayers, as well as workers and consumers around the globe. I hope my colleagues will join me in working to protect the American taxpayer from underwriting the destruction of countries like Argentina, by cosponsoring my legislation to end America's support for the IMF.

STATEMENT REGARDING THE PRESIDENT'S BUDGET

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to join with my colleagues in expressing my concern about the economic effects of the recently enacted tax cuts and how these tax cuts have affected our country's once sound economy.

I begin, Mr. Speaker, by asking my friends on the other side of the aisle, where has the surplus, the very same surplus that was the largest in the history of this great nation just 1 year ago, gone? Well, I will tell you where the surplus has gone. On June 7, 2001, Congress rammed through the so-called ''Economic Growth and Tax Relief Reconciliation Act'' that had an effect opposite of its specified purpose. For those whose memories escape them, the Administration ensured the tax cut program would be a powerful economic stimulant to a slowing economy, while leaving the Social Security trust fund and Medicare surplus in tact. Yet, according to CBO's most recent projections, within the last year the overall cumulative surplus has been reduced by $4 trillion and now hovers at just $1.6 trillion. According to the CBO, about 60 percent of that decline is due to the tax cuts.

Mr. Speaker, the facts are indisputable. However, some insist the down shift in the economy and the projected surplus is largely due to the nation's response to September 11, while CBO states the terrorist attacks contributed to only a small fraction of the deficit. Yes, September 11 was a tragic and unexpected event but it is because of unexpected or unforeseeable events why we, as a Congress, cannot draft intractable initiatives.

It was not too long ago that I remember campaigning across South Florida and people were asking about issues such as Social Security, Medicare, and prescription drugs. Now, due to the Administration's faltering tax program, citizens are no longer assured that the nation will have adequate means to address its current needs and the long run costs of paying Social Security and Medicare benefits. Thus, the solvency of Social Security has been reduced by 10 years at the very least, and our ability to expand Medicare coverage has been paralyzed.

And what about priorities such as building new schools? What about fixing our roads? Or what about paying off the national debt? As I mentioned, at the beginning of the 107th Congress this body was faced with a list of priorities that the American people wanted to address: education, prescription drugs, Social

Security, the environment, energy and Medicare. Now, due to our plummeting surplus, we do not have the money to begin talking about these problems, let alone solving them.

It is time to take action. It is time to be honest with the American people. It is time to discard ineffective policies that leave us with no hope of a balanced budget between now and 2011. It is time to stand behind initiatives that leave room for emergencies and ''rainy days,'' initiatives that do not exclude the average working man and woman, and initiatives that benefit not just 10 percent of the population but the entire population. It is time to implement an effective and proven resolution to tax cuts, Medicare, Social Security, unemployment, the national debt, and every other American priority.

PAYING TRIBUTE TO OLIVE MORTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Olive Morton and thank her for her extraordinary contributions to Routt County and Colorado Mountain College. Olive's life-long dedication to the pursuit of excellence as an educator and volunteer for community organizations is matched only by the level of integrity and honesty with which she has conducted herself each and every day. She will always be remembered at Colorado Mountain College as a person with the utmost dedication and talent, and will continue to be known as a leader in her community. After over thirty years of service, Olive is retiring from her position as Director of the Alpine Campus of the college. As she celebrates her retirement, I feel that it is only appropriate to recognize her achievements and dedication to education expressed throughout her career.

Olive has been a pioneering spirit all of her life. She began her career as one of the first employees at the Colorado Mountain College—Alpine Campus. Through her countless hours devoted to the college and its students, she has helped to bring Colorado Mountain College from its infancy to a well-respected and renowned institute today. Olive not only has shown the strength to be the foundation for the college but has also crafted the vision for its future. Known among her colleagues for her inspiration, her professionalism, fairness and her leadership, Olive will be deeply missed.

Olive has brought her strong work ethic and commitment to excellence to community activities for many years. This year Olive is continuing to serve as the Republican Chairperson for Routt County in Colorado, a position in which she has served for several terms. Her commitment as an educator and as a civil servant has led her to combine her two passions, and as a result she has faithfully represented the academic world and her political party.

Mr. Speaker, it is clear that Olive Morton is a woman of unparalleled dedication and commitment to both her professional and civic endeavors. It is her unrelenting passion for each and every thing she does, as well as her spirit of honesty and integrity with which she has always conducted herself, that I wish to bring before this body of Congress, and this nation. Olive Morton is a remarkable woman, who has achieved extraordinary things in her career and in her community, and I would like to extend to her my congratulations on her retirement and wish her the best in her future endeavors.

HONORING MARCIA F. VOLPERT

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. BERMAN. Mr. Speaker, we rise today to honor our good friend Marcia F. Volpert who will be presented with an award for Exceptional Community Leadership at the Jewish Family Service of Los Angeles (JFSLA) annual award dinner on May 19, 2002. This prestigious award, known as the ''Fammy'' award is given to one exceptional person each year who has served both the JFSLA and the community at large.

We have known Marcia for many years and know firsthand of her dedication, commitment and numerous accomplishments. For more than twelve years Marcia helped guide, grow and promote JFSLA as an actively engaged Board Member. She also served as its Secretary and Vice President while at the same time playing a valuable role on key committees including Strategic & Planning and Public Relations & Marketing.

Marcia has been active with many Jewish causes and organizations. She has served as both the Vice President and Chair of the Jewish Federation Council of Greater Los Angeles and the Jewish Community Relations Committee. In addition she has held a number of very important positions including Chair of the LA Jewish Population Survey, Vice Chair of the Jewish Federation Strategic Planning Committee and Chair of the Statewide Jewish Public Affairs Committee. Also, she is well known for her leadership within the Soviet Jewry Movement.

In addition to her prodigious work with Jewish organizations, Marcia has given her time and energy to many other civic and public services. She served as a Los Angeles Civil Service Commissioner, a Water and Power Commissioner and President of the Los Angeles County Board of Education. She is currently a member of the committee of Bar Examiners of the State Bar of California.

To say that Marcia has earned this Fammy Award is an understatement. She is a remarkable person who we are privileged to know and to call a friend. It is our distinct pleasure to ask our colleagues to join us in saluting Marcia F. Volpert for all of her outstanding achievements, and to congratulate her for receiving this year's Fammy award.

A TRIBUTE TO ALEXANDER GONZALEZ ON HIS APPOINTMENT TO SERVE ON THE COMMISSION ON EDUCATIONAL EXCELLENCE FOR HISPANIC AMERICANS

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. CUNNINGHAM. Mr. Speaker, I rise today to pay tribute to Alexander Gonzalez, the President of California State University San Marcos. This morning, President Gonzalez was sworn in to serve on President Bush's Commission on Educational Excellence for Hispanic Americans. President Bush authorized the Commission in October 2001, and charged it with creating a multi-year plan to close the educational achievement gap between Hispanic American students and their peers.

On September 1, 1999 I stood beside Alexander Gonzalez while he was sworn in as the second President of the California State University at San Marcos. Together, we recognized the achievements of the University, which was celebrating its tenth anniversary, and reflected on the greatness and potential of the institution and its people.

Since his inauguration, President Gonzalez has worked to make the University an epicenter for the diverse community that it serves. Under his leadership, Cal State San Marcos has expanded the National Latino Research Center, which disseminates research-based information regarding Hispanic populations in the U.S. The NLRC also facilitates the training of researchers to do research on Hispanic populations.

Cal State San Marcos has also expanded The Barahona Center for the Study of Books in Spanish, which collects, catalogues, and reviews the world's only complete collection of Spanish-language books published since 1989 for children and adolescents. Programs of the Barahona Center focus on skill development in literacy, including literacy training for educators and parents, and services to assist librarians, parents, and teachers in book selection.

In addition to these programs which document the history of Hispanic Americans, President Gonzalez is also working to improve their future, as Cal State San Marcos is training a new generation of teachers for our Nation's schools.

As a former teacher and coach myself, both for students in public schools and for fighter pilots at the Top Gun Navy Fighter Weapons School at Miramar, I share with President Gonzalez a strong commitment to excellent education, and a desire to share this enthusiasm for learning. It is frustrating to me that our educational system has created an achievement gap between Hispanic Americans and their peers. Closing this achievement gap is going to require a fresh perspective on an old problem. Having seen the changes that Cal State San Marcos has inspired in our local community, I am confident that Alexander Gonzalez will be able to provide that perspective for the President's Commission. I am proud to rise today to recognize President Gonzalez, and I look forward to my continuing work with him to improve academic achievement for Hispanic Americans in San Diego, and now all across our great Nation.

TRIBUTE TO FRANK LONG

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. SHUSTER. Mr. Speaker, I rise today to pay tribute to Frank Long, a farmer from Sinking Valley, Pennsylvania. Frank was recently awarded Pennsylvania State Fairperson of the Year by the Pennsylvania State Association of County Fairs for his tireless efforts as President of the Sinking Valley Farm Show. Frank has been a dairy farmer for 38 years and he brings a lifetime of experience not only to the Sinking Valley Farm Show, but to the many other organizations in which he serves.

Frank demonstrates his dedication to his community as an active member of the Blair County Chapter of the American Red Cross, where he serves on the board of Directors and as a part of the Disaster Team. He is a charter member of the Southern Alleghenies Resource, Conservation & Development, and a charter member and chairman of the Southern Alleghenies Conservancy. Frank also sits on Blair County Farm Park and Recreation Board, and was appointed in 2000 by Governor Tom Ridge to three committees dealing with agriculture, land use, and the ''Growing Greener'' program.

Through his 25 years as director of the Sinking Valley Farm Show, Frank has worked to improve the fair facilities and attractions at the fair. His colleagues credit him with making the fairgrounds more appealing for year-round use and for expanding the old grounds into a larger facility. Frank has devoted his life to promoting agriculture in Pennsylvania, and I applaud his efforts. Again I congratulate Frank Long on being awarded Pennsylvania State Fairperson of the Year.

IN HONOR OF THE CATHEDRAL VILLAGE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to celebrate the Grand Opening and Ribbon Cutting Ceremony of the Cathedral Village Townhouse Development, which was sponsored by Bishop Donald Hilliard, Jr., the Cathedral-Second Baptist Church, and the Church Community Development Corporation. The ceremony took place on Friday, February 22, 2002, followed by a luncheon at the Family Life Center in Perth Amboy.

A newly-completed affordable townhouse facility, the Cathedral Village Townhouse Development will improve the quality of life for many families. This project was made possible thanks to the dedicated efforts of the Cathedral-Second Baptist Congregation and funding and support from the State of New Jersey; Governor James E. McGreevey; Department of Community Affairs Commissioner Susan Bass Levin; City Council Members Peter Jiminez, Frank Sinatra, David Szilagyi, Geraldine Bolanowski, and Robert Sottilaro; the HUD Home Program; the Reinvestment Fund/CLI, and First Union Bank.

Today, I ask my colleagues to join me in celebrating the Grand Opening and Ribbon Cutting Ceremony of the Cathedral Village Townhouse, a truly memorable and historic event for the community of Perth Amboy.

CONGRATULATING FRIENDS OF AGRICULTURAL EXTENSION HONOREES

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Tom Shultz on the occasion of his being honored as the 2002 Farm Advisor recipient of the Award for Outstanding Achievement. Other finalists were Marsha Campbell-Mathews, Pam Geisel, Brent Holtz, Maxwell Norton, Steve Sibbett, and Bill Weir. I also extend my congratulations to Beth Grafton-Cardwell as she is honored as the 2002 Extension Specialist recipient of the Award for Outstanding Achievement. Other finalists in that category were Rob Atwill, Joe DiTomaso, John Maas, and James Oltjen.

Tom Shultz is a Tulare County Farm Advisor with 22 years of extension work supporting the dairy community with particular emphasis on his development and implementation of guidelines for site selection, animal density and manure management to help dairymen meet regulatory requirements in an economically viable manner.

Marsha Campbell-Mathews is a Stanislaus County Agronomy Farm Advisor with a program dealing with lagoon water management as a nutrient source for crops. Pam Geisel, a Fresno County Environmental Horticulture Farm Advisor, developed an education program for urban neighborhoods called Garden of the Sun. Brent Holtz is a Madera County Pomology Farm Advisor. He researched and developed cultural controls for Brown Rot without heavy reliance on fungicidal spray programs. Merced County Farm Advisor Maxwell Norton assisted and educated small farmers new to this country while conducting significant research experiments with strawberries. Steve Sibbett, a Tulare County Farm Advisor, contributed extensively and valuably to the cultural development of walnuts. Bill Weir is a Merced County Farm Advisor with continuing achievements in the growing of ultranarrow row cotton.

Beth Grafton-Cardwell is a Riverside Extension Entomologist with numerous research and extension efforts to help citrus growers reduce their need for broad spectrum pesticides to combat pest problems while maintaining fruit quality and acceptable economic return.

Rob Atwill, a Davis Veterinary Extension Specialist, identified and articulated cost-effective strategies to minimize surface water contamination by livestock. Joe DiTomaso is a Davis Weed Science Extension Specialist and has expanded effective control strategies for the resilient and economically devastated Yellow Starthistle. Davis Veterinary Extension Specialist John Maas delivered thorough information to livestock producers through the Feedlot Certification and Cow-Calf Quality Assurance programs. James Oltjen, a Davis Animal Science Extension Specialist, worked on the development and delivery of the California Feedlot Certification and Cow-Calf Quality Assurance programs.

Mr. Speaker, I rise today to recognize these men and women as they receive recognition by the Friends of Agricultural Extension for the 2002 Award for Outstanding Achievement. I invite my colleagues to join me in congratulating these honorees for their contributions to agriculture and their community and wishing them many more years of continued success.

HONORING MONSIGNOR LEONARD TOOMEY ON THE OCCASION OF BEING NAMED GRAND MARSHAL OF THE TRENTON ST. PATRICK'S DAY PARADE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to honor Monsignor Leonard Toomey, who has been named the Grand Marshal of this year's City of Trenton's St. Patrick's Day Parade. Just a few days after he leads the annual parade through historic Trenton, Msg. Toomey will celebrate the 54th anniversary of his ordination as a priest, which occurred on March 13, 1948.

Technically, Monsignor Toomey is ''retired.'' Yet he is more active in his community than people half his age. He serves as an assistant pastor at several Diocesan Parishes, and devotes many of his homilies to the children he loves so much.

Perhaps best known for his 26 years as pastor of Sacred Heart Church on South Broad Street, Trenton—the oldest Catholic Parish in the state of New Jersey—Monsignor Toomey was a pillar of the community during one of the city's most turbulent time periods of the late 1960s.

While at Sacred Heart, he worked to make sure the Church's external image was restored and preserved to match its lofty lineage and legacy of service. In the mid-1970s, he launched a successful campaign to restore all of the parish's buildings and grounds.

His service to the Church, to the city of Trenton, and surrounding areas has been so effective on many fronts. In addition to serving as pastor at several churches, Monsignor Toomey founded the Children's Youth Organization Day Camp so area children had a safe and fun place to go during the summer.

He also brought God's guidance to the brave men and women of the Trenton Fire Department, as well as to the inmates at New Jersey's State Prison in Trenton, a maximum security facility where those convicted of the state's worst crimes are housed.

Monsignor Toomey has held numerous posts throughout the Diocese and has given his time to several local boards including those for public housing projects, museums and historical societies, and St. Francis Hospital.

I always enjoy marching in Trenton's St. Patrick's Day Parade, and this year's experience will be equally meaningful for I will be marching behind a man who truly has been a bedrock of the city of Trenton for the better part of a century.

I join Monsignor's many admirers, friends, proteges and parishioners in thanking and congratulating him on another well-deserved recognition and milestone for his leadership and contributions to our community.

CELEBRATING 100 YEARS OF JARRETT STATIONARY

STATEMENT OF THE HONORABLE HOWARD COBLE, FEBRUARY 27, 2002

Mr. Speaker, On Friday, March 1, 2002, one of the most respected family-owned businesses in High Point, North Carolina, will celebrate its 100th birthday. On behalf of the citizens of the Sixth District of North Carolina, we wish to congratulate Jarrett Stationary on its first century of existence.

''We don't know the exact date when Gene Jarrett started the business, but is was in February 1902,'' David Wall, the store's president told the High Point Enterprise. Wall, a third-generation owner and a High Point City Councilman, told the newspaper, ''I figured holding the celebration on March 1 would help us cover the date properly. Ever since we got to 95 years, it seems like it's taken forever to get to 100 years, so I'm both proud and relieved that this time has finally come.''

Because small businesses are the lifeblood of our economy, Mr. Wall, all of us are proud that Jarrett Stationary has succeeded for 100 years. Jarrett Stationary is the 16th oldest business entity in High Point according to the local Chamber of Commerce. Jarrett Stationary has had a rich and colorful history during its century in business.

There have only been three presidents during its 100-year existence. Gene Jarrett ran the company for approximately 45 years. Thurman Wall, Jarrett's son-in-law, served as president before his son, David assumed the role in 1981. The company also served as a bookstore during its first 40 years before concentrating on office supplies after World War II.

It has been at its downtown North Wrenn Street location since 1929. Despite the glut of national office supply chains, and that many other small businesses have abandoned the downtown retail core, Jarrett Stationary has stayed and thrived. The future looks equally bright for Jarrett Stationary.

In fact, the very name of the company has come up for discussion in the past. Though a Wall family member has run the business longer than a Jarrett, David Wall said there was never any real consideration to abandon the company name. ''Both my father and I thought about all those years that the good name of Jarrett Stationary has been built up in this city,'' Wall told the High Point Enterprise. ''In retail especially, if you have that, that's like money in the bank, so why change?''

We concur that Jarrett Stationary should not change. It should continue to serve the people of High Point the same way it has for 100 years. On behalf of the citizens of the Sixth District of North Carolina, we congratulate Jarrett Stationary on its centennial celebration, and we offer our best wishes for the future.

THE SENIORS PROTECTION ACT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. KLECZKA. Mr. Speaker, the Retired Enlisted Association's Senior Citizens League (TREA) is a non-profit organization that professes to help seniors by promoting legislative reforms that will advance the interests of elderly individuals. However, contrary to its claims, TREA has repeatedly targeted seniors with mailings about the ''Notch'' issue that are deceptive, false, and designed to extort money from elderly persons, many of whom live on limited incomes.

The term ''Notch'' refers to the difference in Social Security benefits paid to individuals born before 1917 versus those born between 1917 and 1921. This difference arose because a law was passed in 1972 that provided automatic cost-of-living adjustments for all Social Security recipients, so that benefits would keep pace with inflation. However, the formula used was flawed, causing benefit levels to rise faster than the rate of inflation. In 1977, Congress corrected this formula, necessitating a reduction to the correct level of Social Security benefits.

Unfortunately, groups like TREA are telling seniors they are working to correct a Notch ''problem'' that doesn't exist, in an attempt to scam seniors out of their hard-earned money. The Social Security Administration, State Attorney General offices, and Members of Congress have received numerous complaints and questions from seniors who have been confused and misled by TREA's Notch campaign.

In response to these complaints, the Ways and Means Social Security Subcommittee held a hearing on July 26, 2001 to investigate TREA's activities. This hearing uncovered numerous deceptive tactics used by this organization.

For example, TREA purports to have the authority to handle distribution of Social Security benefits by mailing seniors an official looking ''Notch Registry'' identification card and a ''National Notch Victim Register'' form that asks seniors to specify whether they prefer their $5,000 Notch payment sent to them in one lump sum or in installments. Seniors' preferences are requested in spite of the fact that Notch payments have not been authorized by Congress, and even if they were, distribution of such payments would be handled exclusively by the Social Security Administration. TREA also disseminates solicitations containing replicas of Social Security checks written in the amount of $5,000.

Perhaps the most disturbing of all, TREA's fundraising efforts have included mailing solicitations that ask seniors to redraft their wills to make TREA a beneficiary. Specific instructions for such will preparation are even provided.

During the Subcommittee hearing, it was discovered that TREA Senior Citizens League used its mailings to collect over $46 million from seniors from 1997 to 2000, with $12 million of that in the year 2000 alone.

It is clear that Congress can no longer turn a blind eye to TREA's fundraising schemes, which seek to exploit America's seniors in the name of legislative reform. Despite repeated warnings by House members to end the barrage of misleading solicitations, TREA has refused to comply with such requests.

TREA's actions leave me with little choice but to introduce a bill that would revoke the Congressional charter granted to TREA in 1992. While Congress rarely revisits a former charter decision, this group's persistent pattern of fleecing seniors clearly warrants such a step. Federal charters are prestigious distinctions awarded to organizations with a patriotic, charitable, or educational purpose. Although intended as an honorific title, a Federal charter implies government support for such organizations. Misleading America's seniors is clearly not patriotic, charitable, or educational, and allowing TREA to maintain its Federal charter would send a signal to the American public that Congress condones such behavior. I urge my colleagues to cosponsor this legislation.

ACCOMPLISHMENTS OF MR. BOB POTTER

HON. C.L. ''BUTCH'' OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. OTTER. Mr. Speaker, I rise today to bring to the attention of the House the distinguished accomplishments of Mr. Bob Potter of Hayden Lake, Idaho. Bob has been the President of Jobs Plus in Coeur d' Alene since the organization's inception 15 years ago. Known affectionately as ''Mr. Jobs Plus'', Bob's mission is to create investment and bring new jobs and companies to the Coeur d' Alene area. I'm pleased to report his mission is a success. Bob Potter is a great salesman for Northern Idaho, and he recruits companies with good benefits programs for their employees in addition to providing a decent wage. As a rule, when Bob successfully recruits a new company, the average annual wage in Kootenai County increases. The benefit of Jobs Plus and Bob Potter is seen in the numbers: 74 companies recruited; 3,780 jobs created; $85 million in new payroll. It is the tireless dedication of people like Mr. Potter that keep our local economies growing and diversifying. Bob Potter's hard work and sense of community should serve as an inspiration to us all, and I thank him for all he has done for Idaho and the nation.

BOB POTTER: MR. JOBS PLUS

RETIREMENT DOESN'T SUIT SALESMAN

(By Bill Buley)

At the end of each year, Jobs Plus President Bob Potter visits companies he's recruited to the area since the organization was formed 15 years ago.

The numbers tell the story.

In 2001: 74 companies; 3,780 jobs, $85 million in payroll; $340 million in capital investment; 2.4 million square feet leased or owned; average wage, $26,300-plus.

''Those are the reasons Jobs Plus is damn important,'' he says.

But numbers don't tell the tale of Bob Potter.

He comes across initially, quite frankly, as a grumpy old man.

He's anything but.

Before the interview even begins, he grabs a putter resting against a wall just outside his office at the Resort Plaza, picks up a golf ball, and walks about 10 feet from the practice hole.

''Watch,'' he says.

A moment later, in a smooth motion, he strokes the ball.

It seems to be going left. It's going to miss.

Then, it begins to break, curving back.

It drops in the target.

He knew.

''I've won a lot of bets on that,'' he says with a grin.

Potter glows when he speaks of his wife Patricia, whom he married 49 years ago on Valentine's Day.

He smiles as he boasts of their daughter Pam, a teacher in Olympia, Wash., and their son Bo, a Notre Dame graduate who today sells medical insurance in Los Angeles.

Potter, by the way, is a huge fan of the Fighting Irish. He anguishes over the football team's misfortunes and hopes for another national championship soon.

His son was the roommate of Rudy Ruettiger, whose drive to play football for Notre Dame resulted in the movie, ''Rudy.''

''I knew Rudy really well, in fact he still visits Bo a lot and stays at our house in Los Angeles when he's down there,'' Potter said.

Still, to many in North Idaho, Bob Potter is Mr. Job Plus.

The two seem synonymous.

But a parting might not be far off.

Potter says he can't continue forever in the $60,000-a-year-job—the same as when he started in 1987.

''I am 74 years old. Sooner or later, the Jobs Plus board of directors is going to have to face up to the fact that we're going to have to take Jobs Plus into the next phase.''

That phase will lead to Jobs Plus II.

''We've been doing this with mirrors. Our costs are stable and low. I don't need a medical plan (he has one already). I've never taken a raise. Jobs Plus II isn't going to be that fortunate. Those days are going to be over, probably in the next transition. It's going to cost us more to run Jobs Plus in the future than it is now.''

So Potter, as usual, has a plan.

He'll make a presentation to Kootenai County Commissioners Tuesday that the county should—like the cities of Coeur d'Alene, Hayden, Rathdrum and Post Falls and about 100 other businesses—support Jobs Plus, which operates on a modest budget of $200,000.

That, Potter said, is far less than what similar organizations in other areas work with.

''The county hasn't had to invest in to produce the millions of dollars that we've created in property tax. We feel that Jobs Plus is an investment and we can prove it because we've got the numbers.''

Potter was born in Utah. He graduated from the University of Utah with a degree in political science.

For 35 years, he worked his way up the corporate ladder with the Bell system, AT&T, eventually becoming vice president of sales for the western region.

When Potter quit and moved to North Idaho and bought a home on Hayden Lake, the economy was struggling.

Community business leaders including Jacklin Land Company, then Washington Water Power, Dennis Wheeler from Coeur d'Alene Mines, and Duane Hagadone, at the time were in the midst of raising $1 million for a four-year program that would focus on expanding the area's economy and employment base.

After interviewing hundreds of candidates from across the nation, they found no one they believed right for the job.

Then, a headhunter suggested the person they were looking for was in their own back yard.

He was.

PAYING TRIBUTE TO TINA SANDOVAL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize a truly dedicated teacher from Pueblo, Colorado, Ms. Tina Sandoval. Tina has spent countless hours helping others understand and succeed in their academic endeavors at Pueblo Community College. She has gone far beyond what is expected in the classroom and touched the lives of many of her students in such a profound way that she was recently named Pueblo Community College Teacher of the Year.

Although Tina has always been passionate about teaching mathematics, her real love is working with people. Originally from Walsenburg, Colorado, Tina was drawn to teaching after seeing the impact teachers had on students' lives. Tina set out to obtain her education and went on to receive both her Bachelors and Masters Degree from Regis College. After a brief career in accounting, Tina found that she missed working with people and decided to become a teacher. Her dedication and commitment paid off and today she is responsible for touching the lives of many who have passed through her classroom.

Mr. Speaker, it is a great privilege to recognize Tina for her service to her community and especially to the students whose lives she has changed. The diligence and commitment demonstrated by Tina certainly deserve the recognition of this body of Congress, and this nation. Tina's achievements as a teacher serve as a symbol to other teachers throughout Colorado. The honor of the Teacher of the Year is proof that hard work and persistence can lead to success in achieving your goals. It is people like Tina Sandoval that ensure our future generations are guaranteed the opportunity to improve their lives through a quality education. Congratulations Tina, and thank you for all of your hard work!

COMMENDING THE DELIVERY OF MEDICINE AND ASSISTANCE TO AFGHANISTAN BY THE HUMANITARIAN ORGANIZATION—AMERICARES

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. WOLF. Mr. Speaker, last week, the humanitarian and relief organization, AmeriCares, delivered a cargo plane's worth of medicine and food to the very needy people of Afghanistan. Some 79,400 pounds of donated medical supplies and food was delivered for the sick and starving men, women and children in Afghanistan.

The supplies range from basic antibiotics, analgesics and bandages to nutritional supplements, flour and cooking oil.

So many have suffered in Afghanistan. A staggering number are dying or have contracted disease because of malnutrition. AmeriCares' shipment of food and medical supplies will help save thousands of lives.

Under the leadership of founder Bob Macauley, AmeriCares provides immediate response to emergency medical needs—and supports long-term health care programs—for all people around the world, irrespective of race, creed or political persuasion.

AmeriCares solicits donations of medicines, medical supplies and other relief materials from U.S. and international manufacturers and delivers them quickly and efficiently to indigenous health care and welfare professionals in 137 countries. Since its inception in 1982, AmeriCares has delivered more than $2.9 billion worth of life-saving supplies to those in need.

I commend the staff of AmeriCares for their hard work in bringing much needed food and medical supplies to the suffering people of Afghanistan.

CARE 21

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. RAHALL. Mr. Speaker, today I am introducing legislation to restore our Nation's historic commitment to insuring lifetime health care for retired coal miners. Joining me in introducing this bill is the distinguished gentleman from Ohio, BOB NEY.

Enactment this year of CARE 21, the ''Coal Accountability and Retired Employee Act for the 21st Century,'' is necessary if we are to avoid seeing a curtailment in health care coverage for thousands of retired coal miners and their widows. Indeed, this would not be the first time that Congress has acted in this matter. In 1992, in what is known as the ''Coal Act'' enacted as part of the Energy Policy Act, Congress established the UMWA Combined Benefit Fund (CBF) combining the union's 1950 and 1974 benefit plans. This action came in response to changes in the coal industry which created a large class of ''orphaned''miners whose benefits were no longer being paid by an active coal company. A key feature of the Coal Act was the financing of orphaned miner health care costs through an annual transfer of a portion of the interest which accrues to the unappropriated balance in the Abandoned Mine Reclamation Fund.

Simply put, in restoring abandoned coal mine lands we must not abandon the retired coal miner.

The Coal Act was working well, health care for retirees whose former employers could be identified would be financed by premiums paid by those companies while providing for a transfer of reclamation fund interest to finance orphaned miner care.

However, a barrage of litigation and adverse court decisions once again is threatening the financial integrity of the program. Among them, what is known as the ''Chater'' decision which overturned the Social Security Administration's premium determination reducing premiums by 10 percent. Another court decision ordered the CBF to refund about $40 million in contributions. And the Supreme Court has rendered two especially harsh decisions; in the Eastern Enterprise case adding some 8,000 retirees to the orphaned miner rolls and just last week ruling that successor companies to signatories of the national wage agreement are not responsible to continue paying premiums for former employees. The result: Without a new source of funds, the CBF will face a cash shortage most likely beginning at the end of this year which could force curtailments in health care coverage for some 50,000 retirees and widows whose average age is 78.

CARE 21 takes a relatively simple and straightforward approach to addressing this impending crisis: It would lift the restriction in current law that reclamation fund interest can only be used for orphaned miner health care. Rather, it would allow AML interest transfers to be made for the purpose of offsetting any deficit in net assets in the CBF.

I would note that interest accrues to the Abandoned Mine Reclamation Fund at a rate of, for example, $103 million last fiscal year. Meanwhile, there is a $1.8 billion unappropriated balance in the Fund. CARE 21 in no way adversely affects the abandoned mine reclamation program. The principal remains intact for that effort, and is fueled by annual reclamation fees assessed on every ton of mined coal which finances the program.

As such, one of the key features of CARE 21 is that the general taxpayer is not being called upon to pay for retired coal miner health care, but rather, the coal industry itself would provide for this coverage through the interest which accrues to the fees it pays into the Abandoned Mine Reclamation Fund.

Mr. Speaker, I noted earlier there is a historical commitment to providing health care for retired coal miners. This is a unique situation in that what would normally be a matter solely for the private sector is not in this instance. The genesis for this situation dates back to 1946 in an agreement between then-UMW President John L. Lewis and the Federal Government to resolve a long-running labor dispute. At the time, President Truman had ordered the Interior Secretary to take possession of all bituminous coal mines in the country in an effort to break a United Mine Workers of America strike. Eventually, Lewis and Secretary Julius Krug reached an agreement that included an industry-wide, miner controlled health plan.

In fact, the 1992 Coal Act itself was formulated partly on the basis of recommendations from the Coal Commission, established by former Labor Secretary Libby Dole, which in 1990 recommended a statutory obligation to help finance the UMWA's Health Benefit Funds.

Mr. Speaker, the people covered by this health care program spent their careers producing the energy which powered this Nation to greatness. We must not forsake them. We must not cast them adrift in their later years, robbed of the health care they so desperately need.

THE RETIREMENT OF RIO RANCHO MAYOR JOHN JENNINGS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. UDALL of New Mexico. Mr. Speaker, we all know of those local elected leaders from our states who, because of their tenure in office, accomplishments, dedication, and hard work, seem to define the term 'public servant.' These are the ones who do not seek headlines, but whose satisfaction comes from doing good things for their communities. I know of no other leader who fits this definition and style of public service more aptly than Rio Rancho Mayor John Jennings. Mayor Jennings will be leaving his post in March, after an exciting term in the history of this special city. He deserves immense credit for the success and growth of New Mexico's fastest-growing city.

Mayor Jennings came to office in 1998 from a career in banking, serving Sunwest Bank for 23 years. He also served as a president of the Rio Rancho Chamber of Commerce. He used this experience to begin the demanding task of governing.

Mayor Jennings has served at a time of amazing expansion for the City of Vision. Building a city that can sustain such rapid growth has required patience, careful planning and effort, but those who live there feel they have finally created a community with its own identity, one that will continue to grow and thrive. Mayor Jennings has done a remarkable job in this regard.

A number of challenging issues face the City of Vision. Whether it be water, planning, revenue, or any issue that looms before our nation's mayors, John has capably acted on behalf of his city to address them. His leadership has been effective, and he leaves the city better than he found it.

As the U.S. Representative for the Third Congressional District, I hear from a number of the elected officials that I represent. However, Mayor Jennings has always made sure that I was aware of the matters that affected our dual constituents.

Mayor Jennings leaves office with a number of important accomplishments that will aid Rio Rancho for years to come. He fought to attract new industry to the city, which is critical to expanding the city's tax base. He worked on a number of transportation and infrastructure issues. He was also a major voice in the Vision 2020 Integrated Comprehensive Plan, which is a blueprint for dealing with growth-associated problems. In addition, Rio Rancho is the second safest city in New Mexico and has one of the best school systems.

However, I believe that the true legacy of Mayor Jennings is the emphasis he placed on the quality of life in Rio Rancho. He told a reporter once that he wanted children in Rio Rancho to have the same things he had growing up in Roswell: good libraries, free schooling, a safe environment. Therefore, many of his priorities were not surprising: adding park space and open space, correcting infrastructure deficiencies, such as adding sewer lines, repairing and upgrading roads, and adding to libraries; and maintaining the Department of Public Safety at its current level to keep its excellent safety record. Without a doubt, he has succeeded in many of these initiatives.

Mayor Jennings is from a family in New Mexico devoted to public service. From Rio Rancho to Roswell, the Jennings family has left a legacy of making government work for our citizens. His brother Tom is a former mayor of Roswell, and his brother Tim serves in the New Mexico State Senate. I am pleased that John has chosen to follow his family in this endeavor and he has done a remarkable job. More important than all of that is the indelible mark he continues to make on our minds as a man of true integrity, character, and kindness, a true gentleman who never speaks ill of a soul and one whose friendship is of the highest quality and value.

I hope that Mayor Jennings leaves his post with fond memories of his mayoral tenure and a sense of accomplishment for his efforts. Knowing John, upon his retirement, he is going to pursue endeavors that will be interesting and challenging; and no matter what he undertakes, I am sure that he will enjoy great success.

On behalf of Rio Rancho, the state of New Mexico, and this nation, I ask that my colleagues join me in thanking Mayor John Jennings for his service.

HONORING THE NORTHERN CALIFORNIA WATER ASSOCIATION'S TENTH ANNIVERSARY

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. OSE. Mr. Speaker, today, the Northem California Water Association is celebrating its tenth anniversary. Since 1992, NCWA has provided a strong regional voice on California water policy for Northem California's water suppliers, farmers, and landowners.

NCWA is a prominent and well-respected organization in Northern California water issues. The organization represents 70 agricultural water suppliers and individual farmers who rely upon the waters of the American, Feather, Sacramento, and Yuba Rivers, smaller tributaries and groundwater to irrigate over 870,000 acres of Northern California farmland, extending from the Coast Range to the Sierra Nevada foothills, and from Redding to Sacramento.

For the past 10 years, NCWA has been a leader in protecting Northern California water rights, developing the Sacramento Valley Water Management Agreement, promoting the construction of new surface water storage in Northern California including Sites Reservoir, protecting Northern California groundwater resources, developing and implementing constructive solutions to Bay-Delta water supply and environmental problems, and developing and constructing fish passage improvements including fish screens and siphons.

It has been my great honor and pleasure to represent this region and to work closely with NCWA to protect the region's water supplies. Again, I would like to congratulate NCWA as the organization celebrates 10 years representing Northern California water interests.

PERSONAL EXPLANATION

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. SHAW. Mr. Speaker, earlier this month, in the first week of February, I remained in Florida all week to attend to my wife, Emilie, who had to undergo surgery. I am pleased to report that she is doing well, and thank my colleagues for their expressions of kindness and support for her. While away from Washington on personal family medical leave, I was not present to record my vote on Roll Call Votes #6 through #14. 1 ask unanimous consent that the Congressional Record reflect, in the appropriate place, that had I been present, I would have voted ''Yea'' in each instance, for recorded votes number 6, 7, 8, 9, 10, 11, 12, 13, and 14.

IN HONOR OF JOSEPH A. WUTKOWSKI

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Joseph A. Wutkowski, the youngest

person in the history of the Borough of Carteret to place the Wreath of Honor at the Carteret Soldiers and Sailors Memorial in Carteret Park.

Joseph was recognized by the Carteret Veterans Alliance and the Senate and General Assembly of New Jersey as being a truly patriotic citizen and the youngest presenter of the Wreath of Honor at the Carteret Soldiers and Sailors Memorial. He was a special guest speaker in July of 2001 at the Rotary Club of Carteret, and was presented with an official Certificate of Appreciation. In addition, Joseph received a proclamation from Carteret Mayor Jim Failace, and was honored with a Joint Resolution from New Jersey State Senator Joseph Vitale, Assemblyman John Wisniewski, and Assemblywoman Arline Friscia.

Joseph is presently enrolled at Holy Family School in Carteret, New Jersey. He enjoys playing Basketball and Little League Baseball.

He is the son of Joseph and Bernadette Wutkowski.

Today, I ask my colleagues to join me in honoring Joseph A. Wutkowski for his patriotism, and for honoring America's veterans in Carteret, New Jersey, and veterans all across America.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2002

SPEECH OF

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2002

Mr. LEWIS of Kentucky. Mr. Speaker, I rise in support of this legislation to reauthorize the Appalachian Regional Commission. Since 1965, the ARC has fostered cooperation among the Federal Government, Governors of Appalachian States and local community leaders for economic development initiatives.

I am especially pleased the bill today adds Hart and Edmonson counties in my district to the Commission. Based on economic data, both of these counties fall into the ARC's distressed classification, the Commission's lowest economic status rank. I believe I can speak for these counties when I say they appreciate this opportunity for assistance in improving their economic situations.

This bill also changes the Commission's fund distribution, requiring half of its program funds to be directed to ARC's distressed counties. Distressed counties are the ones most in need of the extra development assistance ARC provides, and it only makes sense that we target a substantial portion of the project funds available to the areas most in need.

Membership in the ARC does not guarantee funds for local areas, but membership does give local development leaders an opportunity to apply for grants and make the case for their proposals to boost economic and social development.

I want to thank Chairman LATOURETTE for his support in adding these counties deserving of assistance to the Commission and for his support of economic development in Kentucky.

While I would have preferred that we were voting on the chairman's original legislation which included neighboring Metcalfe County in the Commission, I am pleased with this outcome. We passed that legislation in August. Unfortunately, the other body did not agree to our version of the legislation, and we had to make this compromise. I hope the committee will consider adding Metcalfe County to the Commission in the future, as this area is also economically deserving of aid.

I appreciate the work of Chairman LATOURETTE and Chairman YOUNG in this process, and I urge the House's support for this bill.

IN RECOGNITION OF HADASSAH'S 90TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. SCHIFF. Mr. Speaker, I would like to take this opportunity to recognize the 90th anniversary of Hadassah, the Women's Zionist Organization of America. As the largest Jewish membership organization in the United States, Hadassah exemplifies the true spirit of voluntarism.

Founded in 1912 by Henrietta Szold, a Jewish scholar and activist, Hadassah is committed to unifying Jewish people throughout the world. Its mitzvot, or good deeds, are felt at home in America and abroad in the land of Israel.

In Israel, Hadassah funds and maintains two hospitals and 90 outpatient clinics that treat 600,000 patients each year regardless of ethnicity or religious background. Hadassah also supports four other major organizations in Israel and the United States. The Hadassah Israel Education Services group provides cutting-edge technical and vocational training for Israeli citizens, while the Youth Aliyah program provides education and support to immigrant youth. The Young Judea program builds connections between American teenagers and Israel through student exchange partnerships and the Jewish National Fund works to preserve Israel's natural resources by constructing parks and planting trees.

The impact of Hadassah can also be felt throughout the United States. The organization is represented in every congressional district and members work with political leaders on matters ranging from U.S.-Israel relations to women's health and equality issues. Hadassah volunteers are active in community service projects, educational initiatives, and programs benefitting women and their families.

In my district of California, there are over 250 Hadassah members and six active chapters. These chapters have raised over $5 million for the Hadassah Hospital and educational programs in Israel.

On this, its 90th anniversary, I salute Hadassah's efforts to promote education, welfare, and women's rights, that have helped preserve strong cultural ties with Israel.

PERSONAL EXPLANATION

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. PHELPS. Mr. Speaker, on rollcall No. 39 and No. 40, had I been present, I would have voted yes. Unfortunately, I was unable to attend the vote due to circumstances at home. Several Illinois steelworkers may lose their jobs due to the closing of a few large plants, and I felt the need to show my support for these workers and their families.

ARC OF MERCER COUNTY

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. ENGLISH. Mr. Speaker, Norman Vincent Peale—a pastor and a motivational speaker—said ''Change your thoughts and you change your world.''

Fifty years ago, more than 20 residents of Mercer County, many of them parents of developmentally disabled children, recognized a need in their community. The area lacked much needed education programs that addressed the special needs of their children. This included not only basic education but also the development of job and social skills. With that focus, they established what has evolved into the Arc of Mercer County.

Remember, this was a time when mental retardation was often misunderstood by society. Those who were developmentally disabled were quickly committed to asylums. It was believed that they could contribute nothing to the community. But, these Mercer County residents knew otherwise. They knew these precious individuals could enrich people's lives if they could find a way to integrate them into society. So with hope, optimism and faith, they actively sought donations of space, time and money to establish a program where children and adults with mental retardation could learn to support themselves, learn social skills and attend classes designed to meet their special needs.

These 20 families, through their actions and deeds, changed the way we view mental retardation forever, not only in their own community but worldwide. We now know that being developmentally disabled is not an end-all, they play a vital role in our economy while gaining independence for themselves.

MCAR has grown from a small patchwork organization who once borrowed classroom space from the Salvation Army and the American Legion to a powerhouse agency providing services to more than 500 individuals with mental retardation. Their services have expanded to include vocational training, residential services, employment services and recreation and socialization programming. MCAR owns 17 group homes, a campus of education facilities in Hermitage as well as a Mechenbier workshop in Greenville.

For 50 years, MCAR has given some very special people in the community the opportunity to stand on their own two feet. With their various programs, they are building new and better bridges, ensuring everyone has the opportunity to live a full and productive life. I applaud the founding officers—Mrs. Peter Jarocki, Mrs. Frank Machuga, Mrs. Royal DeWeese, and Mrs. David Cooke—for working with the community to develop a program that would blossom and bloom into an agency that helps so many. Under the leadership and inspiration of current CEO Bob Beech and his board, the vision of these families has only flourished.

Mr. Speaker, those with developmental disabilities and their families face a lifetime of challenges. MCAR has provided the tools necessary to ensure that those challenges are met. I would like to congratulate the founding families and everyone at MCAR—past and present. Your hands and hearts have left a positive imprint on so many lives, mine included. Last but not least, I would like to congratulate the clients of MCAR. You have come so far. Your contributions to our local community are felt in so many ways and our lives are enriched by knowing all of you. You have truly made Mercer County a better place to live.

PAYING TRIBUTE TO RUSS SODERQUIST

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to congratulate a Lions Club member from Grand Junction, Colorado whose hard work and dedication has been rewarded with the highest honor given to any Lions Club member. Russ Soderquist was recently awarded the Melvin Jones Fellowship, and as he celebrates his achievement, I would like to commend him for his commitment to excellence that has resulted in this honor. He is certainly a well deserving recipient of this Fellowship and I am pleased to represent him and his chapter of the Lions Club in Colorado.

Russ has served as a member of the Grand Junction chapter of the Lions Club since 1969. Throughout the years, Russ has become famous for his writing on a variety of issues and subjects, drafting letters with concerns and comments to the President of the Lions Club and his fellow citizens. What set Russ apart is that not only is he active in raising concerns to the attention of others, but he also proposes actual solutions. In addition to his letters, Russ also writes numerous articles, several of which have appeared in the Lions Club international magazine. Russ is well known throughout his community as a compassionate man who is dedicated to his community and improving the lives of others. He always conducts himself with sincerity and honesty, both in his letters and in his everyday life.

Mr. Speaker, the diligence and commitment demonstrated by Russ Soderquist certainly deserves the recognition of this body of Congress, and this nation. Russ' achievement serves as a symbol to community members throughout Colorado, and indeed the entire nation. The Melvin Jones Fellowship is an incredible honor that has been awarded to a well deserving recipient. Congratulations Russ, and thank you for all of your hard work!

JOSEPH ORSULAK HONORED ON OCCASION OF RETIREMENT

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the long public service of my good friend Joseph P. Orsulak of Lansford, Pennsylvania, who will be honored with a retirement dinner on March 2, 2002.

Joe began his political career working for the late Congressman Francis ''Tad'' Walter of Easton in Washington, D.C., as an assistant publication officer. In 1971, he was appointed as Carbon County's chief clerk and served several county commissioners in that capacity over the next 20 years. During his terms as chief clerk, the commissioners entrusted him with additional responsibilities and named him the country's fiscal director to coordinate all fiscal and budgeting affairs of the country government.

During his service as country chief clerk, the state Association of County Commissioners asked him to serve on a state committee to create an instructional booklet on the duties and responsibilities of a county chief clerk. He accepted the challenge and contributed many administrative ideas to improve the way chief clerks do their jobs.

In 1993, Joe was elected to the first of two full terms as Carbon County treasurer. During his first term as treasurer, he installed a new computer system and upgraded the software to conform with the various changes in the hunting, fishing, and dog license regulations.

One of his primary duties as treasurer was serving on the Carbon County Employees Retirement Board. In his capacity as a fiduciary member of the board beginning in 1994 with a portfolio worth $20 million, he set a goal of reaching $50 million during his term of office, and this goal was reached in 2000. Joe was also instrumental in having the Retirement Board to evaluate its investment policies and strategies by engaging the services of a second investment manager to diversify the employee pension fund portfolio.

He served on the legislative and nominating committees of the Pennsylvania State Association of County Treasurers, and hosted two state conventions in Carbon County. He was also a member of the Pennsylvania Finance Officers Association.

In December 2000, Joe was appointed to the Pennsylvania State Association of Elected County Officials to represent all treasurers in Pennsylvania. In this capacity, he met monthly with state legislators on the Local Government Commission in Harrisburg to discuss legislation pending in the state House of Representatives and state Senate.

Mr. Speaker, Joe also dedicated himself to serving his neighbors outside of his official capacity. He was active in the former Panther Valley Jaycees, serving as an officer on a local, regional and state level. He concluded his tenure in the Jaycees organization as a Pennsylvania state vice president and state chairman of a program called ''Operation We Care'' accepting the portfolio of the ''Apple Butter Sunday'' program. He coordinated the statewide program where Jaycee chapters raised funds for the mentally disadvantaged children of Pennsylvania. In two weeks the organization raised over $400,000, and the funds were used to send children to summer camps to enjoy the fruits of recreation.

Also in his activities with the Jaycees, Joe had a major role in creating a ''Leadership in Action'' committee, and traveled throughout the region instructing Jayee chapters in leadership skills and the importance of the use of the rules of parliamentary procedures in public meetings.

Joe is a member of St. Michael's Roman Catholic Church and a graduate of the former Lansford High School. A lifetime Democrat, he has served on the Carbon County Democratic Executive Committee and as a member of various Democratic clubs in the county.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives to the long public service of Joseph P. Orsulak, and I wish him a happy retirement.

TRIBUTE TO BOB CALLEGARI

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BORSKI. Mr. Speaker, I rise to commend a devoted public servant, Bob Callegari, who is retiring following 31 years of dedicated service with the U.S. Army Corps of Engineers. Bob and I have worked together in Philadelphia to advance many waterway projects and I am confident these projects will benefit the entire region for many years to come, serving as a legacy to the Army Corps, and the man responsible for their implementation.

Bob Callegari began his career in 1971, with the North Atlantic Division, U.S. Army Corps of Engineers. He served initially as an economist on the North Atlantic Regional Water Resources Study, and from 1972 to 1976 as the Chief of the New York Metro Study Section of the North East Water Supply Study, which resulted in the authorization, by Congress, of a $3.2 billion water supply project.

From 1977 through 1987, Mr. Callegari served in the Passaic River Study Branch, New York District, as Technical Coordinator, Acting Branch Chief and Branch Chief. During his tenure, Mr. Callegari led the development of the largest Phase I General Design Memorandum at that time, a $21 million effort. Additional projects totaling $1.5 billion were authorized, including a flood warning system. As a result, Mr. Callegari's organization was the recipient of numerous awards for outstanding performance.

Bob Calllegari came to the Philadelphia District as Chief of the newly organized Planning Division in 1987. At that time, the Philadelphia District had only five active planning studies and one project authorized for construction. Recognizing the needs of the region and the Corps unique capability in flood control, Bob effectively outreached to potential customers and partners generating widespread congressional support. His efforts resulted in an impressive increase in construction or planning projects.

Mr. Speaker, as a member of the House Transportation and Infrastructure committee and in my previous role as ranking member of the Subcommittee on Water Resources and Development, I have worked closely with Mr. Callegari to advance projects crucial to improving and protecting the Philadelphia waterways. He believes, as I do, that we must enhance, preserve and protect our waterways, improving our environment in the process.

With congressional support, and Mr. Callegari's leadership, we have successfully reconstructed a seawall at the historic Glen Foerd on the Delaware and made needed waterway improvements at Pennypack Creek and

Philadephia's famed Boathouse Row. The Delaware River channel deepening project is now in its first construction phase. We have established a pilot program for water-related ''browhfields'' environmental cleanup at the East Central Incinerator so that abandoned industrial sites can be cleaned for waterfront reuse and redevelopment.

Mr. Speaker, these projects would not have occurred without the persistence and passion of Mr. Callegari's diversified planning program which includes environmental restoration, beneficial use of dredged material projects and effective use of the Corps' Continuing Authorities Program to address the needs of the region. His leadership has earned him the distinctive deFleury Bronze Medal, a well-deserved honor.

I am proud to have worked with Bob in sharing a vision of maintaining and improving our waterways. As he seeks new professional challenges, I am confident that his distinguished career with the U.S. Army Corps of Engineers will benefit all citizens.

THE BAY CITY LION'S CLUB: KINGS OF GIVING FOR 80 YEARS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to the Lions Club of Bay City, Michigan, as its members prepare to celebrate 80 years of outstanding community service, charitable giving and remarkable volunteer efforts.

Chartered on December 8, 1921, the Bay City Lions Club was founded by 35 civic-minded local men who were determined to expand their passion for doing good by giving back to the entire community and beyond. Today, the Bay City chapter, with 235 members, ranks as the largest Lions Club in the state of Michigan; the fifth largest in the entire United States; and, the 15th largest in the world. Under the leadership of Club President Joseph Gwizdala and all officers past and present, members have consistently lives up to their club motto. ''We Serve,'' by actively addressing the needs of our community in large and small measures.

It is especially noteworthy that the Lions Club never uses any of the money collected from the public to defray administrative costs. Instead, they use all the money they collect to help those in need, with 75 percent of their annual budget used to help local families and individuals and 25 percent going to statewide projects.

The Lions are widely known for their mission to provide glasses and hearing aids to the needy, but the Bay City Lions Club has gone above and beyond the call of duty in that regard and in many more endeavors as well. One particularly praiseworthy example was when they purchased a glaucoma testing machine for the Bay County Health Department. The club also annually sponsors many events and activities, including a health fair, holiday celebrations for disadvantaged children, Little League teams, and a host of other projects. They also provide scholarships to students from area high schools and adult education programs.

The Bay City Lions Club serves as a shining example of community-minded selflessness by putting the needs of others ahead of personal or financial regard. The many volunteers who give their time and talents to the Lions Club have set a high standard when it comes to serving the greater community.

Mr. Speaker, I ask my colleagues to join me in applauding the Bay City Lions Club for their significant contributions and in congratulating them for 80 years of success. I am confident they will continue to make Bay City proud.

BILL TO ESTABLISH OFFICE OF CORRECTIONAL HEALTH

HON. TED STRICKLAND

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. STRICKLAND. Mr. Speaker, I would encourage my colleagues to support HR 2422, legislation I have introduced that would establish an Office of Correctional Health within the Department of Health and Human Services.

According to the Department of Justice (DOJ), the United States is second only to Russia among industrialized nations in incarceration rates with nearly 2 million people in jail or prison. The fuel that feeds this prison population explosion is comprised of several components. Mandatory minimum and ''three-strikes'' sentencing laws have resulted in longer sentences and more frequent incarcerations. A look at the changing demographics in American prisons and jails sheds light on the challenges correctional facilities face at the beginning of the 21st century.

Substance abuse poses a significant health care challenge for correctional facilities. According to DOJ, 57 percent of state prisoners and 45 percent of federal prisoners surveyed in 1997 said they had used drugs in the month before their offense. A whopping 83 percent of state prisoners and 73 percent of federal prisoners had used drugs at some time in the past. It is estimated that about three-quarters of all inmates can be characterized as being involved in alcohol or drug abuse in the time leading to their arrest.

According to an article in the Washington Post entitled, ''Mentally Ill Need Care, Find Prison'', it is estimated that the number of inmates with serious mental illnesses in American prisons and jails is nearly 5 times the number of mentally ill in state mental hospitals. So many of these inmates with mental health needs also have a co-occurring substance abuse problem. This high incarceration rate of the mentally ill, many of whom have substance abuse problems, poses an enormous challenge to the correctional health care system. In the first comprehensive report on mental illness in correctional facilities, the Bureau of Justice Statistics (BJS) found that 7 percent of federal inmates and 16 percent of those in state prisons or local jails or on probation said they either had a mental condition or had stayed over night in a mental hospital unit or treatment program. The highest rate of mental illness was among white females in state prisons at 29 percent. For white females age 24 or younger this level rose to almost 40 percent. When compared to other inmates, mentally ill inmates and probationers reported higher rates of prior physical and sexual abuse. According to BJS, nearly 6 in 10 mentally ill offenders reported they were under the influence of alcohol and drugs at the time of their current offense.

The increased incarceration rate of women also presents new health care challenges to correctional facilities. According to BJS, in 1998 an estimated 950,000 women were under custody, care or control of correctional agencies. Nearly 6 in 10 women in state prisons had experienced physical or sexual abuse in the past. This statistic, coupled with the reality that 7 in 10 women under correctional sanction have minor children, points to the acute need for counseling services. Women inmates utilize health care, including sexually transmitted diseases, and the possibility of pregnancy either upon entry into the corrections system or during, women's special health care needs must be addressed in a comprehensive fashion.

The health care needs of inmates have expanded as the incarcerated population has aged. As inmates grow old in prison they succumb to the same ailments which afflict the elderly in the outside world—diabetes, heart disease and stroke. These geriatric health care needs represent another challenge to correctional agencies in providing adequate care.

In 1996, the Centers for Disease Control and Prevention's National Center for HIV, STD, and TB Prevention formed an ad hoc working group, the Cross Centers Correctional Work Group made up of health professionals from across CDC. The purpose of the group is to focus attention on the complex health needs of incarcerated men, women, and youth in the United States. I commend the work of this group and the fine efforts of CDC in addressing the very complex health issues associated with correctional facilities.

According to CDC, the prevalence of infectious disease is high among inmates. For AIDS, the prevalence is five times that of the general population. Further, inmates coming into correctional facilities are increasingly at risk for HIV infection through risk behaviors such as needle sharing and unprotected sex. Tuberculosis is another important public health issue in prisons and jails according to CDC. TB infection rates are substantially higher among inmates; estimates are anywhere from four to 17 times higher because conditions associated with TB (poverty, drug use, HIV infection, etc.) are more common in the incarcerated population than the general US population. According to CDC, even as we have decreased the number of TB cases overall, it has become a much more focused disease, with outbreaks of TB in correctional facilities starting to count as a major factor in its spread. For Hepatitis C, the prevalence among inmates is nine times higher than that of the general population.

Jails, where inmates are held awaiting trial or serve short sentences of two years or less, represent the ''front lines'' of correctional health care. Many inmates lacked good access to health care services before their incarceration and are therefore more likely to come to jails and prisons with chronic illnesses and infectious diseases. Rates of infectious disease are known to be higher among inmates than in the general population. This high incidence of infectious disease among inmates threatens the health and lives of thousands of dedicated corrections officers and staff members who work in prisons and jails across America.

Most inmates are released after they've served their time; without treatment, these infected inmates threaten the public health of the community upon release. Every year there are approximately 12 million inmates released into the community. We need to recognize the real opportunity for treatment and prevention services in treating the high-risk corrections population as well as the clear public health implications for the community at large.

All of these alarming statistics contribute to the need for the establishment of an Office of Correctional Health within HHS. Such an office would coordinate all correctional health programs within HHS; provide technical support to State and local correctional agencies on correctional health; cooperate with other Federal agencies carrying out correctional health programs to ensure coordination; provide outreach to State directors of correctional health and providers; and facilitate the exchange of information regarding correctional health activities.

Mr. Speaker, with a growing diverse and medically complex population in America's prisons and jails, we must ensure that inmates are provided the health care they need, that staff members operate in a safe working environment, and as a result, that public safety is enhanced.

CELEBRATING 100 YEARS OF JARRETT STATIONARY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. COBLE. Mr. Speaker, on Friday, March 1, 2002, one of the most respected family-owned businesses in High Point, North Carolina, will celebrate its 100th birthday. On behalf of the citizens of the Sixth District of North Carolina, we wish to congratulate Jarrett Stationary on its first century of existence.

''We don't know the exact date when Gene Jarrett started the business, but it was in February 1902,'' David Wall, the store's president told the High Point Enterprise. Wall, a third-generation owner and a High Point City Councilman, told the newspaper, ''I figured holding the celebration on March 1 would help us cover the date properly. Ever since we got to 95 years, it seems like it's taken forever to get to 100 years, so I'm both proud and relieved that this time has finally come.''

Because small businesses are the lifeblood of our economy, Mr. Wall, all of us are proud that Jarrett Stationary has succeeded for 100 years. Jarrett Stationary is the 16th oldest business entity in High Point according to the local Chamber of Commerce. Jarrett Stationary has had a rich and colorful history during its century in business.

There have only been three presidents during its 100-year existence. Gene Jarrett ran the company for approximately 45 years. Thurman Wall, Jarrett's son-in-law, served as president before his son, David, assumed the role in 1981. The company also served as a bookstore during its first 40 years before concentrating on office supplies after World War II.

It has been at its downtown North Wrenn Street location since 1929. Despite the glut of national office supply chains, and that many other small businesses have abandoned the downtown retail core, Jarrett Stationary has stayed and thrived. The future looks equally bright for Jarrett Stationary.

In fact, the very name of the company has come up for discussion in the past. Though a Wall family member has run the business longer than a Jarrett, David Wall said there was never any real consideration to abandon the company name. ''Both my father and I thought about all those years that the good name of Jarrett Stationary has been built up in this city,'' Wall told the High Point Enteprise. ''In retail especially, if you have that, that's like money in the bank, so why change?''

We concur that Jarrett Stationary should not change. It should continue to serve the people of High Point the same way it has for 100 years. On behalf of the citizens of the Sixth District of North Carolina, we congratulate Jarrett Stationary on its centennial celebration, and we offer our best wishes for the future.

WELCOMING MEMBERS OF THE AMERICAN BURN ASSOCIATION

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. WATTS of Oklahoma. Mr. Speaker, I would like to take this opportunity to welcome to Washington the members of the American Burn Association (''ABA''). The ABA and its over 3,500 members devote their time and resources to promoting and supporting burn-related research, education, care, rehabilitation and prevention. The membership consists of physicians, nurses, occupational and physical therapists, researchers, social workers, firefighters and hospital burn centers.

Many of you may be surprised to learn that there are over one million burn injuries in the United States each year and over 4,500 burn deaths. There are over 700,000 emergency room visits each year for burn-related injuries and over 45,000 hospitalizations. Because burn care is so complex and highly specialized, over half of all hospitalizations are to the nation's 139 specialized burn centers.

Burn injuries are among the most painful and horrific injuries that one can suffer. Even in ordinary times, we would owe a debt of gratitude to these dedicated and highly trained professionals and their institutions for treating and saving thousands of burn victims each year. September 11th brought about an even more profound appreciation of the work done by these burn professionals.

Immediately after the two planes plunged into the World Trade Center and a third plane crashed into the Pentagon, burn center hospitals and medical personnel responded. According to the CDC, about one third of all patients hospitalized in New York after September 11th were burn victims. These victims suffered from 35–75 percent total body burns. Many were in critical condition, some dying, others facing a long road to recovery with several reconstructive surgeries required to repair the damage. Similarly, in Washington Hospital Center.

As bad as this situation was, the medical community prepared for even greater horror. The ABA immediately alerted the 139 U.S. burn centers and began an assessment of the maximum burn bed availability for possible victims. By early afternoon on September 11th, the ABA had identified 1,500 available burn beds for potential victims and communicated specific information regarding this situation to relevant federal agencies.

The ABA also reached out to the Office of Emergency Preparedness, which manages the National Disaster Medical System (''NDMS''). NDMS is a partnership between FEMA, HHS and other federal agencies and private organizations that can provide emergency medical and support care during a disaster. Burn doctors formed Burn Specialty Teams under NDMS' auspices to ensure that all victims received the best care possible.

One story that deserves particular mention relates to the ABA's role regarding providing allograft that is critically important in burn treatment. There was simply not enough allograft available in Washington after the Pentagon attack. The Washington Hospital Center contacted a Dallas skin bank, which had 70 square feet of skin available to send to Washington. The problem was that all air transportation had been grounded. Despite these obstacles, the skin was packed in a truck and two young men drove from Dallas to Washington, arriving late afternoon on September 12th. Lives were saved as a result of this heroic effort.

We know from incidents dating back to Oklahoma City up to the World Trade Center and the Pentagon that disasters can strike at any time. If we are to respond to such disasters, we must strengthen the nation's National Disaster Medical System, including fully integrating the nation's burn centers into any disaster preparedness plans. Burn care is unique and requires a cadre of multi-disciplinary professionals to ensure a favorable outcome from these horrific injuries.

Mr. Speaker, we thank the dedicated medical professionals of the American Burn Association for what they do every day and, most especially what they did to treat the victims of September 11th.

RECOGNIZING OLYMPIC SILVER MEDAL WINNER LEA ANN PARSLEY

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. TIBERI. Mr. Speaker, countless Americans are proud of Olympic medalist Lea Ann Parsley, but none more so than her friends and neighbors in central Ohio.

America knows Lea Ann as the athlete who sped to a silver medal in the first-ever women's skeleton event at the Salt Lake City winter games. But her friends in central Ohio know her as much more than that. She's a full-time firefighter at the plain township fire department in Franklin County and a volunteer firefighter in her hometown of Granville. And she's completing her work at the Ohio State University on a doctorate in community health nursing.

No wonder that Granville assistant fire chief Stan Nicodem said that Lea Ann ''embodies not only the ideals of the Olympics, but the ideals of volunteerism and of firefighting. This just highlights that she's a very special person.''

So special, in fact, that she was selected as one of the athletes to carry the American flag that had flown over the world trade center in the opening Olympic ceremonies. She persevered to win her silver medal despite an injured hamstring.

If boys and girls across our country are looking for a role model, all they need to do is look to central Ohio and Lea Ann Parsley. She's a true champion, both in the Olympics and in life.

BATTERED IMMIGRANT FAMILY RELIEF ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. SCHAKOWSKY. Mr. Speaker, today I am introducing the Battered Immigrant Family Relief Act.

Violence against women is a profound and extremely pervasive problem, striking across economic, cultural and ethnic backgrounds, and across all age groups. It is an epidemic that affects not only women, but children and families as well.

We, in Congress, should be proud that we were able to reauthorize the Violence Against Women Act last session. I was particularly pleased with the inclusion of critical provisions of relief to battered immigrant women that came from my bill, H.R. 3083, the Battered Immigrant Women Protection Act. However, there are still important groups that were left out of last year's negotiations. That is why this legislation is so critical.

There are still battered immigrants, like asylees and the elderly, who are forced to remain in abusive relationships, unable to appeal for protection from law enforcement and the courts for fear of deportation. The Battered Immigrant Family Relief Act will allow them to safely escape their abusers without fear of deportation or other negative immigration consequences. This legislation would also provide a safety net for battered legal immigrants and their children by allowing them access to health insurance, food, and other benefits required to escape their abuser and gain economic self-sufficiency. We can no longer allow immigration status to be used as a tool of control in abusive situations.

I urge my colleagues to support this effort and this bill. While there is still even one women out there who endures violence, our work will not be complete.

RECOGNIZING PEACE CORPS DAY 2002

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. FARR of California. Mr. Speaker, I would like to bring to your attention that tomorrow, Friday, March 1, 2002, is Peace Corps Day. Tomorrow throughout the country, former volunteers will bring their experiences to work, school, places of worship and recreation. They will share with their colleagues, friends and community members the story of their years as volunteers and how it changed and shaped their lives. Since 1961, more than 163,000 volunteers have served in 135 countries and, in so doing, have served their country and the cause of peace and friendship across the globe.

This year, former volunteers will also be carrying with them the message of the President of the United States—that the Peace Corps is more important and relevant in the world today than it has ever been. I applaud the President's initiative to double the number of Peace Corps volunteers to 14,000 by the year 2007, and to bring Americans to parts of the globe where volunteers have yet to serve—parts of the globe that Americans need to know more about, and which need to know more about Americans.

Of course, Mr. Speaker, every day is Peace Corps day for me. My experience as a volunteer in Colombia is one that I draw upon and share with everyone I meet. Tomorrow will be no different.

I urge all Members of Congress, whether they were volunteers or not, to honor the Peace Corps tomorrow, and to share the spirit of volunteerism and international peace with everyone they come in contact with that day.

REPORT ON NATIONAL PUBLIC RADIO

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. SOUDER. Mr. Speaker, I am appalled by a recent report on National Public Radio linking the Traditional Values Coalition with the Anthrax letters that were sent to Senators TOM DASCHLE and PATRICK LEAHY. I am outraged by this biased and unsubstantiated attack.

I have personally known the leadership of the Traditional Values Coalition for many years. Even if I was not personally acquainted with members of TVC, I would still find this type of malicious and biased reporting completely outrageous.

NPR linked an organization that represents 43,000 churches across the nation to criminal activity with absolutely no evidence or fact. As the basis for their accusation, NPR cited a press release that TVC issued criticizing Senators DASCHLE and LEAHY for a policy that they disagreed with. If a policy disagreement is enough to speculate on a taxpayer-funded national radio program that a group has tried to murder members of Congress, then the list of suspects for this unspeakable crime would take NPR days to report. Instead NPR chose to mention only TVC in connection to the Anthrax with absolutely no evidence linking them to the crime. This is slander, and NPR should be held accountable for such blatantly biased reporting.

TRIBUTE TO CARLOS J. BADGER

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. CONDIT. Mr. Speaker, I rise today to honor Carlos J. Badger on the occasion for his 100th birthday and to honor him for a lifetime of service and community leadership.

Carlos J. Badger has had a distinguished career as a lawyer and he is currently the oldest practicing attorney in Stanislaus County, California. His legal career started after he graduated from Stanford University Law School. He argued his first case before the United States Supreme Court in 1949. His love for the law and concern for his clients keeps him still practicing today.

Carlos J. Badger also distinguished himself as a graduate of the United States Naval Academy. He was a classmate with Admiral Hyman Rickover when he graduated in 1922. He served honorably until he was forced to leave the Navy due to tuberculosis. He reenlisted during World War II and passed the California Bar while in the service. He is the oldest living veteran in Stanislaus County that served in both World Wars.

Mr. Speaker, it is indeed and honor and privilege to honor Carlos J. Badger for his service to our country and his dedication to the people of Stanislaus County. He is a shining example of professionalism in the legal profession. His selfless acts and professionalism reflect great credit upon himself.

I ask my colleagues in the House of Representatives to rise and join me in honoring Mr. Carlos J. Badger.

RECOGNIZING RUTH SWIGGETT'S LIFELONG COMMUNITY SERVICE TO EL SERENO

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Ms. SOLIS. Mr. Speaker, I rise today to recognize and extend birthday wishes to an inspirational African-American woman from my district who has demonstrated a life long commitment to the community of El Sereno. For several decades, Ruth Swiggett has been a pillar in one of the most diverse communities in my district. The life of Ruth Swiggett takes on monumental significance as we will be celebrating her 99th birthday on Friday.

Ruth Swiggett has worn many hats in her lifetime—wife, mother, and community activist. She is the co-founder of the El Sereno Coordinating Council and has also served as advisor and president of the El Sereno Seniors. She has also been heavily involved with the El Sereno Youth Center, a community-based organization that fosters an educational enriched program and provides an after-school literacy based technology center for the children of the surrounding school community. As a proud Benefactor of the El Sereno Youth Center, Ruth has always worked tirelessly to help raise funds and coordinate supplementary educational resources for this important youth center.

Our nation is always in search of positive and meaningful role models to enrich our lives and foster innovative approaches that embrace positive character and virtue. One need not look any further than the community of El Sereno—for there is a sweet, caring woman who continues to make monthly visits to the El Sereno Youth Center where she celebrates every holiday with the children from the neighborhood who love and respect her.

I am privileged to have befriended Ruth Swiggett and am proud to speak of this renowned woman who has taught us all the significance of humanism and social justice.

CONGRATULATING SPECIAL AGENT TIMOTHY LATTERNER

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mrs. ROUKEMA. Mr. Speaker, I rise today to recognize and congratulate Special Agent Timothy Latterner, resident of Allendale, New Jersey, and decorated member of the Federal Bureau of Investigation, for his dedication to protecting our country. Later today, the Mayor and Council of the Borough of Allendale will pay tribute to Special Agent Latterner for his outstanding service to our country and the people of New Jersey. On this day, he will also be honored for his heroism and success in ending the trail of violence of one of the FBI's most wanted fugitives. As stories and reports from this dramatic event become known, we can understand the gravity of the situation as well as the outstanding skill of Special Agent Latterner as he protected the lives of innocent citizens. A leader of the men and women who bravely defend the citizens of this country, Special Agent Latterner is truly a hero of Allendale, of New Jersey, and of the country.

Special Agent Latterner's career in law enforcement is certainly impressive. Aside from serving in the Military Police in our Nation's army, he has been active as a Patrolman of the Borough of Allendale Police Department as well as the city of Fort Lee Police Department. Special Agent Latterner has always found the time and energy to participate in every aspect of his community. While serving in the Allendale and Fort Lee Police Departments, he also was a Drug Abuse Resistance Education (DARE) instructor to local youth. Almost seven years ago, he began a career with the Federal Bureau of Investigation and today serves in New York City as a member of the FBI's Fugitive Task Force and SWAT team.

The awards and honors Special Agent Latterner has received are tremendous, and quite outstanding. To list only a few: he has received the Armed Forces Expeditionary Medal for Combat in Panama, Medal of Valor from the New York City Police Department, the Heroism Award from the New York Fraternal Police Order, and named Investigator of the Year by the Federal Law Enforcement Foundation. Most recently, his name was submitted for the FBI Medal of Valor for heroic actions.

One of Special Agent Latterner's most remarkable moments will be honored in Allendale today. His dedication to his career and the pursuit of justice brought him to Atlantic City on May 11, 2001. With a lead on a notorious and deadly fugitive wanted nationwide, Special Agent Latterner and two other law enforcement officials pursued the man successfully to a casino. Witnesses said that the scene was right out of the movies. For Special Agent Latterner, it was the final step in a chase across States for a man the FBI named in its most wanted. The fugitive was wanted for murder, sexual assault, kidnapping and armed robbery. In a crowded chaotic room, Special Agent Latterner was able to successfully subdue this armed and dangerous man and prevent injury to the other law officials or the public. I do not doubt that Special Agent Latterner spared the lives of his partners and witnesses as he apprehended the dangerous criminal. This heroism and professionalism deserves our utmost respect and appreciation.

I am honored to have such a man residing in the 5th District of New Jersey, and serving our country. Mr. Speaker, I urge my colleagues to join me in commending Special Agent Latterner for his actions that heroic day in Atlantic City, and for his outstanding career in enforcing our country's laws and defending our citizens. I wish him all the best for the rest of his remarkable career.

HONORING THE GOOD HOPE MISSIONARY BAPTIST CHURCH

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the congregation of the Good Hope Missionary Baptist Church at 3015 North MacGregor Way in Houston, Texas, as they observe the church's 130th anniversary on March 23–24, 2002. The church's long history of providing spiritual nourishment and community service will be celebrated with a music workshop, luncheon and two Sunday services.

The Good Hope Missionary Baptist Church was founded in 1872, nine years after President Lincoln signed the Emancipation Proclamation. The former slaves began to exercise their hard won freedom to worship God after having been prohibited from congregating in large numbers and from holding services. The church was first located on Valentine Street in the Freedman Town area of Fourth Ward, eventually moving to a larger facility on the corner of Wilson and Saulnier Streets which was later damaged by fire. In 1933 the congregation moved into its first modern structure. Then on March 22, 1981, the church moved to its current central location to better service the needs of its membership.

Six Pastors have served as leaders of Good Hope over the last 130 years. The church was established under the leadership of Reverend Samuel Grantham, known as Father Grantham, and he continued in his role as church leader until he passed away in 1891. The second pastor, Reverend C.H. Hunt served from 1893 until his death in 1921; the third pastor, Reverend Henry C. Cashaw served from 1922 until his death in 1934; the fourth pastor, Reverend Albert A. Lucas served till his death in the pulpit in 1963; the fifth pastor, Reverend Crawford W. Kimble was elected and served from 1964 until his retirement in January 1994; and the sixth and current pastor, Reverend D.Z. Cofield has served as Senior Pastor since March 1994.

Today, the membership is one of the largest African American congregations in Houston. A few of the ministries are Christian Education, counseling, Wellness, and the Hope Resource Center. This year Good Hope will break ground on a 25,000 square foot Family Life Center to better serve the membership and surrounding community. This facility will include a state of the art auditorium/cafeteria, commercial kitchen, 20 classrooms, library/bookstore, and day care center. Also, Good Hope has a faith-based nonprofit community development corporation, Hope for Families, Inc., which was organized in 1994.

Mr. Speaker, I congratulate Pastor Cofield and all the members of Good Hope Missionary Baptist Church as they celebrate their 130th anniversary. I wish them continued success as they build on the strong sense of community they have helped establish in Houston.

TO HONOR THE SERVICE OF RICHARD 'DICK' HEALING, NAVY DIRECTOR OF SAFETY AND SURVIVABILITY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. WELDON of Pennsylvania. Mr. Speaker, today, a valued asset of the Navy and a dear friend of mine will retire after a long and distinguished career in public service. Richard 'Dick' Healing selflessly served as the Navy's first Director of Safety and Survivability. His objective was the operational safety of our servicemen and women in combat and training. Whenever the well-being of the individuals who would operate the various aircraft, weapons and machinery was ignored or overlooked, Dick Healing made it a priority so that no design created unreasonable risks.

Dick's contribution affected the lives of all Navy personnel. He took pride in closely overseeing the assessment and procurement of countless technology improvements. He is most well-known for aviation safety including, but not limited to, the addition of the life-saving Helicopter Emergency Egress Device (HEED) and the use of flight recorders on combat aircraft. Thanks to his tireless efforts, countless Navy personnel and their families would never have to experience the loss of a loved one due to hasty or imprudent engineering.

Dick's services to America did not begin with his life-saving Navy survivability work. After dedicating 29 years of his life to the Coast Guard, Captain Healing held four Navy commands, including the Command of a patrol gunboat during the Vietnam War and Command of the Secretary of Defense Crisis Coordination Center Reserve Unit. He served as Team Chief in this unit during Desert Shield and Desert Storm and is the recipient of 26 medals and awards including the Defense Superior Service Medal and the Combat Action Ribbon.

As a licensed Professional Engineer and a graduate from the Naval War College, he was selected to be a Presidential Exchange Executive in 1990 and was a Senior Executive Fellow at Harvard University in 1991. After acting as President and CEO of a Connecticut contracting and engineering firm and as Executive Vice President of a military parts manufacturer, Dick Healing has been with the Secretary of Navy since 1983. A family man and a man of great character, Richard Healing takes great pride in his wife Darlene and their three grown children.

My friend's tireless dedication to improving the safety of our Navy will be missed. It has

been an honor to work with him in pursuit of this noble goal. America's armed forces and I applaud his service. A grateful nation wishes him and his family the very best.

TRIBUTE TO THEODORE BLUM

HON. MICHAEL FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. FERGUSON. Mr. Speaker, I rise today to congratulate Theodore Blum, a resident of Hillsborough, New Jersey, on his recent nomination to the National 4–H Hall of Fame.

Mr. Blum will be one of the inaugural 100 members of the National 4–H Hall of Fame, which has been created to commemorate the 100th anniversary of this world-renowned service organization.

Known by many as ''Mr. 4–H,'' Theodore Blum served as Somerset County, New Jersey's 4–H agent from 1956 to 1984, the longest anyone has held that position since the county program began in the mid-1920s.

As county agent, Mr. Blum oversaw the construction of a 20,000-square-foot facility in Bridgewater, New Jersey, which is the largest 4–H center in the state. He initiated a program that enrolled six through eight year olds in a 4–H prep program that inspired similar programs throughout New Jersey. Mr. Blum also oversaw the growth of the county 4-H Fair to its status now as one of the largest free fairs in New Jersey, and tirelessly promoted the 4–H and their activities by distributing pamphlets to local newspaper and schools.

But most importantly, Theodore Blum helped enrollment in Somerset County 4–H programs from 500 to 2,500 members, paving the way for greater involvement by young people in their community.

Today I commend Theodore Blum, who recently has turned 75 years old, for his leadership and congratulate him on being named as one of the first one hundred members of the National 4–H Hall of Fame.

HONORING REVEREND JOE GRIZZLE

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today to honor a great American, a wonderful family man and a true servant of God: Reverend Joe Grizzle.

Reverend Grizzle has recently accomplished a great feats: celebrating 25 years in the same church, in the same town: First Free Will Baptist Church of Norman, Oklahoma—in the heart of the 4th district of Oklahoma.

And heart is what this is all about. Churchgoers at First Free Will refer to their home as the Church with a heart. Many Oklahomans have commented that Joe Grizzle has a great big heart. A heart that cares for others, a heart that cares for his wife Billie and his children Christy and Rick and their spouses Jeff and Kim and 5 beautiful grandchildren, and a heart that recently was broken but thankfully God saw fit to mend it back together again to allow him to continue his ministry. More than that, Rev. Grizzle has a heart that cares for God. And like David, he is a man after God's own heart.

Rev. Grizzle knows what it means to teach and be obedient. He knows what it is to plant seeds that will bloom well into eternity. He knows what is done for God will last. While we debate budgets and appropriations and talk of legislation, Rev. Grizzle is doing the real work of this great nation: healing hurts, mending brokenness and putting families back together and talking about the things of God.

When it comes to keeping this nation great and strong, we need to look to our families and our churches. Especially right now, our churches have been raised for such a time as this. Rev. Grizzle is a credit to this nation and a testimony of God's grace as he celebrates 25 years of ministry at the First Free Will Baptist Church in Norman, Oklahoma.

RECOGNIZING STEW FLAHERTY

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. TIBERI. Mr. Speaker, all of us were thrilled to watch Jill Bakken and Vonetta Flowers make history by winning a Gold Medal in the first-ever women's bobsledding competition at the Winter Olympics. But there might not have been a Gold Medal, or even a women's bobsledding event, without Stew Flaherty of Westerville, OH.

After meeting two of the U.S. athletes in a Westerville gym 7 years ago, Stew spearheaded a campaign to make the women's bobsled an Olympic sport. He organized a letter writing campaign to pressure the International Bobsled and Skeleton Federation and the International Olympic Committee to include the event in the Salt Lake City games. Along with others, Stew helped build the sport internationally by convincing other countries to create teams.

As women's coach Bill Tavares told the Columbus Dispatch, ''Without Stew's support we wouldn't be here.'' And to quote Gold Medalist Jill Bakken, ''Stew's role was huge. He was supporting us when no one else was.''

Stew Flaherty's efforts show that with hard work and a never-give-up attitude, you can move mountains. Or in Stew's case, make it possible for others to win Olympic gold.

HONORING BILL JOHNSON

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BARR of Georgia. Mr. Speaker, We in the 7th District are deeply saddened by the loss of one of our greatest friends; a man who carried the torch not only for truth and justice as an excellent lawyer, but also stood as an outstanding community volunteer.

Bill Johnson was born November 10, 1932 in Moreland, Georgia. He graduated from Moreland High School and received his B.A. from West Georgia College in 1951. After graduating Bill moved on to the University of Georgia, where he received his juris doctorate in 1954. After serving a three-year stint in the Army, Bill continued on to a distinguished law career, operating as the Carroll County government attorney between 1969 and 1984, and then in private practice, eventually opening his own firm—Johnson, Word, and Simons, which still remains in Carroll County.

Bill was a member of numerous legal and financial organizations, including the Carroll County Bar, the Coweta Circuit Bar Association, the State Bar of Georgia, the Georgia Trial Lawyers Association, and the Association of Trial Lawyers of America. He also served as a board member for the Community Bank and the Peoples Bank of West Georgia. Bill also belonged to several philanthropic groups such as the Lions Club and the Jaycees. He was extremely active with the First Baptist Church, as well as the Masons and Shriners.

On a personal note, Bill was my friend. He enjoyed sponsoring huge annual BBQ fundraisers, and was one of my biggest and most outspoken supporters. I will dearly miss the grace, and dignity, and humor he brought to the courtroom and the political arena, and the dedication he offered up to all.

Bill left us to join his Creator in heaven on Monday, February 18, 2002, after a long illness. He is survived by his wife, Ramona Teal Johnson, his daughter Angela Lee Johnson, and his son Alton Parker Johnson II, a Carroll County Magistrate Judge. We will all miss him and his legacy of dedicated service.

MILITARY SPENDING AND PUBLIC HEALTH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Ms. SCHAKOWSKY. Mr. Speaker, I would like to direct my colleagues' attention to an Op-ed in the Chicago Tribune (February 17, 2002), by the highly esteemed Dr. Quentin Young, ''President puts military funds ahead of those for health.'' As the head of Physicians for A National Health Program and the Health and Medicine Policy Research Group, Dr. Young reports on the uncertain and frightening future of a disintegrating public health system.

With a $340 million reduction in the Centers for Disease Control and Prevention's expenditures not devoted to ''anti-terrorism,'' the Bush Administration is abandoning needed support for our public health system. Dr. Young highlights how the Bush Administration has subordinated public health to military priorities, through $57 million slash in the program for chronic disease prevention and health promotion, a $10 million cut for infectious disease control, and a $9 million cut for Medicaid funding.

We have made great strides in public health over the last 150 years with strong focus, and fiscal and political support. Life expectancy in our country has doubled, from 40 years to 80 years, through ''. . .[t]he separation of sewage from drinking water, mass immunization, discovery and elimination of insect vectors of disease, improved nutrition, prenatal care, purification of the food supply, addressing ambient pollution, and diminishing workplace hazards.''

But in recent decades, we have neglected critical public health needs, eroding our ability

to protect communities and individuals. We cannot allow emerging issues to destroy our nation's efforts to enhance the health status of the population. If we continue to divert funds from critical investments in public health because of short-term goals and a ''military first'' attitude, we will inevitably harm our nation's health in many other areas. A single-minded focus on bioterrorism that neglects ongoing public health needs is a shortsighted and dangerous policy.

I strongly urge my colleagues to read the enclosed full text of Dr. Young's very informative op-ed.

[From the Chicago Tribune, Feb. 17, 2002]

PRESIDENT PUTS MILITARY FUNDS AHEAD OF THOSE FOR HEALTH

(By Dr. Quentin Young.)

Americans, still on the threshold of the 21st Century, confront an uncertain, even frightening, future, not least because their public health system is diving headlong into errors of the past.

On Feb. 4, President George W. Bush presented his FY 2003 budget to Congress.

Its health provisions repeat the dangerous errors of the past, especially with its focus on defense. To truly strengthen the public health system, millions should have been added to the budget of the Centers of Disease Control and Prevention. Instead, CDC would take a $340 million reduction in expenditures not devoted to ''anti-terrorism.''

A sampling of the reductions indicates a $57 million slash in the program for chronic disease prevention and health promotion, $10 million for infectious disease control, $9 million for Medicaid funding. On the other hand, there is a 33 percent increase in funding for abstinence-only-until-marriage education. The decision to increase community health center support by $114 million was helpful; it probably should have been more.

Our public health system needs serious invigoration based on adequate funding at all levels. The president, however, has debilitated the system by removing support for programs with proven success and doing nothing to rally independent public support for the mission of public health. Finally, he has moved a long way toward repeating the 1950s blunder: subordinating the public health system to military priorities.

The nation may pay dearly for this strategy.

A good way to approach an understanding of the place of contemporary public health is to look backward a century and a half. Such an examination will define our current situation and how we got there. It can illuminate the wisest decisions we can make based on science and practice.

In the past 150 years, life expectancy in our country has doubled, from 40 years to nearly 80 years. This astounding extension of life in such a brief time has no precedent in the human experience.

It was achieved fundamentally by public health triumphs: the separation of sewage from drinking water, mass immunization, discovery and elimination of insect vectors of disease, improved nutrition, prenatal care, purification of the food supply, addressing ambient pollution, and diminishing workplace hazards. The public valued these gains. The decline in the perils to life was palpable. A grateful citizenry accepted the rules and regulations that the preventive discipline required. Fiscal and political support were there for the array of measures—from compulsory immunization to meat inspection—needed to improve the nation's health.

Until the 1950s.

Then, three powerful currents emerged and converged to undermine the vigor and the readiness of the public health establishment. The recent panicky response to the anthrax letters and the legislative fixes being proposed will achieve the necessary safeguards only if we recognize how we blundered in midcentury and if we resolve not to repeat history's mistakes.

The first blow came, paradoxically, from the success of the system.

In a recent article, Lawrence Gostin and M. Gregg Bloche captured this turnaround: ''Americans saw these [public health] activities as vital to their security, no less so than military force or police and fire protection. Taxpayers supported the needed spending. Lawmakers empowered local health authorities to move robustly when contagion threatened. Destruction of buildings, killing of infected animals and even restraints on the movement of infected people were provided for by law and widely accepted by citizens.''

''But after World War II, American public health fell victim to its own success. Thanks to city-planning and sanitation campaigns of the early 20th Century and the antibiotic revolution of the 1940s, fear of infectious disease waned. The conquest of polio through vaccination in the 1950s delivered the coup de grace for public health's middle-class constituency.''

Despite awesome accomplishments, public health was now the Cinderella—nay the Caliban—of our health system. Although exploding health expenditures reached $1.4 trillion by 1999, less than 2 percent was allocated to all activities in public health. The workforce, the facilities, the technology—all of the basics—fell behind.

The second undoing of progressive growth of public health was essentially political. This derived from the hard fact that it is a governmental function, totally dependent on fiscal and legislative policies. Because the designated leaders—from the local and state health department directors on up to the surgeon general—are all political appointees who serve at the pleasure of an elected chief executive, an effective independent professional advocacy did not and perhaps could not develop.

These health chieftains were locked into a loyalty to their sponsors. They cannot question the budgetary and policy devolution openly and expect to keep their jobs. At the local, state and federal levels, the reward for public health successes was reduction of support from the public treasury.

The third major element in the decline in U.S. public health over the past half-century is a cautionary tale. It is quite pertinent to the re-emergence of concern with bioterrorism, which is the deliberate use of lethal pathogens on your opponents. It was Alexander Langmuir, chief epidemiologist at the CDC, who was the architect of the dramatic shift in research and funding to look at what was called biological warfare in the midcentury realpolitik.

The irony of the resource shift lies in the reality that we have not developed reliable defenses against hostile use of organisms. We have a gigantic capacity to create these weapons, but the option to use them is illusory. Nor do our weapons offer deterrence to enemies who are not powerful nation-states but an elusive network of terrorists who claim to welcome death in the service of injury to us.

An unintended consequence of Sept. 11 is an overdue appreciation and enthusiasm for the vital functions of public health. We have not been at all steadfast in this regard in the past five decades. Indeed, we have been heedless. In all quarters the question arises: Can we now build a public health capability that is robust and responsive, independent of volatile political swings?

Above all, can we avoid the trap of reducing our focus to garrison state protection functions? The system should be developing defenses against all threats to the public's health, including bioterrorist ones. However, we should recognize the folly of neglecting or abandoning the great array of other crucial functions.

Public health has been defined as those things society as a whole does together to enhance the health status of the population. This tradition grows out of premises that include equity, social justice, confidence in government capability in a democratic society, and reliance on observation and scientific validity to guide practice in the community. When the system works efficiently and compassionately, it generates the solidarity and confidence much needed in a time of confusion and polarization.

To achieve the benefits of a vigorous, fully developed public health system, our strategy should not repeat the major errors of the past: Do not abandon sustained support of public health because of short-term achievements; Decouple the subordination of public health leadership to politicians; introduce a tradition of independence from partisan politics by developing an informed citizenry acting as public health advocates; Do not let the system become simply an auxiliary to the military.

INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT OF 2001

SPEECH OF

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1542) to deregulate the Internet and high speed data services, and for other purposes:

Mr. POMEROY. Mr. Chairman, I rise today in opposition to H.R. 1542, the Internet Freedom and Broadband Deployment Act. As a member representing one of the most rural states in our nation, I believe that this bill will do nothing to spur broadband deployment in rural America, while destroying the ability of the FCC and state regulatory commissions to provide valuable consumer protections.

The Bell companies say they are eager to deploy broadband in rural areas, but their actions speak louder than their words: for years, the Bells have sold off millions of lines in rural America. These companies have no commitment to rural America, and passing this bill will not change that. In fact, the Bells can easily evade the rural broadband development provisions of this bill simply by selling off additional rural exchanges. Rather than encouraging Bells to invest in rural America, this bill increases their incentives to accelerate their rural sell-off.

Small carriers and local providers have long been the lifeblood of communications services in rural America, yet this bill allows the Bells to deny these companies access to their networks. The very small competitors which today provide outstanding communications services in rural North Dakota and throughout the country could be quickly put out of business by this bill. Thousands of jobs at these competitive carriers would be lost.

What's more, H.R. 1542 preempts states from regulating high-speed data service altogether. This provision would prohibit states and the FCC from providing basic consumer protections, such as restrictions on unsolicited email and child pornography. The Bell companies pay millions of dollars in fines each year for violating state and federal laws, yet H.R. 1542 would remove almost all oversight of their high-speed activities, putting consumers at risk.

Rather than guaranteeing rural broadband service to rural America, H.R. 1542 simply provides the Bells with a tool to destroy their smaller competitors and avoid state and federal regulatory agencies. This bill is bad for competition and bad for consumers. I urge my colleagues to vote no.

TRIBUTE TO JAMEL BRADLEY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Jamel Bradley as he—along with Columbia native Aaron Lucas—prepares to play his final home game as #10 for the University of South Carolina Gamecocks on Saturday, March 2, 2002 Senior Day.

Leading college basketball's Southeastern Conference and ranking in the top ten nationally in three-point field goals as well as setting the three point record at USC would be reasons enough to recognize senior Jamel Bradley's accomplishments. What is even more extraordinary is the path that brought him to these amazing achievements.

At 18 months old, Jamel suffered an illness that kept his temperature at 106 degrees for three straight days. Although he recovered, 80% of his hearing was gone. As a child growing up in West Virginia, Jamel never felt he ''belonged in this world.'' The hearing aids in both ears were inadequate and only served to stigmatize him. It wasn't until he found basketball that he discovered a way to fit in with his peers.

His success on the court led him to the USC Gamecocks and another life-changing event. This time Jamel received programmable, omni-directional hearing aids that restored 75–80% of his hearing. For the first time he could remember, he heard birds chirping and clocks ticking.

Jamel's basketball accomplishments also took him to Rome, Italy last summer where he scored 33 points in the Championship Game of the Deaflympics, leading the U.S. team to a gold medal. This reinforced what Jamel had come to realize—his hearing deficiency would not and should not keep him from achieving his goals. That is a message that he enjoys sharing with deaf youth while serving as the role model he never had growing up.

Recently the ESPN Sports Network brought his low-key, inspirational style to a nationwide audience. Now his story has served to inspire children with disabilities across the country. Since Jamel's story aired, calls and emails have poured into USC's Basketball office attesting to the impact his story has had on others. It had a tremendous impact on me.

Mr. Speaker, I ask you and my colleagues to join me today in honoring Jamel Bradley. The contributions he has made both on and off the basketball court will leave lasting impressions on all those he has touched. He is a remarkable young man. I wish him continued success and Godspeed!

COMPREHENSIVE INVESTOR PROTECTION ACT OF 2002, H.R. 3818

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. LAFALCE. Mr. Speaker, today, I am very eased to join with Minority Leader GEPHARDT and many of my Democratic colleagues in introducing the Comprehensive Investor Protection Act of 2002. Well before the failure of Enron, I had spoken out frequently on my concerns that fraudulent financial reporting and earnings manipulation by public companies was endangering the savings and retirement plans of many Americans. Now that Enron has made the systemic problems in our financial oversight and disclosure systems all too clear to everyone, we have an opportunity to adopt serious reforms to correct the weaknesses that are undermining confidence in our capital markets.

Our bill will significantly enhance the independence and oversight of the accounting industry and puts on the table a full range of reforms to make real improvements in investor protection.

The bill adopts the proposal made by former SEC Chairman Levitt in 2000 to separate audit and consulting functions by prohibiting substantially all non-audit services that auditors have been providing to their audit clients, in addition to incorporating other significant provisions aimed at enhancing auditor independence.

The bill creates a Public Accounting Regulatory Board to provide strong and effective oversight of the auditing industry. We provide this new regulator with explicit, broad oversight authority and a stable funding source to ensure it can take tough action to provide effective oversight of the auditing industry, including direct inspection of audits.

The bill changes the way that auditors work with audit clients by ensuring that the audit committee is responsible for hiring and firing auditors. This has been advocated by five former SEC Chairmen as a way to make sure that auditors are clearly and directly responsible to the audit committee and shareholders, not to management.

The bill restores both joint and several liability and aiding and abetting liability for auditors and other outside professionals, as advocated by consumer and investor groups.

The bill places additional restrictions on securities analysts, including restrictions that have already been adopted by some major securities firms, but that were not included in the measures proposed by the NYSE and NASD last week.

Finally, an essential step in restoring the vitality of the financial reporting system is to provide a significant increase in SEC resources. I have been very pleased to see that our Republican colleagues have now heard my year-long calls for a significant increase in SEC resources. But I have been very concerned that the increase that they call for does not provide for pay parity for SEC staff generally. Funding pay parity is essential for the SEC to be able to hire and retain experienced, professional staff needed to restore confidence in our capital markets and our financial reporting system. My bill addresses this by authorizing a doubling of staff for the Division of Corporate Finance, the Office of the Chief Accountant, and the Division of Enforcement, while providing full pay parity for all SEC staff.

I thank my colleagues for joining me today in introducing a bill that I believe represents a significant step forward in restoring the integrity of our system and providing investors the protections they expect and deserve.

SUMMARY OF 2002 COMPREHENSIVE INVESTOR PROTECTION ACT (''CIPA'') H.R. 3818

Auditor Independence: CIPA would seek to ensure that an auditor's first duty is to the public by substantially limiting the non-audit services an auditor may provide to an audit client. The prohibited services to an audit client include, among others: (1) bookkeeping; (2) financial information systems design (3) valuation services and fairness opinions; (4) internal audit services; (5) managerial services (i.e. acting as a director or officer); and (6) broker-dealer, investment adviser or investment banking services. Tax-related services and other non-audit services not otherwise enumerated would be subject to the approval of the audit committee, which would evaluate the effect of the provision of such services on the auditor's independence.

Corporate Governance and additional Independence requirements: CIPA includes a list of critical reforms in corporate governance and auditor independence, including:

(1) requiring a 4-year rotation of a registrant's auditor, with the possibility of one 4-year extension so long as the Public Accounting Regulatory Board approves such extension, after due review and inspection of the audit.

(2) vesting the audit committee with the power to hire and fire its auditors;

(3) requiring the audit committee to meet quarterly with its auditors and have an opportunity to do so outside the presence of management;

(4) requiring a 2-year cooling off period for certain former auditor employees before they could work for an audit client;

(5) making it unlawful for the issuer to improperly influence an auditor in the performance of an audit;

(6) prohibiting directors from providing consulting services to the issuer; and

(7) prohibiting the issuer from making charitable contributions to organizations associated with any director.

In addition, the bill would require extensive disclosures to make transparent to shareholders and investors the relationships that compromise independence that now prevail on many corporate boards among officers, directors and affiliates of the issuer.

Regulation of the Auditors: CIPA would create a strong public regulator, with clearly defined duties and powers mandated by Congress, to provide comprehensive oversight of accountants.

A super majority of a 7-member board would be selected from the public and would represent the interests of shareholders, investors, pension beneficiaries and future retirees.

The Chairman of the Board would be appointed jointly by the SEC and the Comptroller General.

An Appointment Committee, consisting of the Chairman of the Board, the Chairman of the SEC, and the Comptroller General shall select the six remaining Board members

from nominations received from groups representing institutional investors and pension funds (public employee pension plans, pension plans organized pursuant to the Taft-Hartley Act (i.e. union-related pension plans), and pension plans organized pursuant to ERISA).

The Board shall have the power to establish its own rules. Rulemaking would be subject to SEC approval and to public comment.

The Board will be self-funded through assessments on public companies that receive the benefit of audit services.

The duties of the Board include: (1) establishing quality standards relating to audits; (2) performing direct quality reviews of individual audits; (3) conducting comprehensive and direct inspections of auditing firms; (4) setting independence standards; and (5) establishing ethical standards.

The Board will have a full range of disciplinary powers.

The Board will have sweeping investigative powers including the ability to compel testimony and subpoena documents from auditors and their clients. It shall also have the power to refer matters to the SEC for investigation or additional action.

Enhanced Financial Disclosure: CIPA directs the SEC to conduct rulemaking to significantly improve financial disclosure relating to: (1) the treatment of special purpose entities; (2) related party transactions; (3) the creation of a plain English financial statement disclosure regime; and (4) earnings manipulation.

Expansion of SEC Resources: CIPA would double the resources for the Divisions of Enforcement and Corporation Finance, as well as the Office of the Chief Accountant. Moreover, CIPA would fund pay parity for the entire Commission staff. The total SEC authorization would amount to $876 million for fiscal 2003.

Real-Time Disclosure of Affiliate Stock Sales: CIPA would require real-time disclosure of insider stock sales and disclosure of affiliated-party dispositions of stock and related derivative instruments.

Restoration of Joint and Several Liability for Accountants: CIPA would hold auditors fully responsible for their actions. This legislation would overturn provisions of existing law to provide for joint and several liability for auditors when: (1) an accounting firm provides both auditing and non-auditing services (such as consulting services) to an issuer; (2) the defendant knowingly committed a violation of the securities laws; (3) an accounting firm failed to comply with the financial fraud reporting provisions of the securities laws; or (4) the issuer of the securities that are the subject of the fraud has become insolvent. This replaces the current proportional liability standard.

Restoration of Aiding and Abetting Liability for Accountants and Outside Professionals: CIPA would provide a private right of action against anyone (auditors, lawyers and other outside professionals) who knowingly or recklessly provides substantial assistance to another person in violation of the securities laws.

Lockdowns: CIPA would prohibit stock sales by insiders at any time when employees are subject to a lockdown on their 401(k)s.

Destruction of Records: CIPA would require auditors to retain certain key files for 7 years relating to an audit so that they would be available for investigations.

Statute of Limitations: Provides that an implied right of action arising under the Securities and Exchange Act of 1934 may be brought no later than the earlier of 5 years after the date on which the alleged violation occurred or 3 years after which the violation was discovered.

Analyst Conflict of Interest: CIPA would go beyond the requirements in the recent rulemaking proposed by the NASD and NYSE by: (1) banning analysts from holding stock in the companies that they cover; (2) prohibiting analyst compensation from being based wholly or in part on investment banking revenue; and (3) requiring the NYSE and NASD to establish criteria for evaluating analyst research quality and also requiring analyst compensation to be based principally on the quality of their research.

Enhanced SEC Review of Issuers: CIPA requires the SEC to review on a more regular and systematic basis the public disclosures made by issuers, especially reports filed on form 10–K. CIPA would require the SEC to establish a risk-rating system which shall be used to determine the frequency of such reviews. Companies with large disparities in price to earnings ratios (i.e. ''dot com-like'' companies) would be among those ripe for regular review.

Current Disclosure: CIPA would provide for the establishment of a ''current disclosure regime'' as suggested by SEC Chairman Pitt. The goal would be to change the way issuers communicate with investors by providing more meaningful and current information about their financial results, including providing useful trend information.

Study of the Role of Credit Rating Agencies: CIPA would require the SEC to study the role of credit rating agencies and make recommendations concerning the establishment of minimum standards, among other things.

A TRIBUTE TO REVEREND TIMOTHY WRIGHT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. TOWNS. Mr. Speaker, I rise in honor of Reverend Timothy Wright for his dedication to the spiritual upliftment of his community through music.

Reverend Wright was born on June 17, 1947 in Brooklyn, NY. He accepted Jesus Christ as his Lord and Personal Savior at an early age. During this time it became very apparent that Reverend Wright had an unusual gift for music. At St. John's Baptized Holiness Church, he cultivated his musical skills while serving as church organist and choir director for the youth ensemble.

In 1966, Reverend Wright was drafted in the U.S. Army and served his country until 1968. He received a honorable discharge and returned to his home in Brooklyn, NY. From 1969 to 1990, Reverend Wright has served many capacities at the Washington Temple C.O.G.I.C. in Brooklyn, NY. During his tenure, he founded the Timothy Wright Concert Choir in 1976. In addition, Reverend Wright has recorded with many other choirs through out the U.S. and abroad. Reverend Wright gained national recognition for the album ''Come Thou Almighty King.'' Reverend Wright has been a three-time Grammy nominee, NAACP Image Award winner and a Stellar Award winner.

In 1990, Reverend Wright established the Grace Tabernacle Christian Center COGIC in his home. The Grace Tabernacle Christian Center COGIC ministry included various outreach programs that served all in need. Grace COGIC, located in the heart of the inner city, has grown and flourished over the years. In January 1998, Rev. Wright was elevated to Superintendent of District #3 in New York.

Reverend Wright has been a beacon of light for the Brooklyn community through preaching, teaching the word of God or ministering in song or music. Reverend Wright is truly an anointed man of God. And, today it is my pleasure to bring his achievements to the attention of my colleagues.

PAUL REVERE FORUM

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mrs. MORELLA. Mr. Speaker, employees in the government and private sector who have refused to put personal comfort and profit above public safety represent true public service and patriotism. By speaking the truth and refusing to be silenced, they have prevented the spread of sickness and disease, disastrous environmental contamination, and unknown accidents on our highways, railroads and airways. Whistleblowers have saved the American taxpayer billions of dollars, and they have literally saved countless lives.

These men and women usually do not think of themselves as being heroic. In many cases, they are just doing their jobs. We call them ''whistleblowers,'' a label they are often reluctant to accept. They are reluctant for understandable reasons. Being a whistleblower usually means harassment, intimidation, and career-ending retaliation from those who stand to lose when the public learns the truth.

On Wednesday, February 27, several public interest organizations hosted an event entitled ''The Paul Revere Forum: National Security Whistleblowers Speak.'' I am proud to be invited to address the whistleblowers and their supporters who will be in attendance. Paul Revere is not often thought of as a ''whistleblower,'' but for the security and freedom of the colonial citizens of Lexington and Concord, that is exactly what he was. Now, we again find ourselves in a period where National Security whistleblowers can play a critical role—in the war against terrorism.

National Security whistleblowers have recently provided warnings about potential terrorist attacks by sounding the alarm about vulnerabilities that senior bureaucratic managers would prefer to cover up or ignore. The warnings have covered a vast array of official activities: security officers at nuclear laboratories, weapons facilities, waste dumps and power plants have for years warned that nuclear material is highly vulnerable to terrorist attack; FAA employees have come forward with similar concerns about the effectiveness of security technology as well as passenger screening practices; emergency management officials have exposed dramatic inadequacies of protections for our food supplies and evacuation plans, and Customs employees have pointed to weaknesses in our border security. These problems will become tragedies unless both public and private employees feel they can raise concerns without suffering retaliation.

Since the tragedies of September 11, blowing the whistle is no longer only about protesting abuses of power, personal corruption or violations of regulations. It has a new dimension—it is about preserving the freedom to warn.

I have been an ardent advocate for whistleblower protections throughout my career in Congress. I am the sponsor of a bill, H.R. 2588, that strengthens the original Whistleblower Protection Act. I supported passage of the NO FEAR Act, which actually came about due to the efforts of two of my constituents, Dr. Marsha Coleman-Adebayo and Mr. Leroy Warren, Jr. In addition, I am an original cosponsor of Congressman Israel's legislation to improve whistleblower protections for national security personnel.

I also want to thank the Government Accountability Project for keeping this issue in the public eye, in particular Tom Devine, Legal Director and Doug Hartnett, National Security Campaign Director.

TRIBUTE TO JERRY ROBERTS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Ms. PELOSI. Mr. Speaker, I rise today to honor Jerry Roberts, a giant among West Coast journalists, who after 25 years of devoted service is leaving my hometown newspaper, the San Francisco Chronicle.

Jerry Roberts has provided outstanding service to Northern California, devoting his professional life to covering San Francisco, the Bay Area and California. Throughout his career, he has consistently exhibited exemplary fairness and insight.

Over the past quarter century, Jerry has covered hundreds of elections, including my first, and has also authored a biography of my fellow San Franciscan, Senator DIANNE FEINSTEIN.

Jerry has served as the Chronicle's political editor, editorial page editor, city editor and for the past five years, managing editor, always displaying a passion for politics, family and baseball, not necessarily in that order.

A fellow West Coast immigrant, Jerry was born in Cleveland, moving to San Francisco in the early 1970s. He and his wife Linda Kiefer raised three daughters, Anna, Maggie and Rebecca in the greatest city in the world. San Francisco is a better place because of Jerry Roberts' professionalism and devotion to his job, his family, and his community.

I join Jerry's family and his many friends in wishing him all the best in his new endeavors. We continue to expect great things from Jerry Roberts as we thank him and pay tribute to him for his contribution to San Francisco and to the field of journalism.

TRIBUTE TO WILLIAM O'REE—A TRUE PIONEER

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. CAPUANO. Mr. Speaker, as we close the chapter on February, Black History Month, I want to bring to the attention of Congress a man who has had a profound impact on the sport of ice hockey and its connection to communities of color.

On last Sunday, the world turned its attention to the Olympic games to witness the men's ice hockey gold medal game featuring Team USA against Team Canada. At the conclusion of the hard-fought battle, Team Canada emerged victorious by a score of five to two. Although I wished the score had been reversed, I was extremely proud of what that game did to increase the level of exposure for the game of hockey. I was particularly moved by the exploits of one player in that game and I believe that, over time, his participation may prove more beneficial to the sport of hockey than the gold medal game itself. The player's name is Jarome Iginla.

Jarome is an extremely talented young man who plays for the Calgary Flames. At the Olympic break, he was atop the leader board in overall points and goals and recently enjoyed his first appearance at a National Hockey League All-Star game. This past Sunday, Jarome played a critical role in Canada's victory by contributing two goals and an assist. It was truly a standout performance. However, it was not just his performance that makes him so special. Jarome is the first Black ice hockey player to ever have the opportunity to accomplish such a feat.

While the NHL is considered to be one of the most diverse sports when considering national origin, it is still a predominately Caucasian sport. Currently, there are only thirteen Black players in the NHL, but there are efforts underway throughout the United States and Canada to introduce Blacks and other persons of color to this amazing game. Leading this effort is a man who has been a trailblazer when it comes to professional hockey's quest for diversification. While Jarome Iginla has become a pioneer at the Olympic level, William (Willie) O'Ree is the pioneer when it comes to the involvement of players of color in the sport of hockey.

For those who might not be familiar with him, Willie O'Ree is the Jackie Robinson of ice hockey. Born in Fredericton, New Brunswick, on Canada's Atlantic coast, Mr. O'Ree as a youngster excelled at hockey, rugby, soccer, basketball, track and baseball. Focusing on his first love, he quickly established himself as an outstanding hockey player. He also was a courageous individual who overcame a major physical obstacle to achieve his dream of playing professional hockey. During the 1955–56 season, while playing for a junior hockey club, Mr. O'Ree was struck in the right eye with a puck. As a result of the injury he lost 95% of his sight in that eye and was advised by doctors to quit the game. Willie O'Ree decided to persevere rather than quit; the rest is history. On January 18, 1958, he became the first Black player to play for a National Hockey League team. The team, just in case you were wondering, just happened to be the Boston Bruins.

Unlike the other major professional sports, hockey was slow to embrace the idea of diversity following Willie O'Ree's emergence in 1958, and it would take another fifteen years before the next Black player made it to the NHL. All told, only thirty-one Black players have ever suited up for NHL teams. Acknowledging a need to do more in the area of diversity, the NHL recently began a worthy campaign to increase the game's exposure to communities of color. Once again, Willie O'Ree was called upon to lead the way.

Just as he did 44 years ago, Mr. O'Ree today continues to tear down barriers and create opportunities for persons of color to enjoy the game of ice hockey. In 1996, he assisted the NHL with designing a youth All-Star game that celebrated hockey's growing diversity. Now in it's seventh year, the Willie O'Ree tournament allows selected boys and girls, ages 10–12, from each of the NHL's Diversity Task Force programs across North America to take part in an all-star game of their own. In addition to the game, the young people have an opportunity to interact with NHL players, attend an NHL game and experience the culture of the host city. This year's All-Star game is scheduled to take place next month in Columbus, Ohio.

In 1998, on the 40th anniversary of his historic first game with the Bruins, Willie O'Ree formally joined the NHL as Director of Youth Development for the NHL Diversity Task Force. In this capacity, Mr. O'Ree travels around the country assisting communities and the 30 Diversity Task Force programs with their hockey programs and outreach to boys and girls from communities of color. Through the outreach efforts of Willie O'Ree and NHL today's Black NHL players like Jarome Iginla, George Laraque, Anson Carter, Mike Grier, Sean Young, Jamal Mayers, Bryce Salvador, Freddie Brathwaite, Kevin Weeks, Peter Worrell, Sandy McCarthy and Donald Brashear will one day be seen as less an exception and more the norm when considering the diversity of the sport.

IN HONOR OF DR. EDISON O. JACKSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. TOWNS. Mr. Speaker, I rise today in honor of Dr. Edison O. Jackson, President of the Medgar Evers College of the City University of New York, Board member of the New York City Board of Education, member of the Ministerial staff of Bridge Street A.M.E. Church, father, husband and outstanding community resident, in recognition of all that he does for his borough, his city and his state.

Dr. Jackson, a resident of Prospect Heights, Brooklyn, is an outstanding citizen and a pillar of our community. He was born in Heathsville, Virginia. Dr. Jackson received a B.S. in Zoology, followed by a Master of Arts Degree in Counseling from Howard University. He began his education career counseling, where he served for almost four years. In 1969, he was named Dean of Student Affairs at Essex County College, in New Jersey. He distinguished himself to the point that he was promoted to Vice President of Student Affairs. In 1983, Dr. Edison was named Executive Vice President and Chief Academic Officer at Essex County College. In that same year, he received a Doctorate in Education from Rutgers University. In 1989, he accepted the position of President of Medgar Evers College. He brought with him a wealth of experience and knowledge in administering the affairs of educational institutions.

Dr. Jackson currently holds memberships on a number of civic, educational and community organizations. His affiliations with professional and national organizations run the gamut from the American Association of Higher Education, to the President's Round Table and the National Council on Crime and Delinquency. Dr.

Jackson has also written extensively on issues of concern to educators, with particular concentration on minority students and the community, academic preparation and student performance.

Finally, Mr. Speaker, I want to note that Dr. Jackson is married to Florence E. Jackson, and is the proud father of two children: Eulaynea and Terrance.

Mr. Speaker, as Black History Month comes to an end it is only fitting that we honor a man who has done so much—and continues to do so much—to shape so many young lives. Dr. Edison O. Jackson is that man and he is nationally recognized as a leader in education. As such he is more than worthy of receiving our praise and I urge my colleagues to join me in honoring this truly remarkable man.

INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT OF 2001

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2002

The House in committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1542) to deregulate the Internet and high speed data services, and for other purposes:

Mr. GILMAN. Mr. Chairman, I rise in strong support of H.R. 1542, the Internet Freedom and Broadband Deployment Act of 2001. This important and timely legislation will expedite the roll-out of high-speed Internet access across our nation, foster competition, and bridge the digital divide that separates neighbors, communities, and regions from the benefits of the information age.

Opponents of this bill argue that it will unfairly favor certain technologies within the broadband industry. On the contrary, H.R. 1542 is designed to eliminate the unfair conditions which currently exist within the industry by offering consumers an expanded and guaranteed alternative to cable and satellite-based broadband technology. This legislation simply creates a level playing field for the different enterprises which comprise the broadband industry to freely and competitively offer their technologies to the American people.

Moreover, opponents wrongly assert that by eliminating the prohibitive regulations that currently stifle roll-out of DSL broadband technology, this legislation will destroy local service providers who enjoy reduced rates and access to existing technology as set forth in the 1996 Telecommunications Act. On the contrary, H.R. 1542 does not prevent local exchange carriers from accessing any existing or future customer using the telephone network. However, to ensure local competitors are fairly and adequately protected from the change in the 1996 law, I fully support the Buyer-Towns Amendment. This amendment further protects the local competitor by guaranteeing their continued right to access high-speed data services over fiber lines as they presently do.

It is evident that H.R. 1542 is good for America. Our future competitiveness in the global market depends on our access to and utilization of data and information systems, which begins at the individual level which this legislation addresses.

Accordingly, I urge my colleagues to vote yes for expanded access by voting yes to this bill.

500 DAYS IN CAPTIVITY—AND STILL COUNTING

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. LANTOS. Mr. Speaker, I rise today to mark the 500th day of captivity of Elchanan Tannenbaumu—one of nine Israelis now held captive by terrorist groups and regimes that sponsor terrorism. A husband and the father of two, Elchanan is the only Israeli civilian to be counted among Israel's missing. He is being held in Lebanon and is presumed to be alive.

As we all know, Mr. Speaker, terror has many faces and takes many forms. Sometimes terror targets large numbers of people in spectacular acts of destruction as we saw on September 11th. At other times it seeks to achieve its goals by targeting a single individual. Mr. Tannenbaum was such a target, as was the American journalist Daniel Pearl, whose brutal murder has sickened and saddened us all. Mr. Tannenbaum's Hisballah captors have proudly announced their crime, with their usual flair for the contemptuous. Although Mr. Tannenbaum has a medical condition that requires daily attention, Hisballah has denied the Red Cross permission to visit him.

The Tannenbaum kidnaping is further proof—as if it were needed—that Hizbullah is a terrorist organization with global reach. If we ignore this case of abduction, we are granting the terrorists a cheap and formidable weapon. As long as groups like Hizbullah believe that they can commit such actions with impunity, they will be encouraged to continue to target the citizens of the world's democracies. To ignore the plight of Elchanan Tannenbaum and Israel's other missing men, would not only constitute an abandonment of our closest ally in the Middle East, but would weaken our own efforts to secure a safe future for Americans and others who have been seized by terrorists.

Mr. Speaker, I must point out that not only is it in America's interest to help in this matter, but in fact it is our obligation to do so. In 1991 Israel played a critical role in securing the release of Terry Anderson and other American hostages being held in Lebanon by releasing hundreds of terrorists from Israeli jails. At that time Israel was promised that international efforts would continue on behalf of Israeli captives left behind in Lebanon. It is now more than ten years since that promise was made, and the number of captive Israelis has only grown. It is time for us to repay out debt.

What can we do, Mr. Speaker? I believe the U.S. is well-positioned to make demands of the Syrian government, which is effectively the ruling power in Lebanon and is ultimately responsible for the fate of all Israelis captured or held there. Syria is a sovereign state and currently serves as a member of the UN Security Council. Syria, like Lebanon, can and must be made accountable for the behavior of the terrorist groups it harbors and supports. Greater U.S. resolve in dealing with the Syrians can be critical in bringing Elchanan Tannenbaum home alive.

Mr. Speaker, for too many years, Americans presumed that the terrorist actions from which our Israeli allies suffered would not be exported to our shores. September 11th has permanently shattered that notion. We should now pay closer attention to the Israeli experience with terrorism. The murder of Daniel Pearl is a warning that the ugly specter of kidnaping that has plagued Israel for so many years is now targeting Americans as well. Let us fight back. Calling attention to Elchanan Tannenbaum's plight, and working to secure his release, would be an important first step toward stopping this scourge.

HONORING SHIRLEY LASSETER

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BARR of Georgia. Mr. Speaker, there are qualities in true leaders that set them apart; courage, wisdom, flexibility—just to name a few. Perhaps just as important is the quality of timing—knowing when to step to the plate. Yet another admirable quality in the test of a true leader may lie in humility; when someone has fought the hard battle, done the leg work, helped ensure the cause is just and the goal accomplished, only to hand it over when no more can be done, and accept the fact they won't be praised for their efforts.

My fellow members of Congress, today I bring before you one such individual and ask you to join me in singing the praises of Ms. Shirley Lasseter. Shirley is a resident of Duluth, Georgia and the Mayor of this beautiful city in Gwinnett County. She is involved in numerous philanthropic and business related organizations; extending from her participation on the Preservation District Board, to her leadership in the Georgia Municipal Association, and her active presence in the local PTSA's.

Shirley graduated from Brenau University with a B.S. in Elementary Education, and continued on to Georgia State University, where she received her Masters in Education. She is married to Joe Lasseter and is the proud mother of four children. Along with her official duties and extracurricular activities, Shirley is a member of Duluth United Methodist Church, where she has worshipped for 17 years. But perhaps her most proud title will be awarded soon, when her daughter Jenny gives birth to Shirley's soon-to-be-grandchild, and ''Miss Shirley'' becomes ''Grandma Shirley.''

Yet with all she has going on, Shirley made a particularly special effort for a project she coordinated for former House Speaker Newt Gingrich several years ago, for which she never received proper credit. In the summer of 1998, Speaker Gingrich spearheaded a bill that enacted a new form of protection for Georgia's Chattahoochee River. It called for a 48-mile stretch of the river's recreational area to be extended by 2,000 feet, known as a ''greenway.'' The new boundaries eased pollution stemming from construction and storm runoff, helped control flooding and erosion, and improved water quality for Georgia residents. Land was acquired from willing sellers and paid for by a public-private campaign that included a $25 million federal contribution. This move to help the environment came at a time when the natural resources and beauty of

the Chattahoochee were under particular strain, because of the explosive growth the city of Atlanta and the north metro area had been experiencing.

At this time I would like to not only acknowledge Shirley for her foresight and dedication to the community and environmental issues, but also recognize her for the dauntless leadership and incredible humility she shows to the citizens she serves. It is true leaders like Shirley Lasseter who are the real secret to solving local and state issues. Please join me in congratulating Shirley Lasseter for the accomplishments she has already achieved, and the goals I am certain she will realize in years to come.

CHINA'S LONG-RANGE MISSILE PROGRAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. SCHAFFER. Mr. Speaker, on several occasions I have addressed this House on the matter of National Security and the threat to it posed by China's aggressive arms buildup. Particularly, with regard to China's long-range missile program, America's vulnerability is growing, not shrinking.

While I applaud the leadership of our President to advance a national missile defense program, Congress must rely upon complete, accurate, and candid assessments of the threat posed by China, or any other nation. Without such candid assessments, Americans are burdened by excessive risk.

I hereby submit for the RECORD, a letter I have today posted to Mr. George Tenant, who heads America's Central Intelligence Agency. I urge each of our colleagues to review this letter and respond to its contents or reinforce its sentiments to the Director, and to the President.

Mr. Speaker, I respectfully submit the following for the RECORD.

DEAR MR. TENET: Last month, your agency produced the assessment of China's ballistic missile threat to the United States in the unclassified summary of the January 2002 National Intelligence Estimate ''Foreign Missile Developments and the Ballistic Missile Threat Through 2015.'' The lack of attention to the pronounced and growing danger caused by China's ballistic missile buildup, and its aggressive strategy for using its ballistic missiles cannot go unchallenged. The report is misleading, and, because it understates the magnitude of threat, is profoundly dangerous.

Perhaps the unclassified National Intelligence Estimate was meant to conceal from foreign eyes what the CIA really thinks or knows. But this government has a duty to defend the lives and freedom of its citizens. A large part of that defense is informing the American people of the threats they face rather than downplaying, for example, China's ballistic missile and military buildup.

In this regard, I protest the inferior quality and lack of information compared to Department of Defense reports such as the Soviet Military Power series initiated by Secretary of Defense Caspar Weinberger in the 1980's, which addressed the Soviet military threat in detail, providing numbers of missile, bombers, and warheads, and location of forces.

Your report is an issue because China has focused on a buildup of ballistic missiles to defeat the United States. In addition to its ballistic missile and information warfare buildup, you yourself have noted the threat posed by China's growing anti-satellite capabilities. China is engaged in economic and surrogate terrorism, and diplomatic initiatives using its mouth to promise friendship while preparing for war. America needs to be informed and warned.

Without adequate intelligence about the ballistic missile threat, or the courage to act on the intelligence it has, the United States will not be able to defend itself. President Bush's proposed defense budget understates the need to accelerate ballistic missile defense programs, and emphasizes a poor design for a ballistic missile defense using groundbased defenses over space-based defenses that can provide boost phase interception, global coverage, and multiple opportunities for interception.

One point is how China's program for multiple reentry vehicles for its road-mobile ICBMs and SLBMs is ''encountering significant technical hurdles and would be costly,'' giving an impression that China may not develop a MIRV capability, at least in the near future.

In contrast, in 1999 defense analyst Richard D. Fisher, Jr., could convincingly write, ''Both the DF–31 and DF–41 ICBMs are expected to incorporate multiple independently targeted reentry vehicle (MIRV) warheads.'' Fisher further noted China has been suspected of trying to develop MIRVs for years, and that in 1998 Air force General Eugene Harbinger said China is developing MIRVs for its ICBMs. One would suspect that China would have made some progress since Fisher's analysis in 1999, especially given technological assistance from the United States and Russia. In January 2002 Fisher noted the CIA report appeared to be too low in its estimates of China's threat.

On the issue of MIRVs, the report appears to understate how China's spy and intelligence gathering program, highlighted by the 1999 Congressional Cox Committee report, was focused on obtaining information on U.S. nuclear warheads and ballistic missile technology, which makes extensive use of MIRVs. In addition to U.S. missile, nuclear warhead, and satellite technology that could be used for MIRVs, China has obtained considerable technological help from Russia. China is one of Russia's largest arms customers and has signed a strategic partnership with it. Russia has perfected the technology for multiple warheads in its advanced rail and road-mobile ICBMs—the SS–24 and SS–27 Topol-M, and reportedly transferred to China SS–18 technology that would presumably include MIRV technology as the SS–18 was designed to carry 10 nuclear warheads, and could be fitted with even more.

Of surprise is the CIA statement that ''China could begin deploying the DF–31 ICBM during the first half of the decade.'' In contrast to the uncertainties contained in the CIA report, in May 2001 Taipei Times defense reporter Brian Hsu noted China has built two bases for housing the DF–31 and plans to build more. It would be very reasonable to assume that these bases house DF–31s. In addition, according to a story by Washington Times reporter Bill Gertz, China was expected to obtain an operational capability for the DF–31 by the end of 2001, before the release of the CIA report.

If China's deployment of the DF–31 ICBM follows its pattern of deploying short-range road-mobile ballistic missiles over a number of bases as it has done with its ballistic missile buildup aimed at Taiwan, the United States should expect China to deploy the DF–31 over more than two bases to blunt the effect of any potential counterattacks or preemptive strikes.

The CIA report, rather than telling the American people how China is taking steps to deploy the DF–31 and apparently has achieved an operational capability, is content to word its analysis as a possibility. In addition, it overlooks why China is building the DF–31—its ballistic missile strategy.

The Taipei Times noted that China's buildup of the DF–31 is part of its ''Long Wall Project'' that ''is aimed at the US, not Taiwan,'' and said that ''The Chinese military leadership plans to put longer-range ballistic missiles in the southeastern provinces so that they can cover US military targets in the Pacific.''

The CIA report, moreover, appears remiss with respect to China's buildup of intermediate-range ballistic missiles such as the DF–21–X and DF–25, which can attack U.S. forces and bases in the Far East and Pacific. The report also projects that by 2005 China will have a force of short-range ballistic missiles that will number ''several hundred missiles.'' Yet, throughout 2000 and 2001 China was reported as having massed 300–350 short-range ballistic missiles against Taiwan in a number of news accounts, and increased production to more than 50 per year. China already has an arsenal exceeding ''several hundred missiles.''

China's view on using its long-range ballistic missiles is very aggressive. It does not believe in a ''balance of power'' dictated by equal numbers of missiles or nuclear warheads. Rather, according to one Chinese analyst, China believes that ''It is not necessary for China to seek a nuclear balance with the US. If we have the capacity to launch a nuclear counterattack, there will be no difference between 10 and 10,000 nuclear warheads.'' This same view appeared in an August 1999 planning document of China's Central Military Commission headed by President Jiang Zemin.

In May 2000, the late Congressman Floyd Spence, quoting the Liberation Army Daily, noted that China ''is a country that has certain abilities of launching a strategic counterattack and the capacity of launching a long-distance strike . . . It is not a wise move to be at war with a country such as China, a point which the U.S. policymakers know fairly well also.'' In 1995 PLA General Xiong Guangkai issued a similar threat.

China has used its ballistic missiles to intimidate, seen in its launch of ballistic missiles off Taiwan in 1995 and 1996. While the diplomatic failure which occurred resulted in the tempering of its diplomacy, the fact that China has changed its diplomatic tactics toward Taiwan and the United States should not obscure its strategy for using its ballistic missiles for aggression. China's words of friendship are a mask for its ballistic missile and military buildup.

American should be concerned with its defense. The terrorist attacks of September 11, 2001 showed what can happen with a lack of vigilance. The United States needs to realize that China is engaged in a military and ballistic missile buildup pointed at Americans. We must take the necessary steps to defend our citizens, and we should build a space-based ballistic missile defense. We must have better information about China's ballistic missile threat. Regrettably, your report on this matter is insufficient.

Very truly yours,

BOB SCHAFFER,

Member of Congress from Colorado.

HOUSE LEADERSHIP FAILS AGAIN TO ASSIST LONGTERM UNEMPLOYED

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, it is difficult to believe that once again, the House of Representatives is leaving Washington without passing an Unemployment Assistance extension bill that could be in effect by the time we return next Tuesday.

The Senate has passed the extension bill several times. But the House Republican leadership refuses to take that bill and send it to the President for signature—unless it is loaded up with unjustified and very detrimental tax cuts for the most affluent Americans and corporations., a bill that the Wall Street Journal declared ''mainly padded corporate bottom lines.''

And so, once again, Congress leaves Washington without doing its job for the men and women who send us here to represent them and whose taxes pay our salaries.

That may not be very important to our Republican leaders who run this House. But it surely is important to the 378,000 working men and women who filed new unemployment claims last week who wonder if extended benefits will be there for them when their meager weeks run out, as they have for over I million Americans between September 11 and December 31, 2001 and 11,000 more every day of this year!

When we left Washington without passing extended benefits for the President's Day recess, over a quarter million Americans lost their unemployment benefits. By the time we return next week after being gone for nearly five full days, another 55,000 left high and dry by this Congress and by the Republican leadership that uses them, and their suffering, as leverage for fat cat tax breaks.

Mr. Speaker, where is the compassion of the Republican leadership? Why can we not have a straight up-or-down vote on the Senate's bill to extend unemployment benefits as we have been urged to do by 9 Nobel laureates who say these benefits are the quickest and surest stimulus we could enact? Let's stop the political gamesmanship, get the assistance to the men and women who paid for it with their labor, and then we can continue the debate over tax cuts for the wealthy.

ON THE 90TH ANNIVERSARY OF HADASSAH

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. WEINER. Mr. Speaker, in 1912, Henrietta Szold founded the Daughters of Zion, an organization to meet the health needs of Jews and Arabs in what is now the modern State of Israel. Soon renamed Hadassah, the Women's Zionist Organization of America, it has grown to be not only the largest Jewish organization in America, but also the largest women's organization. I rise today to pay tribute to Hadassah and all of the wonderful accomplishments of its ninety-year history.

Today, Henrietta Szold's vision lives on. With more than 300,000 members and 1,500 chapters across the country, Hadassah is stronger than ever. While best known for the Hadassah Medical Organization, which is synonymous with expert medical care, Hadassah has expanded its services greatly to help so many people across the globe.

From preventing the spread of AIDS in Africa to helping at-risk teens in Russia, Ethiopia and Israel, the women of Hadassah continue to serve the world community in addition to helping American teens develop their Jewish spiritual identity.

The great accomplishments of Hadassah were recognized last year when Hadassah gained special consultative status as a nongovernmental organization with the United Nations Economic and Social Council. This enables Hadassah to participate more fully in international deliberations over medical research and treatment, immigrant absorption, refugee welfare and the status of women and children—all the areas in which Hadassah has earned its reputation for expertise.

I congratulate the Women of Hadassah for reaching this milestone, and I commend them for their many wonderful accomplishments during the past ninety years.

GIRL SCOUT GOLD AWARDS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. CRANE. Mr. Speaker, I rise today to recognize five outstanding young women from Illinois' 8th District. Sarah Desprat, Kristen Rusek, Katherine Swanson, Julie Zielinski and Shauna Marie Zivin all will receive the Girl Scout Gold Award, the highest award in Girl Scouting.

Only 6 percent of Girl Scouts nationwide receive this award. According the Girl Scouts, the requirements for the Gold Award include efficient organization, time management, and leadership skills resulting in a 50-hour community service project.

I am glad to see the hard work, dedication and commitment of these Girl Scouts are being recognized with this honor. I am proud to represent such fine young women and pass along my congratulations.

CONGRATULATING TEMPLE BETH EL OF SAN MATEO ON THEIR 50TH ANNIVERSARY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. LANTOS. Mr. Speaker, it is with great pride that I rise to congratulate Temple Beth El of San Mateo California, in my Congressional district, on the 50th anniversary of its founding.

In 1950 the San Francisco peninsula was experiencing an extraordinary growth spurt. Young families were reunited with soldiers returning from the war and began purchase homes with their G.I. loans. This resulted in the rapid growth of the Bay Area. One result of this growth was that public facilities could not meet the demand of the population explosion, and schools were required to have double session to accommodate all the new children. At the time there was only one Jewish institution housed in its own building on the Peninsula at a small synagogue in Menlo Park. Although members of the Congregations Sherith Israel and Temple Emanu-El were cosponsoring a religious school for their children, the schooling took place at a Seventh Day Adventist Church, because the congregations did not have the necessary building space for a religious school.

In order to accommodate their expanding numbers concerned parents met on a Monday evening in October of 1950, calling themselves the ''Board of Directors of the Peninsula Temple Congregation.'' Their focus that evening was to create a facility for Jewish learning and worship on the peninsula. From that first night, it was obvious that this group of dedicated individuals would be a success. They elected officers, organized themselves and took the first steps towards their exciting journey that very first night. Soon they had hired a Rabbi and chose a name; Peninsula Temple Beth El.

Mr. Speaker, over its fifty years Temple Beth El has grown from a few families to a congregation made up of over 700 families numbering more than 3,000 people. Their religious school has become a model of programing followed by other congregations in California and the rest of the country. Today over 600 children receive a quality Jewish education in Beth El's religious school. Two years ago the Gannon Day Care center was named the number one child-care facility on the Peninsula.

In addition to providing excellent religious institutions for their children, the members of Temple Beth El sponsor numerous programs aimed at enriching the spiritual lives of adult members. They were one of the first congregations in California to establish a Havurah—a traditional Jewish prayer group. Members of Temple Beth El are also actively fulfilling their obligations to be involved in social justice. From preparing food for the homeless at the Samaritan House in San Mateo, to collecting donations for numerous charities, serving as tutors for literacy programs in public schools, the members of Temple Beth El are extraordinary examples of selflessness and giving back to their community.

Mr. Speaker, after fifty years Temple Beth of San Mateo remains a vigorous, exciting and expanding congregation. Despite its growth it has remained committed to the core goal—to provide a place for Jewish worship and Jewish education and to nurture Jewish Life on the Peninsula. I urge all of my colleagues to join me in commending Temple Beth El of San Mateo on the occasion of its 50th Anniversary, and wish its members continued success for the future.

OPENING OF SLOVAK CONSULATE IN MIAMI FLORIDA AND 50TH ANNIVERSARY OF SLOVAK GARDEN

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. MICA. Mr. Speaker, I rise today to recognize the official opening in Miami, Florida of

the Consulate of the Slovak Republic and the 50th Anniversary of Slovak Garden in my District. As you may know, Slovakia is a country full of rich history and tradition. It became a free and independent republic in 1993 and opened their new Embassy in Washington, DC in June of 2001.

I am pleased to announce that, Mr. Robert J. Petrik, who is the Honorary Consul of the Slovak Republic to the State of Florida, was appointed by Eduard Kukan, Minister of Foreign Affairs of the Slovak Republic, with the approval by the United States Department of State, established a Consulate of Slovakia in Miami, FL.

Currently there are Consulates of the Slovak Republic in Pittsburgh, Chicago, Cleveland, Minneapolis, Denver, LA and Kansas City. The Honorable Ambassador Martin Butora, PhD, Ambassador Plenipotentiary and Extraordinary of the Slovak Republic to the United States, and his wife Zora Butorova, PhD, will be visiting Florida this week for the purpose of officially opening the Consulate of the Slovak Republic.

There are a number of outstanding events planned to mark this exciting opening and the visit by Ambassador Butora and we are pleased to welcome them to the great State of Florida. Florida continues to experience tremendous growth and advances toward the future, while still recognizing and celebrating its proud history and vibrant culture. The added presence of the Slovak Republic will only serve to enhance Florida's history and culture.

Slovak Garden had it beginnings in 1906, at the 10th National Slovak Society Convention in Connellsville, Pennsylvania, when American Slovaks discussed creating a Slovak retirement community. The seed was sown on November 10, 1939 as the Zivena Beneficial Society Branch 163 celebrated its 25th anniversary. During the program of this celebration, Mr. and Mrs. John Jerga made a substantial financial contribution toward building a retirement community for American Slovaks. Mr. John Jerga, ailing for years, had visited Florida frequently and often remarked how ideal it would be to have this retirement community for Americans of Slovak Heritage in central Florida.

Jergo Road now serves as the dividing line between Slovak Garden and Slovak Village in Winter Park, Florida. It was dedicated in his memory to honor him and his wife Maria for their generous and unselfish donation of $10,000 to the Slovak retirement community in Florida and for other charitable projects they have founded and supported.

After the death of John Jerga on February 23, 1941, Mrs. Jerga continued to be active in various Slovak affairs in Detroit. In 1946, she married a widower, the Slovak fraternalist and newspaper editor, Karol Belohlavek who was very well known in Slovak circles in Pittsburgh, Pennsylvania and Cleveland, Ohio. The idea of creating a Slovak retirement community took on a new image and began moving again, since Karol Belohlavek was a great promoter for the idea. He published numerous articles in Slovak newspapers and solicited financial help from Slovak fraternal organizations and individuals to finance and promote the Slovak retirement community.

Finally, they succeeded in finding a 40-acre farm with an old fashioned two-bedroom house and then acres of citrus grove, the balance of the land being mostly wooded. The farm was located on Howell Branch Road near Winter Park, Florida and just 15 miles east of the city of Orlando.

Slovak Garden, as many other Slovak organizations in America, experienced growing pains of failure and successes during the years. The years from 1952 to 1970 were truly pioneering years for the Slovak Garden, but thanks to many devoted individuals, such as Karol Belohlavek, Mr. and Mrs. Zary, Mr. and Mrs. Kacir, Gus and Agnes Hodak, Mr. and Mrs. John Cibula, Mr. and Mrs. Richard Steffel and many others who succeeded to make this concept a reality. The years between 1980 and 1984, Slovak Garden went through tremendously difficult times fighting daily for it survival. In 1984 a new generation became involved, with Andrew F. Hudak, Jr., George Kantor, Mary Ondovcik, Joseph Hoda, Maria Kupcik, Andrew Croftcheck, Martha Volosin, Vincent Kazimir and John Gabor. They and many others helped Slovak Garden resume it progress. In recent years, Slovak Garden with various improvements and additions, continues to serve the American Slovak community and remind us all of a rich heritage.

During the 50 years of Slovak Garden's existence, it has provided comfortable residences to scores of American and Canadian Slovaks, many of whom are now reposing in the national Slovak Cemetery in Slovak Village. Presently, many American Slovaks from various parts of the United States and Canada enjoy gracious living in Slovak Garden. Once a small farm in central Florida, today it is a complete Slovak cultural and retirement community.

We congratulate the Slovak American Community in Florida on these two very special occasions.

HONORING DR. ALBERT ALLEY AND THE WORLD BLINDNESS OUTREACH

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. GEKAS. Mr. Speaker, every once in a while we hear of an individual whose gift of giving is so powerful that it must be recognized. Dr. Albert Alley of Lebanon, Pennsylvania is one of those individuals. and I would like to take this opportunity to honor and commend him and his colleagues for their tremendous generosity and benevolence.

Dr. Alley, through his non-profit organization, World Blindness Outreach, has organized a team of doctors for an annual journey to Nicaragua for the past four years to provide free eye care and eye surgery to those who cannot afford such procedures. Helping him are William Busch, a physician from Pensacola, Florida; Eduardo Miller, a physician from Mexico; Richard Simmons, a physician from Westerville, Ohio; Bill Hoffman, an optometrist from Lebanon, Pennsylvania; Ron Johns, an optician in Dr. Alley's office; and Cheryl Strauss, an operating room technician from the Lebanon Outpatient Surgery Center. Not only do they provide the service, but they provide all the necessary tools and materials required to do that service because the hospital they work out of in Nicaragua cannot afford the equipment.

This past January, these hard-working doctors spent a week working ten-hour days removing 85 cataracts and correcting 12 cases of strabismus. Already, they have plans to continue with this mission of goodwill in March to the Dominican Republic.

Dr. Alley's dedicated passion and ability to spread his amity among his colleagues is a talent which we all endure to achieve. He is indeed a leader whose charitable work and medical help for those who cannot afford it serves as an inspiration to us all.

As a perfect example of how giving is contagious, two women in Nicaragua, inspired by the work of Dr. Alley, collected $100 to donate to Mayor Rudolph Giuliani after hearing of the terrorist attacks in New York and Washington, D.C. this past September. Though this donation may not seem large by our standards, it was collected from individuals whose average annual income is $500.

With the utmost respect and admiration, I commend Dr. Alley, Dr. Busch, Dr. Miller, Dr. Simmons, Dr. Hoffman, Dr. Johns, and Ms. Strauss in the noble and altruistic healthcare they provide to the citizens of Nicaragua. We hope his energy and motivation will proliferate among other medical professionals.

STATUS OF THE DOMESTIC STEEL INDUSTRY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. COSTELLO. Mr. Speaker, I rise today to comment on the status of the domestic steel industry.

Our domestic steel industry is currently in a crisis situation. The fundamental cause of this crisis is massive foreign overcapacity, which has caused the United States to become the dumping ground for world excess steel products. As a result of this, since 1997, 31 steel companies have filed for bankruptcy, affecting over 62,000 American steel workers.

In my home state of Illinois, four steel companies have filed for bankruptcy, including Laclede Steel, which is in the Congressional District I represent. Approximately 5,000 steel workers have lost their jobs in Illinois alone.

Yesterday, I was honored to speak at a steel rally in my district. Hundreds of people attended, many of whom have lost their jobs as a result of the illegal dumping of foreign steel. We came together to support the American steel industry—an industry that has been essential to the development of this great nation.

This is not just a trade issue—it is a national security issue. Laclede Steel in Alton produced the steel that built the World Trade Center and we must never become dependent on foreign steel to produce our tanks and battleships and protect the men and women of our armed forces. We need the Administration to implement tariffs to prevent foreign steel from entering our country. We need to level the playing field. Tariffs at less than 40 percent are not relief.

Last year, I joined my colleagues on the Congressional Steel Caucus in urging the President to implement a Section 201 investigation by the International Trade Commission to determine if our domestic markets had been

harmed by illegal dumping. In the fall, I testified before the ITC to express my concerns regarding the steel crisis. The ITC ruled unanimously that the steel industry had indeed been harmed.

While the ITC's decision was welcome, it didn't guarantee relief for the domestic steel industry. The ITC recommended the highest tariff rate of up to 40 percent for four years on all subject steel categories; however, it is up to the President to determine what type of remedy should be afforded to the industry. It is imperative that the President imposes the highest possible tariffs, rather than quotas, which will not be as helpful to the industry.

Without strong, decisive and quick action from the President, thousands more steel workers are at a very real risk of losing their jobs, at an economic time when our nation can least afford it.

Mr. Speaker, I urge my colleagues to join me in asking the President to help our domestic steel industry by implementing tariffs on foreign steel. Anything less would be a disservice to the hardworking men and women who are counting on the President to stand up for them.

CONGRATULATIONS TO HADASSAH IN ITS 90TH BIRTHDAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. GILMAN. Mr. Speaker, it is with great pleasure that I take the opportunity to congratulate Hadassah, The Women's Zionist Organization of America, on its 90th anniversary.

Nine decades after Henrietta Szold founded Hadassah in the USA in February 1912, it is now the largest women's organization, as well as the largest Jewish organization in the United States. It is not only its membership numbers that make Hadassah such a remarkable organization, but the splendid deeds carried out over nine decades, in both the USA and in Israel, as well as in many other countries.

In Israel, in spite of the ongoing violent conflict, Hadassah, through its flagship project, the Hadassah Medical Organization, has been providing for many years, according to its humanitarian mission, the highest quality health care to countless individuals from throughout the Middle East—regardless of their race, religion or nationality.

In this country, through efforts related to health care—for instance with its ''Check it Out'' breast cancer detection and awareness campaign—and in many other ways, Hadassah has aided countless American women of all persuasions through its various programs.

Over my many years of public service, I have met in numerous occasions with members of Hadassah. Their indefatigable support for Israel has been a continuous source of inspiration. I count myself as a staunch supporter of this notable organization, and would like to wish Hadassah, the Women's Zionist Organization of America, a ''happy 90th birthday'', and my best wishes for a continuation of its enriching and exemplary work for many years to come.

HONORING HADASSAH, THE WOMEN'S ZIONIST ORGANIZATION OF AMERICA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2002

Mr. BARR of Georgia. Mr. Speaker, founded in 1912, Hadassah is the largest women's and largest Jewish membership organization in the country. February 2002 marks the 90th anniversary of this group working to enhance the quality of American and Jewish life through its education and youth programs, promote health awareness, and provide personal enrichment and growth for its members.

One of Hadassah's most compelling projects is the Hadassah Medical Organization, providing health care throughout the Middle East, regardless of race, religion, or nationality. The Hadassah Medical Organization has also been recognized for its world-class research projects that have resulted in significant medical advances, particularly in the areas of breast cancer and the treatment of various genetic disorders. Since 1984, the Hadassah Medical Organization has also been involved in global outreach programs to other countries, particularly those in Africa.

Some of Hadassah's other projects include the Hadassah Foundation, addressing societal needs in Israel and the United States, and engaging in initiatives outside the Hadassah framework; Hadassah Associates, an affiliate program of Hadassah giving males of all ages the opportunity to share in Hadassah's efforts; and various women's health programs.

I ask my fellow Members of the House to join me today in recognition of the meritorious work Hadassah has done and congratulate them on 90 years of service.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1327–S1377

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 1973–1977, S. Res. 213, and S. Con. Res. 99. **Page S1351**

Measures Reported:

H.R. 3005, to extend trade authorities procedures with respect to reciprocal trade agreements, with an amendment in the nature of a substitute. (S. Rept. No. 107–139) **Page S1351**

Measures Passed:

U.S. Senate Youth Program: Committee on the Judiciary was discharged from further consideration of S. Res. 208, commending students who participated in the United States Senate Youth Program between 1962 and 2002, and the resolution was then agreed to. **Page S1376**

Election Reform: A unanimous-consent agreement was reached providing for further consideration of S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, on Friday, March 1, 2002, with a vote on the motion to close further debate on the bill to occur at 9:45 a.m. Further, that Senators have until 9:30 a.m., to file second degree amendments. **Page S1377**

Appointments:

JFK Center for the Performing Arts Board: The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appointed Senator Reid to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice Senator Lott. **Page S1376**

Nominations Received: Senate received the following nominations:

Rene Acosta, of Virginia, to be a Member of the National Labor Relations Board for the remainder of the term expiring August 27, 2003.

Christopher C. Conner, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

John E. Jones III, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Routine lists in the Air Force. **Page S1377**

Messages From the House: **Page S1349**

Measures Referred: **Page S1349**

Executive Communications: **Pages S1349–51**

Additional Cosponsors: **Pages S1351–52**

Statements on Introduced Bills/Resolutions: **Pages S1352–69**

Additional Statements: **Pages S1348–49**

Amendments Submitted: **Pages S1370–75**

Authority for Committees to Meet: **Pages S1375–76**

Privilege of the Floor: **Page S1376**

Adjournment: Senate met at 10:30 a.m., and adjourned at 6:10 p.m., until 9:15 a.m., on Friday, March 1, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1377).

Committee Meetings

(Committees not listed did not meet)

NATO

Committee on Armed Services: Committee concluded hearings to examine the future of the North Atlantic Treaty Organization (NATO), focusing on defending, integrating, and stabilizing the Euro-Atlantic area, after receiving testimony from Marc I. Grossman, Under Secretary of State for Political Affairs; Douglas J. Feith, Under Secretary of Defense for Policy; and General Joseph W. Ralston, USAF, Commander-in-Chief, United States European Command.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings on proposed legislation authorizing funds for the fiscal year 2003 for the Department of Defense, focusing on installations and environmental programs, after receiving testimony from Raymond F. DuBois, Jr., Deputy Under Secretary of Defense for Installations and Environment; Mario P. Fiori, Assistant Secretary of the Army for Installations and Environment; H. T. Johnson, Assistant Secretary of the Navy for Installations and Environment; and Nelson F. Gibbs, Assistant Secretary of the Air Force for Installations, Environment and Logistics.

REMITTANCE

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine issues with respect to the sending of remittances, or the sending of money to someone at a distance, focusing on the constraint of money transfer charges and exchange rate differentials on Latin American immigrants when providing financial assistance to their relatives in their country of origin, after receiving testimony from Representative Gutierrez; Sergio Bendixen, Bendixen and Associates, Miami, Florida; Manuel Orozco, Inter-American Dialogue, and Susan F. Martin, Georgetown University School of Foreign Service Institute for the Study of International Migration, both of Washington, D.C.; and Raul Hinojosa-Ojeda, University of California, Los Angeles School of Public Policy, Los Angeles.

ARGENTINIAN ECONOMY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded hearings to examine Argentina's current economic situation, focusing on the International Monetary Fund, American aid, and sovereign debt restructuring, after receiving testimony from John B. Taylor, Under Secretary of the Treasury for International Affairs; Michael Mussa, Institute for International Economics, and Peter Hakim, Inter-American Dialogue, both of Washington, D.C.; and William J. Haener, CMS Gas Transmission Company, Dearborn, Michigan.

2003 BUDGET

Committee on the Budget: Committee resumed hearings on the President's proposed budget request for fiscal year 2003 and revenue proposals, focusing on Department of Defense war, transformation, and reform issues, receiving testimony from Josh S. Weston, Montclair, New Jersey, on behalf of the Business Executives for National Security Tail-to-Tooth Commission; Michael E. O'Hanlon, Brookings Institution, Washington, D.C.; and Loren B. Thompson, Lexington Institute, Arlington, Virginia.

Hearings continue on Wednesday, March 6.

DIGITAL TELEVISION

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the protection of content in a digital age, focusing on promoting broadband and digital television transition, after receiving testimony from Michael D. Eisner, Walt Disney Company, Burbank, California; Peter Chernin, News Corporation, New York, New York; Leslie L. Vadasz, Intel Corporation, Santa Clara, California; Andreas Bechtolsheim, Cisco Systems Inc., San Jose, California; James E. Meyer, Thomson multimedia, Indianapolis, Indiana; Robert A. Perry, Mitsubishi Digital Electronics America, Inc., Irvine, California, on behalf of the Home Recording Rights Coalition; and Jack Valenti, Motion Picture Association of America, Encino, California.

WATER INVESTMENT ACT

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded hearings on S. 1961, to improve financial and environmental sustainability of the water programs of the United States, and related measures including S. 252, to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds; S. 285, to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements; S. 503, to amend the Safe Water Act to provide grants to small public drinking water system; and S. 1044, to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; after receiving testimony from Senator Sarbanes; Robert M. Hirsch, Associate Director for Water, United States Geological Survey, Department of the Interior; Andrew M. Chapman, Elizabethtown Water Company, Elizabethtown, New Jersey, on behalf of the National Association of Water Companies; Ed Archuleta, El Paso Water Utilities, El Paso, Texas, on behalf of the Association of Metropolitan Water Agencies; Paul Pinault, Narragansett Bay Commission, Providence, Rhode Island, on behalf of the Association of Metropolitan Sewerage Agencies; Elmer Ronnebaum, Kansas Rural Water Association, Seneca, Kansas, on behalf of the National Rural Water Association; Howard Neukrug, Philadelphia Water Department, Philadelphia, Pennsylvania, on behalf of the American Water Works Association;

Tom Morrisey, Connecticut Department of Environmental Protection, Hartford, on behalf of the Association of State and Interstate Water Pollution Control Administrators; and Jay L. Rutherford, Vermont Department of Environmental Conservation, Waterbury, on behalf of the Association of State Drinking Water Administrators.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Emmy B. Simmons, of the District of Columbia, to be Assistant Administrator for Economic Growth, Agriculture, and Trade, United States Agency for International Development, and Robert B. Holland III, of Texas, to be United States Alternate Executive Director of the International Bank For Reconstruction and Development, after the nominees, testified and answered questions in their own behalf. Mr. Holland was introduced by Senator Hutchison.

NOMINATION

Committee on Governmental Affairs: Committee concluded hearings on the nomination of Louis Kincannon, of Virginia, to be Director of the Census, Department of Commerce, after the nominee, who was introduced by Senator Allen and Representative Sawyer, testified and answered questions in their own behalf

MAMMOGRAPHY

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health concluded joint hearings with the Committee on Appropriations Subcommittee on Labor, Health and Human Services, and Education to examine the conflicting findings regarding mammography usage and update recommendation guidelines, based on the most current scientific data, on the use of mammography in breast cancer detection, after receiving testimony from Andrew von Eschenbach, Director, National Cancer Institute, National Institutes of Health, Department of Health and Human Services; Donald A. Berry, University of Texas M.D. Anderson Cancer Center, Houston, on behalf of the Physicians' Data Query (PDQ) Screening and Prevention Editorial Board; Harmon J. Eyre, American Cancer Society, Fran Visco, National Breast Cancer Coalition, and LaSalle D. Leffall, Jr., Howard University College of Medicine, on behalf of the Susan G. Komen Breast Cancer Foundation, all of Washington, D.C.; and Carolyn D. Runowicz, St. Luke's-Roosevelt Hospital Center Department of Obstetrics and Gynecology/Continuum Health Partners, Inc., New York, New York, on behalf of the American College of Obstetricians and Gynecologists.

UNACCOMPANIED ALIEN CHILD PROTECTION

Committee on the Judiciary: Subcommittee on Immigration concluded hearings on S. 121, to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children, after receiving testimony from Michael J. Creppy, Chief Immigration Judge, Executive Office for Immigration Review, and Stuart Anderson, Executive Associate Commissioner for Policy and Planning, Immigration and Naturalization Service, both of the Department of Justice; Wendy A. Young, Women's Commission for Refugee Women and Children, Falls Church, Virginia; Andrew D. Morton, Latham and Watkins, and Julianne Duncan, United States Conference on Catholic Bishops Migration and Refugee Services, both of Washington, D.C.; and Edwin L. Munoz, Middleville, Michigan.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 3818–3830, were introduced. **Pages H650–51**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. **Page H635**

Public Health Security and Bioterrorism Response Act of 2002—Go to Conference: The House disagreed with the Senate amendment to H.R. 3448, to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergenciesand agreed to a conference. **Pages H638–41**

Appointed as conferees from the Committee on Energy and Commerce: Chairman Tauzin and Representatives Bilirakis, Gillmor, Burr, Shimkus, Dingell, Waxman, and Brown of Ohio, provided that

Representative Pallone is appointed in lieu of Brown of Ohio for consideration of Title IV of the House bill, and modifications committed to conference. From the Committee on Agriculture, for consideration of the title II of the house bill and section 216 and title V of the Senate amendment, and modifications committed to conference: Chairman Combest, Lucas of Oklahoma, Chambliss, Stenholm, and Holden. From the Committee on the Judiciary, for consideration of Title II of the House bill and sections 216 and 401 of the Senate amendment, and modifications committed to conference: Chairman Sensenbrenner and Representatives Smith of Texas and Conyers. **Page H640**

Agreed to earlier by a yea-and-nay vote of 412 yeas with none voting "nay," Roll No. 46, the Eshoo motion to instruct conferees to diligently reconcile differences with the Senate, recognize the importance of Federal resources to combat bioterrorism and not delay or disrupt the funding for fiscal year 2002, recognize the needs to establish the national system for tracking the possession and use of deadly biological agents and prioritize Federal and State resources to address potential threats to the food supply, acknowledge the need to work with the Administration to ensure the feasibility of enhanced food safety regulatory programs, and provide for vulnerability assessments, emergency response plans, and other actions with respect to public drinking water supplies. **Pages H640–41**

Farm Security Act of 2002—Go to Conference: The House disagreed with the Senate amendment to H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011, and agreed to a conference. Appointed as conferees: Chairman Combest and Representatives Boehner, Goodlatte, Pombo, Everett, Lucas of Oklahoma, Chambliss, Moran of Kansas, Stenholm, Condit, Peterson of Minnesota, Dooley of California, Clayton, Holden. The Chair announced that the conferee appointment may be supplemented at a later time. **Page H640**

Legislative Program: The Majority Leader announced the Legislative Program for the week of March 4. **Page H641**

Meeting Hour—Monday, March 4: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, March 4. **Page H642**

Meeting Hour—Tuesday, March 5: Agreed that when the House adjourns on Monday, March 4, it adjourn to meet at 12:30 p.m. on Tuesday, March 5 for morning hour debate. **Page H642**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 6. **Page H642**

Distinguished Service to the Nation by the Civil Air Patrol: The House agreed to H. Con. Res. 311, recognizing the Civil Air Patrol for 60 years of service to the United States. **Pages H642–43**

Significance of Black History Month: The House agreed to H. Con. Res. 335, recognizing the significance of Black History Month and the Contributions of Black Americans as a significant part of the history, progress, and heritage of the United States. **Pages H643–45**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of the House today and appear on pages H640–41. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:01 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT AND FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Research, Education and Economics. Testimony was heard from the following officials of the USDA: Stephen B. Dewhurst, Budget Officer; Joseph J. Jen, Under Secretary, Research, Education and Economics; Ed Knipling, Acting Administrator, Agricultural Research Service; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service; Susan Offutt, Administrator, Economic Research Service; and R. Ronald Bosecker, Administrator, National Agricultural Statistics Service.

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on Attorney General. Testimony was heard from John Ashcroft, the Attorney General.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Missile Defense. Testimony was heard from Lt. Gen. Ronald T. Kadish, USAF. Director, Missile Defense Agency, Department of Defense.

ENERGY AND WATER APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Bureau

of Reclamation and the Central Utah Project Completion Act. Testimony was heard from the following officials of the Department of Interior: Gale A. Norton, Secretary; John W. Keys III, Commissioner, Bureau of Reclamation; and Ronald Johnson, Central Utah Project Completion Act Program.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on Fossil Energy, and Energy Conservation. Testimony was heard from the following officials of the Department of Energy: Carl Michael Smith, Assistant Secretary, Fossil Energy; and David K. Garman, Assistant Secretary, Energy Efficiency and Renewable Energy.

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services and Education held a hearing on Corporation for Public Broadcasting; Institute of Museum and Library Services; and the National Commission on Libraries and Information Science. Testimony was heard from Robert Coonrod, President and CEO, Corporation for Public Broadcasting; Robert Martin, Director, Institute of Museum and Library Services; Martha B. Gould, Chairperson; and Jack E. Hightower, member, both with National Commission on Libraries and Information Sciences.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on Federal Highway Administration. Testimony was heard from Mary E. Peters, Administrator, Federal Highway Administration, Department of Transportation.

TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service and General Government held a hearing on Bureau of Alcohol, Tobacco and Firearms, and on IRS. Testimony was heard from the Department of the Treasury: Bradley A. Buckles, Director, Bureau of Alcohol, Tobacco and Firearms; Jimmy Gurule, Under Secretary, Enforcement; and Charles Rossotti, Commissioner, IRS.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services, Continued hearings on the fiscal year 2003 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of Defense: Thomas E. White, Secretary of the Army; and Gen. Eric K. Shinseki, USA, Chief of Staff, Department of the Army.

Hearings continue March 6.

EXPORT ADMINISTRATION ACT

Committee on Armed Services: Held a hearing on the Export Administration Act of 2001. Testimony was heard from J.D. Crouch, Assistant Secretary, International Security Policy, Department of Defense; Vann Van Diepen, Deputy Assistant Secretary (Nonproliferation) Department of State; James J. Jochum, Assistant Secretary, Export Administration, Department of Commerce; Joseph Cristoff, Director, International Affairs and Trade Team, GAO; and public witnesses.

HHS BUDGET PRIORITIES

Committee on the Budget: Held a hearing on Department of Health and Human Services Budget Priorities Fiscal Year 2003. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services; Dan L. Crippen, Director, CBO; and public witnesses.

OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT REAUTHORIZATION

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on "The Reauthorization of the Office of Educational Research and Improvement." Testimony was heard from Grover Whitehurst, Assistant Secretary, Office of Educational Research and Improvement, Department of Education; Jim Horne, Secretary, Board of Education, State of Florida; Douglas Christensen, Commissioner, Department of Education, State of Nebraska; and public witnesses.

TREAD ACT IMPLEMENTATION

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Implementation of the TREAD Act: One Year Later." Testimony was heard from the following officials of the Department of Transportation: Jeffrey W. Runge, Administrator, National Highway Traffic Safety Administration; and Kenneth M. Mead, Inspector General; and John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB.

UNINSURED AND AFFORDABLE HEALTH CARE

Committee on Energy and Commerce: Subcommittee on Health held a hearing on "The Uninsured and Affordable Health Care Coverage." Testimony was heard from public witnesses.

BUDGET VIEWS AND ESTIMATES; INTERNATIONAL MONETARY FUND

Committee on Financial Services: Approved Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget.

The Committee also held a hearing on the International Monetary Fund. Testimony was heard from Paul H. O'Neill, Secretary of the Treasury.

QUICKEN RESEARCH PACE—PROTECT AGAINST ANTHRAX AND OTHER BIOLOGICAL TERRORIST AGENTS

Committee on Government Reform: Held a hearing on "Quickening the Pace of Research in Protecting Against Anthrax and Other Biological Terrorist Agents-A Look at Toxin Interference." Testimony was heard from Rodney Balhorn, Research Director, Lawrence Livermore Laboratories, Department of Energy; Stephen Leppla, Senior Investigator, National Institute of Dental and Cranial Facial Research, NIH, Department of Health and Human Services; Arthur Friedlander, Senior Scientist, Medical Research Institute of Infectious Diseases, U.S. Army, Fort Detrick, Frederick, Maryland; and public witnesses.

URGE UKRAINE—FAIR ELECTION PROCESS; U.N. CRIMINAL TRIBUNALS—YUGOSLAVIA AND RWANDA

Committee on International Relations: Favorably considered the following resolution and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar: H. Res. 339, as amended, urging the Government of Ukraine to ensure a democratic, transparent, and fair election process leading up to the March 31, 2002, parliamentary elections.

The Committee also held a hearing on the U.N. Criminal Tribunals for Yugoslavia and Rwanda: International Justice or Show of Justice? Testimony was heard from Pierre-Richard Prosper, Ambassador-at-Large, War Crimes Issues, Department of State; and public witnesses.

ZIMBABWE: ARE FREE AND FAIR ELECTIONS POSSIBLE?

Committee on International Relations: Subcommittee on Africa held a hearing on Zimbabwe: Are 'Free and 'Fair' Elections Possible? Testimony was heard from Walter H. Kansteiner III, Assistant Secretary, Bureau of Africa Affairs, Department of State; and public witnesses.

OVERSIGHT—LEGAL SERVICES CORPORATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Legal Services Corporation. Testimony was heard from John N. Erlenborn, President, Legal Services Corporation; and public witnesses.

CONSTITUTIONAL AMENDMENT—TEMPORARY FILLING OF HOUSE VACANCIES

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.J. Res. 67, proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives in the event a significant number of Members are unable to serve at any time because of a national emergency. Testimony was heard from Harold Relyea, Expert and Specialist in American National Government, Government and Finance Division, Congressional Research Service, Library of Congress; and public witnesses.

OVERSIGHT—VISA WAIVER PROGRAM—IMPLICATIONS OF TRANSNATIONAL TERRORISM

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on "The Implications of Transnational Terrorism for the Visa Waiver Program." Testimony was heard from the following officials of the Department of Justice: Glenn A. Fine, Inspector General; and Peter M. Becraft, Deputy Commissioner, INS; and public witnesses.

NOAA SEA GRANT PROGRAM: REVIEW AND REAUTHORIZATION

Committee on Science: Subcommittee on Environment, Technology, and Standards held a hearing on the NOAA Sea Grant Program: Review and Reauthorization. Testimony was heard from Vice Adm. Conrad C. Lautenbacher, Jr., USN (Rtd.), Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and public witnesses.

TEA 21 REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on Perspectives of Governors and Local Elected Officials on Reauthorization of TEA 21. Testimony was heard from Paul E. Patton, Governor, State of Kentucky; Kenneth Barr, Mayor, Fort Worth, Texas; and public witnesses.

PHYSICIAN PAYMENTS

Committee on Ways and Means: Subcommittee on Health held a hearing on Physician Payments. Testimony was heard from Dan L. Crippen, Director, CBO; Glenn Hackbarth, Chairman, Medicare Payments Advisory Commission; and public witnesses.

ANNUAL REPORTS—IRS NATIONAL TAXPAYER ADVOCATE; IRS OVERSIGHT BOARD

Committee on Ways and Means: Subcommittee on Oversight held a hearing on IRS National Taxpayer Advocate Annual Report and IRS Oversight Board Annual Report. Testimony was heard from Nina E. Olson, National Taxpayer Advocate, Department of the Treasury; and Larry R. Levitan, Chairman, IRS Oversight Board.

SOCIAL SECURITY IMPROVEMENTS—WOMEN, SENIORS AND WORKING AMERICANS

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Social Security Improvements for Women, Seniors and Working Americans. Testimony was heard fromJo Anne Barnhardt, Commissioner, SSA; and public witnesses.

Hearings continue March 6.

FBI COUNTERTERRORISM ISSUES

Permanent Select Committee on Intelligence: Subcommittee on Terrrorism and Homeland Security met in executive session to hold a hearing on FBI Counterterrorism Issues. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 1, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine U.S. policy in Iraq, 10 a.m., SD–342.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

9:15 a.m., Friday, March 1

Senate Chamber

Program for Friday: Senate will continue consideration of S. 565, Election Reform, with a vote on the motion to close further debate on the bill to occur at 9:45 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, March 4

House Chamber

Program for Monday: Pro forma session.

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E223
Barcia, James A., Mich., E232
Barr, Bob, Ga., E236, E241, E245
Bentsen, Ken, Tex., E235
Berman, Howard L., Calif., E225
Borski, Robert A., Pa., E231
Capuano, Michael E., Mass., E240
Clyburn, James E., S.C., E238
Coble, Howard, N.C., E233
Condit, Gary A., Calif., E234
Costello, Jerry F., Ill., E244
Crane, Philip M., Ill., E243
Cunningham, Randy ''Duke'', Calif., E225
English, Phil, Pa., E230
Farr, Sam, Calif., E234
Fergusen, Michael, N.J., E236
Gekas, George W., Pa., E244
Gilman, Benjamin A., N.Y., E241, E245
Green, Gene, Tex., E224
Hastings, Alcee L., Fla., E224
Kanjorski, Paul E., Pa., E231
Kleczka, Gerald D., Wisc., E227
LaFalce, John J., N.Y., E238
Lantos, Tom, Calif., E241, E243
Lewis, Ron, Ky., E230
McInnis, Scott, Colo., E225, E228, E231
Menendez, Robert, N.J., E226, E229
Mica, John L., Fla., E243
Miller, George, Calif., E243
Morella, Constance A., Md., E239
Ose, Doug, Calif., E229
Otter, C.L. ''Butch'', Idaho, E227
Paul, Ron, Tex., E224
Pelosi, Nancy, Calif., E240
Phelps, David D., Ill., E230
Pomeroy, Earl, N.D., E237
Radanovich, George, Calif., E226
Rahall, Nick J., II, W.Va., E228
Roukema, Marge, N.J., E235
Schaffer, Bob, Colo., E242
Schakowsky, Janice D., Ill., E234, E236
Schiff, Adam B., Calif., E230
Shaw, E. Clay, Jr., Fla., E229
Shuster, Bill, Pa., E226
Smith, Christopher H., N.J., E226
Solis, Hilda L., Calif., E234
Souder, Mark E., Ind., E234
Strickland, Ted, Ohio, E232
Tiberi, Patrick J., Ohio, E233, E236
Towns, Edolphus, N.Y., E239, E240
Udall, Mark, Colo., E223
Udall, Tom, N.M., E229
Watts, J.C., Jr., Okla., E233, E236
Waxman, Henry A., Calif., E225
Weiner, Anthony D., N.Y., E243
Weldon, Curt, Pa., E235
Wolf, Frank R., Va., E228

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