United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, THURSDAY, MAY 23, 2002 No. 68

House of Representatives

The House met at 10 a.m.

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

Lord God without beginning or end, before whom we are all to appear to be judged, be merciful to Your servants today.

As our Nation approaches Memorial Day, fill the hearts of Americans with gratitude for all of those who gave their lives in defense of freedom and to protect this Nation. May our memory of the distant past and more recent events encourage the men and women in military service now.

To memorialize is to bring to consciousness again the names and faces of those who have gone, but are not forgotten, because of their noble lives and ultimate sacrifice. This year we include in our prayer all of those who died in the attacks of September 11 and especially those who, since then, have shed life's blood in the fight against terrorism.

Strengthen with Your loving compassion all of the families still traumatized by their loss. Renew this Nation in an intelligent patriotism which unfurls new dimensions of equal justice and hope for the poor as we wave the flag of freedom before the world, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. SCHIFF) come forward and lead the House in the Pledge of Allegiance.

Mr. SCHIFF led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 4592. An act to name the chapel located in the national cemetery in Los Angeles, California, as the ''Bob Hope Veterans Chapel''.

H.R. 4608. An act to name the Department of Veterans Affairs Medical and Regional Office Center in Wichita, Kansas, as the ''Robert J. Dole Department of Veterans Affairs Medical and Regional Office Center''.

H.R. 4782. An act to extend the authority of the Export-Import Bank until June 14, 2002.

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

H.R. 327. An act to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.

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

S. 1644. An act to further the protection and recognition of veterans' memorials, and for other purposes.

The message also announced that pursuant to Public Law 103–227, the Chair, on behalf of the President pro tempore, reappoints the following individuals to the National Skill Standards Board:

Upon the recommendation of the Republican Leader—

Earline N. Ashley, of Mississippi, Representative of Human Resources;

Ronald K. Robinson, of Mississippi, Representative of Labor.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1 minutes at the end of business today.

2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

The SPEAKER. Pursuant to House Resolution 428 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4775.

□ 1004

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, May 22, 2002, the bill had been read through page 5, line 5.

The Clerk will read.

MOTION TO RISE OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

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RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 289, not voting 46, as follows:

[Roll No. 197]

AYES—99

Ackerman
Allen
Andrews
Baird
Baldwin
Barrett
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Clayton
Clyburn
Conyers
DeFazio
Delahunt
Dingell
Doggett
Evans
Filner
Ford
Frank
Gephardt
Harman
Hastings (FL)
Hill
Hilliard
Hoeffel
Holt
Honda
Inslee
Jackson-Lee (TX)
Jefferson
John
Jones (OH)
Kaptur
Kilpatrick
Kind (WI)
Kleczka
Larsen (WA)
Larson (CT)
Lee
Lowey
Lynch
Maloney (NY)
Matsui
McCarthy (NY)
McDermott
McGovern
McNulty
Meehan
Miller, George
Mink
Napolitano
Neal
Oberstar
Obey
Olver
Pallone
Pascrell
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Schakowsky
Schiff
Shows
Slaughter
Smith (WA)
Snyder
Solis
Stenholm
Stupak
Tanner
Taylor (MS)
Thurman
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Waxman
Wu

NOES—289

Abercrombie
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Bass
Bentsen
Bereuter
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Coble
Collins
Costello
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
Eshoo
Etheridge
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Israel
Issa
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matheson
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Paul
Payne
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sawyer
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Spratt
Stearns
Strickland
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiberi
Tierney
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (FL)

NOT VOTING—46

Baldacci
Barton
Becerra
Boyd
Brown (FL)
Burton
Clay
Combest
Condit
Cooksey
Cox
Crane
Cummings
Davis (IL)
Deutsch
Ehlers
Ehrlich
Engel
English
Fattah
Gutierrez
Herger
Hinchey
Hinojosa
Isakson
Johnson, E. B.
Leach
Linder
Lipinski
Markey
McKinney
Meek (FL)
Murtha
Nadler
Rothman
Sandlin
Souder
Stark
Thompson (MS)
Tiahrt
Traficant
Watkins (OK)
Watt (NC)
Weldon (PA)
Wynn
Young (AK)

□ 1027

Messrs. CROWLEY, DOOLITTLE, and ROGERS of Kentucky, Mrs. ROUKEMA, and Messrs. SHAYS, GUTKNECHT, SIMMONS, and RAHALL changed their vote from ''aye'' to ''no.''

Mr. INSLEE and Mr. BLUMENAUER changed their vote from ''no'' to ''aye''.

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

Mr. EHLERS. Mr. Chairman, on rollcall No. 197 I was detained in reaching the House floor, and the vote was closed before I reached the floor. Had I been present, I would have voted ''no.''

Mr. BOYD. Mr. Chairman, I was unavoidably delayed on rollcall vote 197. Had I been present, I would have voted ''no'' on rollcall vote 197.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is important for everyone to understand why we are here and what will be happening today.

We are going to be having a not very pleasant day because a lot of us are concerned about the future economic health of the country. As we all know, after the huge deficits of the 1980s, we followed budget policies and economic policies in the 1990s that put us back into, at long last, a surplus condition. We paid off billions of dollars, and it was giving us a chance to strengthen Social Security so that it could withstand the pressures from the retirement of the baby boomers that will begin shortly.

That was all blown away last year by passage of the majority party's tax package that put in place over the next decade a series of additional tax actions largely aimed at the most wealthy taxpayers in the country which will drain the Treasury of untold numbers of billions and billions and billions of dollars.

□ 1030

And that is draining the Treasury dry. And it is a major reason why today, instead of running the surpluses that we were running for three years, we are now expected to have a deficit that might approach $300 billion this year. And as a result of that, we again are facing a situation where Social Security and Medicare are being put at risk because of the short-sightedness of this body.

Now, the bill before us originally had nothing to do with that issue. It was a simple war supplemental. It was a responsible bill put together by both parties on the Committee on Appropriations, and most of us were willing to enthusiastically vote for it. But it has been changed by the rule adopted yesterday to now become the vehicle under which $750 billion of new national debt will be sneaked in to public law, as this bill goes to the Senate and returns. That was the whole purpose of the rule that was adopted yesterday. That means in essence this bill will become the vehicle by which we raise the limits on the national credit card by $700 billion.

In addition, they throw in some other nonessential items. They did a few favors for a few Members on their hospitals. They made a major change in the trade law that has no business in this bill.

Now, all of us want to go home. We want to go give our Memorial Day speeches, and we would like to leave here at a reasonable time. But we are prepared on this side of the aisle to do whatever has to be done in order to strike out from this bill all of the extraneous provisions, return this bill to the committee-passed vehicle that passed the committee on a bipartisan overwhelming basis.

We want to strip out the gimmicks that will increase the national debt. We want to strip out the other favors and get back to the original bill. If we can find a way to do that, we are happy to procedurally cooperate and finish this bill at a reasonable hour. If we cannot get that kind of agreement, we are willing to stay here all weekend. I

do not know about other Members, but I brought a change of clothes and several shirts; and I am willing to use them. I might even be willing to lend one around if someone needs one.

This is not funny business; there is serious stuff. We want to pass what has been described by people on both sides as a simple war supplemental. The bill that was produced by the Republican majority on the Committee on Appropriations is good enough for us. It ought to be good enough for the Republican leadership.

So I ask the majority leadership of this House to do the responsible thing, strip out the gimmicks, strip out the sneaky way of trying to raise the national debt, bring us back to the original core bill so we can go home and do what we want to do on this most holy of weekends.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as usual the gentleman from Wisconsin (Mr. OBEY) and I have agreed on a lot. And one agreement is we are going to stay here until we finish this bill, whatever it takes. And if it takes two or three changes of clothes, we will be here. We are going to finish this bill. You know why? Because this is an emergency defense supplemental at time of war. American soldiers are on the battlefield. American soldiers are dying, unfortunately. A family in West Virginia just two days ago lost a son, lost a husband, lost a father.

America is at war. We are not only fighting on the battlefields, we are fighting terrorist cells, headquarters, groups and organizations, whenever we can find them.

A lot of money that we are providing in this bill for the Army, the Navy, the Air Force, the Marine Corpss and the Coast Guard has already been spent. The Army, for example, has reached into their fourth quarter operational money, and they are using it now to fight the war. So what do they do in the last quarter of the year if we do not move this bill? We are going to move this bill to completion. It may only pass by one vote, but it is going to pass.

If you want to argue about the fact that some of the things that are in this bill do not really relate to the appropriations bill that the gentleman from Wisconsin (Mr. OBEY) said he would support and that I support enthusiastically, I may agree with that. I may agree that there are some things on this bill that should not have been added. But the fact is the majority of this House worked its will, and that is what we are dealing with now.

And so, I think it would be well for us to move this bill quickly so we can prove to the world, friends, and enemies, that we are serious about fighting this war and eliminating the threat of terrorism. We can do that by joining with the President and providing this appropriation to the President of the United States as he prosecutes this war. So let us get to it. If it is going to take all day today, if it is going to take late into the night, if it is going to take all day tomorrow, late tomorrow, if it is going to take Saturday or Sunday or Monday or Tuesday, be my guest. Take whatever time you wish. I am very patient, and I will be here right to the bitter end. But we really ought to let common sense prevail.

Let us move this important wartime defense emergency supplemental bill.

Mr. RANGEL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not think we really are that far apart. As the dean of the New York delegation, I cannot thank this House enough for responding to the strike that the terrorists made against our great city and, therefore, our great country. And God knows I do not run from any defense of this great Republic that has meant so much to so many, not only here but the dependency that we have in the free world. We stand united in telling the President of the United States that now, especially during Memorial Day, please depend on the support of the American people as expressed by their representatives in the House of Representatives.

So let that flag fly high today, and let all of us salute it by saying, make no mistake about it. The work of the Committee on Appropriations, the bringing together of the diversity, but coming out ahead is one of the most magnificent feelings of bipartisanship and certainly support of the President of the United States in our collective war against terrorism.

What we are talking about today is why would we jeopardize the fine work of this committee by including provisions that have nothing to do with our patriotism, nothing to do with the war, and nothing to do with our support of the President that has guided us this far. Are we prepared to say that in this bill that is filled with doing the right thing that we can determine which hospitals and which Republican districts should get help? Is a child that is sick in one area more important than another child because of the political persuasion of their Representative? Should we really be dealing in international treaties? Should we really be saying that we are going to provide for increasing the ability of the country to borrow money in this bill?

What we are saying is, and what we are leading with, do not take this as a threat, we are asking you to please consider giving us an opportunity, not just to go home, to go home united with a message saying that we support the President and let terrorists know that we are not Republicans and Democrats in this House. We are Americans and we stand together. And we want that message to go out.

So we are not here to decide treaties. We are not here to decide budgets. We are not here to decide which hospitals we are going to support. We are here as Americans who support this war effort. We are here to support the work that has been done by the Committee on Appropriations, and we just do not think other issues should cloud it.

So we are going to talk today not about anything else except our agreement. And for those people who want to talk about taking this bill and distorting the direction which it should go, let them come to the floor and tell us why their hospitals are more important than this war effort. Let them come to the floor and say why we should not have hearings in the Committee on Ways and Means on the debt ceiling. Let them come to the floor and determine why we have to pay off a Member for a vote on a bill because he has an interest in a trade bill. Let them come to the floor because they are the ones that are stopping us from supporting the President of the United States now.

So when you say ''as long as it takes,'' at the end of the day we are going to end up together because we are patriots together. And nobody that debates the process should be charged with being less American than anyone else on this floor.

Mr. Chairman, I want to thank the chairman of this committee. It has not been just this bill, it has been most bills that he has tried to do the right thing by the Members of the House of Representatives and tried to do the right thing by Americans. But it is the Committee on Rules, long after we are gone that would be the only committee we need in this House, if the leadership can just, whether it is Republican or Democrat, just go to the Committee on Rules and start to legislate. That is a bad road for us to travel, especially at a time when we are at war.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, rarely do I come to the well of the House to address the House, but I wanted to say a few words to my friend, the gentleman from Wisconsin (Mr. OBEY), personally. I think the gentleman knows full well that I dislike that rule vote every bit as much as he does. I am not certain, but perhaps it is the worst vote I have ever made around this place. But when the chairman of my committee, a man of great patience, is providing leadership for my committee, the gentleman knows very well where I will be.

The underlying bill before us today involves a supplemental to fund the war on terrorism. Now, when we are not in the leadership, we find ourselves in interesting circumstances. The leadership has to do certain things to get the work of governing done. If you look at the history of my service in the House, among other things, from time to time I found myself among those who voted for raising the debt limit when the other side of the aisle put us in the position of having to approve debt limit increases or close down the government. I voted from time to time for debt limit increases. I did not like doing that, but sometimes you have got to govern around here.

Now, having said all of that, and separate from our leadership, there is absolutely no doubt that one of the more thrilling moments that I have ever experienced was in this House after the President spoke to us all—the Senate, the House, the entire Cabinet and the Supreme Court were present. He brought us all together after September 11th, reflecting the spirit of America that said we are at war for the first time in a generation, several generations.

□ 1045

Our country, our very way of life is being threatened. We are at war. The President struck a note that was the American people's note. They want us together, not in partisan division.

My colleagues will remember that moment—TOM DASCHLE stepping into the well of the House with the President—When they hugged each other, not just in friendship and respect, but because they were reflecting that American spirit. Our people want us together. This Bill is the mechanism for funding this war on terrorism. We will either play a partisan game all day in where the other side which was leading us in my first 15 years in the House to a multiple, multiple trillion-dollar debt, wants to roll a partisan drum that says, Oh, there's more debt out there as a result of that rule yesterday.

Debt? Give me a break, friends. Everybody around here seems to want to spend money when it is available to spend. But we are at war. This bill is a wartime supplemental, something that most of the Members of this House have never experienced. Most of you have never served at a time of war. I have not. The reality is that this is a time for us to come together, to reflect the American will that says we will be together, we will not be in partisan divide.

We will hear this today. We will see who drags back the work of the House. This supplemental should have been off the floor last week, the week before, if it had not been for silly games. My colleague, the gentleman from Wisconsin (Mr. OBEY), knows full well that is the case. I appreciate his support.

Mr. OBEY. Mr. Chairman, will the gentleman yield, since he has used my name?

Mr. LEWIS of California. I yield to the gentleman from Wisconsin. I am always proud to use his name.

Mr. OBEY. I thank the gentleman. He is my good friend. He is a good Member of the House.

Let me simply say that what the gentleman says about the need to be together on the war is absolutely correct. And we have been. And this committee has been. We were together on the first $40 billion supplemental that passed immediately after September 11. We were together on the additional supplemental funding that we provided at the end of the year which boosted the antiterrorism spending even over the objection of the White House. And we were together on this bill.

Where we are not going to be together is if the majority party leadership insists on making us enablers for economic policy that is going to weaken the economic future of this country, and that is what we are doing by this debt ceiling increase. That is what we are divided on, not the need to support our troops or the war effort.

Mr. LEWIS of California. Let me suggest to my colleague that for the first 18 or so years of my time here I served in the minority. I say this is my eighth year in the House because I did not know what it was like to be in the majority. I must say that you all have learned a lot from the time when we were in the minority. Sometimes that is good. Sometimes that is bad. But the fact is, I did not realize a difference until suddenly a revolution took place here. With that revolution came new responsibility.

This majority is going to pass the bill that funds the war on terrorism, no matter how long it takes.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of the war effort. We all rise today in support of the war effort. In fact, as the debate I think has made clear over the last several hours, this issue today is not really about the war effort. The very simple, very clear question that is presented today is whether it is appropriate under the guise of a very necessary, a very important war measure, the supplemental appropriations bill, we should append to that imperative measure another part that would raise the national debt by $750 billion, whether we should append that issue to this moving train, whether that is appropriate for this House.

Today, the House takes a very significant step in raising the Nation's debt by $750 billion. This is no minor matter. This is no trivial resolution without impact. This is our retirement funds. This is our Social Security. This is our future. One might expect that given the gravity of that issue that we would have a full debate and a vote up or down on the decision to raise the debt by three-quarters of a trillion dollars. But that is not what we have here today. What we have is, under the popular cover of a supplemental war effort, a measure hidden in this bill to plunge this country further into debt. This begs one question: Where have all the fiscal conservatives gone? Where have the budget hawks gone that were dedicated to a balanced budget?

I hear from my colleagues in the majority party, they say, Well, our party was the one that balanced the budget to begin with. The argument seems to be, So we will be the party that unbalances the budget. Can it be the policy of the majority party that a balanced budget and eliminating the national debt is really very, very important under one President but not so important under the next? Surely it cannot be the policy of the majority party that under one President, debt is all right and under one President debt is not all right. We should not give this administration, we should not give any administration, a $750 billion blank check to increase the national debt.

We hear from the majority party, Well, it is necessary when you are in the majority to lead. I ask, is this leadership? To take a war supplemental and hide within its contents raising the debt by three-quarters of a trillion, is that leadership? I would think leading the House would mean placing issues squarely before the House, having a full and frank debate on that, and having the courage of the conviction to vote it up or down.

This does not happen because there is a concern about whether a majority would vote to raise the debt. I recognize that concern. And, in fact, we cannot let this country go into default. But there is an alternative. We do not have to raise the debt by three-quarters of a trillion dollars. We could raise the debt in a small amount and require the administration to work with this body to come up with a balanced budget plan, not tomorrow but for the intermediate future, instead of where we are today, which is that we have no balanced budget next year or the year after or the year after that. We have no balanced budget for the next 10 years, and that is simply unacceptable.

But no. Instead, we are going to get cute. We are going to append this debt increase to a very popular measure. And why is this cute? Well, because it puts the minority party in the position of having to vote against the war effort. It is a two-fer. For the majority party, they can say, We didn't vote to raise the debt. And they can say, The minority party doesn't support the war effort.

This country deserves better than cute. It deserves an up-or-down vote and debate on whether this country should be plunged further into debt. Who is going to take the responsibility for raising this debt? Is it this Congress? Are you prepared to take that responsibility? Where were you on the night we mortgaged our children's future? So let us not shift civil service funds into noninterest-bearing accounts. Let us not hide this issue in a wartime supplemental. I urge my colleagues across the aisle to work with us. It does not have to be this way. If we put a war supplemental on the floor today, which we could do, it would pass unanimously. This House would vote unanimously.

And so let us do that. Let us pass this supplemental unanimously. It would be good for this country. Let us raise the debt by a small increment. Let us demand a balanced budget from our administration, and let us work with them to accomplish this. We recognize that you control the House and we do not. We recognize that you can railroad this thing through the House and we cannot stop it. But that is not why you came here to serve. That is not befitting of your fiscal policy, nor ours.

I urge my colleagues on both sides of the aisle to work together and balance this budget.

Mr. MATHESON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, last night when we started the general debate, the chairman of the Committee on Appropriations, who has done an excellent job in bringing this bill out of the committee, described this bill as a ''must-pass'' bill. I think that really is something that we all agree with. We want to move forward in terms of supporting our war on terrorism. But the fact it is a must-pass bill is because this debt limit increase has been sneaked in. Let us face it, that is why we are here today talking about this issue.

I am a member of the Blue Dog Coalition. The Blue Dogs have been talking about this issue of a request from the administration to raise the debt limit by $750 billion for a number of weeks now. What we have said is, let us not give Congress a blank check. Let us not give that big of a blank check when there is no plan for how we are ever going to get out of this pattern of deficit spending.

I come out of the private sector. I am a freshman Congressman. I used to work in the energy business, and I used to have to finance projects. I would have to go to the bank, and I would have to borrow money. When you borrow money, you have got to give the bank a plan for how you are going to pay it back. That is how it works for all of us, whether you are getting a car loan, a home mortgage, or borrowing for your business. You have got to have a plan. We have no plan. We have a $750 billion request from the administration and no plan for how we are going to get out of this.

I understand that we are running a deficit right now, that we have a war on terrorism and homeland security concerns, that our economy is in recession. I understand that we need to take action. The Blue Dogs as a group have produced legislation calling for a clean vote on a debt ceiling increase, not $750 billion mind you, but a clean vote to provide that increase, to prevent our government from facing any problems where they default on their obligations. But part and parcel with that is the request that we work together, both sides of the aisle and the administration, to come up with a plan, a plan to balance our budget, because that is what people expect us to do. They expect us to come together, work together; and they expect us to take the tough votes. They do not expect us to come and sneak in some legislation in the context of a must-pass bill that we all support the effort to pay for our war on terrorism; they do not expect us to sneak in a debt-limit increase at the last second. That is not why my constituents elected me. I do not think that is why most constituents vote for their Members of Congress.

I am new to this body. I have not been around here for a long time. But I have to say, I am just surprised. I am surprised that we would take something as important as increasing the debt limit and sneak this in in some innocuous language in an emergency wartime supplemental bill. It just does not seem to be appropriate. It does not seem to be right. I call on all of our colleagues to take a step back, to take a commonsense approach here and recognize that we have our job to do today, which is pass an emergency wartime supplemental appropriations bill. Let us stand by the good work that the Committee on Appropriations has produced. That is what we ought to do. We ought to stand by that. It was a bipartisan agreement.

But as far as this debt limit increase, let us have a healthy debate, let us work through the committee process, let us all talk about it. I think we can reach consensus on that as well. Maybe not $750 billion. In fact, I should not say maybe. I would say it would not be $750 billion. But I would suggest that we could work together in that context. This is not the time and this is not the right vehicle to be doing this. That is why we are here, and that is why we are taking so much time here today.

I am really proud of the Blue Dog Coalition and the way they have stood up for this issue, because the notion of increasing debt is something that is going to create increasing tax burdens in the future. I look at my little boy who is 3 years old, and I do not want to force a big tax burden on him. But if we keep running up debt here, he is going to be paying higher taxes because he is going to have to pay the interest on that debt. That is the way we ought to be thinking about things. Let us get away from the short-term political view of looking out at the next election. Let us look at what that next generation is going to be facing in this country. The decisions we make here affect them so much. I think anytime we make public policy decisions, when we look through the eyes of the next generation, we make better decisions.

And so when we look at this debt limit issue, $750 billion, that is a lot of money. We throw numbers around here all the time, but that is a lot of money. I am really concerned about the fact that that is not going to be the end. This issue is not going to go away. This issue is not going to go away as long as we do not come together and show some discipline and come up with a plan and get out of this pattern of deficit spending.

And so I call on my colleagues to work together in that context. I call on my colleagues to give us a clean supplemental appropriations bill to fund this wartime effort as the previous speaker, the gentleman from California (Mr. SCHIFF), had suggested. I think you would get unanimous support if we had that opportunity. That is where we ought to be today. We could finish this today and we could go home.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

It has been said over and over: we all support the war effort. We all support the emergency supplemental appropriation for all the right reasons. We need to get New York City back on its feet to keep the commitment the President made, and we are going to do that. We need to support the war effort both at home and abroad. We need to give our military and our security agencies the support that they need.

There are some aspects of this bill that are disagreeable. Raising the debt ceiling seems to be the most contentious. But is there any doubt that the reason we are raising the debt ceiling was the terrorist attack on our country? Look at what happened to our revenues. Look at what happened to our economy after that event, after that attack. That attack put my State and much of the country into full recession. Revenues sunk. Revenue projections were thrown into disarray. We have to make a short-term adjustment. We have to do the responsible thing.

When I was a member of the minority party for 6 years, I voted to raise the debt ceiling. It was the responsible thing to do.

□ 1100

I did not like it, it was distasteful, but I did it.

Now, it is very easy to be irresponsible in the minority. In the minority you do not have to make the hard decisions. The majority does. We are trying to govern. So we have some difficult things here. They are not easy things to do. But the government has to govern, we have to do our job, and if we do not have enough revenues to run the government, we have to raise the debt ceiling.

Now, our party, in the brief time we have been in the majority, has dramatically reduced our deficits. We have not had to do this before. We have not had to raise the debt ceiling before because we are paying down on the debt. What intervened? In the midst of good governance there was an attack on our country, and the resultant recession and reduction in revenues has hurt us. We need to do this. It is not fun, but it has to be done.

What the debate today is really all about is political advantage. The minority party is blaming us for the recession, they are blaming us for the loss of revenues. I think their blame is misguided. But it is an opportunity for political advantage, so they are trying to take it.

Democratic members of the Committee on Appropriations have taken the unusual step of putting out press releases all around the country attacking Republican members for votes on this bill. Is that about substance? No, Mr. Chairman, it is all about politics. We are in the majority, they want to be in the majority, so they are using this as an opportunity.

The fact remains that we have to govern, we have to make hard decisions, and, when all the political

speeches are over, whether it ends tonight or tomorrow or over the weekend or whenever it is, this bill will pass. That is a fact. It will pass. We will have the votes to pass this.

There are a lot of Members here who want to be home for a very patriotic Memorial Day weekend. They want to be home with their families. They want to be home with their kids. But this job is about making sacrifices. We are prepared to make that sacrifice, to stay here through the weekend. But the fact remains, whenever we get to the final vote on this bill, it will pass.

I would submit if political advantage is being attempted, the only story coming out of Washington today or through the weekend is the sad and unfortunate story of Chandra Levy. That is what will dominate the press. It is a sad, sad story, but that is what people will be hearing about from Washington today and into the near future.

Mr. Chairman, this is about substance. This debate is about substance. It is about hard decisions. It is about governance.

So make your speeches, try to take your political advantage, but the fact remains when we finish the debate, whenever that is, we will pass this bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, one of the most painful experiences I had as a new Member of Congress was to go home to my district and bury the wartime dead. Early in my career we were engaged in the Bosnia conflict and I lost a bright young man to that war and mourned with the family that loved him. We went to a church on a country road and we sang all that we could sing and we prayed all that we could pray, wishing that we were not there, but realizing that he was a patriot who had died for his country.

Today as I stand here, tears come to my eyes, because as we leave here this weekend, whatever time it may be, we go home to one of the most significant, the most challenging Memorial Day ceremonies that any of us will ever experience, for the Nation in the last year was under attack. How many of us shed tears, not only for ourselves, our families, worrying of their safety, but for our brothers and sisters who lost their lives in the great State of New York, and now we mourn for those who serve us around the world.

What I can say to you on this day is that I stand here not politicizing this issue. I stand here with great and heavy heart. I do acknowledge and I appreciate the appropriators. Mr. Chairman, I thank you for the work you have done. You did put out a wartime supplemental, that no matter how much we might have pained about the resources, we knew it had to be done, and I thank the gentleman for that.

But having been to Afghanistan just a few weeks ago and spending my time with fresh-faced boys and girls, barely older or even younger than my 22-year-old, I know this is not foolishness that we are dealing with today. That is why I had hoped that we could face this down the way it should be faced down, and that we who believe as Americans could come together and take the tomfoolery away. Let us vote up and down a war supplemental, a vote to give resources to the men and women who, as I speak today, are facing danger.

But, you see, Mr. Chairman, I am in the minority, and I have lived as a minority, and I recognize that even though we are being lectured as being irresponsible, we are actually today doing an act of integrity. For when I got elected in 1994, I came to do the people's business of the 18th Congressional District. But because this Democratic Caucus had the courage to take a vote in 1993, they lost majority after 40 years. They did not lose it on politics. They sacrificed the majority by voting to be able to save Social Security. Out of that, we were washed out of this House as the majority. We take our lumps.

But what we are saying today is that even as we face a wartime tragedy, you, the Americans, have asked us to face our responsibility. A picture is worth 1,000 words. Just last year we had a $5 trillion surplus, my friends, to give us the ability to fight terrorism hand-in-hand with the President. But now, because of a Republican tax cut, we are now in a condition where we barely have any money in the bank.

So when we stand here and talk about a $750 billion credit card debit on your account, we are speaking about saving this Nation, about saving Social Security. Those who are on it, like my parents, like my relatives who gathered with me on the graduation of my daughter, 70-plus and older, who have worked all of their lives, who have but Social Security, as we fight the war, we must recognize that Social Security cannot be violated.

What we are saying to this body, to the Republican majority, is to be responsible. If you are going to increase the debt ceiling, let us have an up-or-down vote, a debate, so the American people will know that $750 billion is basically going to wipe us out.

When we begin to talk about Social Security, for those who this morning got up and got on a train to go to work, or maybe they got on a bus, or maybe they walked, or maybe they carpooled, with their trust in America, that there was going to be something in their account, they did not expect today, while we are here, that we would have the ability, because of this tax cut, Mr. Chairman, to raid Social Security $1.8 trillion.

This is not a game, Mr. Chairman, as I close; it is an act of integrity. Clean up the bill and we will vote for it.

The wartime supplemental is for all Americans, don't insult us by suggesting we are unpatriotic—rather we are accepting the lonely responsibility of fighting against this legislation that leaves no money to help our troops, fight terrorism, or save Social Security—that Mr. Speaker, constitutes the work of patriots.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if my colleagues on the other side only spoke about defense and not the political rhetoric, ''tax breaks for the rich,'' have you ever heard that before? ''Debt ceiling,'' which we support. Social Security, ''stealing all the Social Security money.'' The rhetoric is political, and that is why we are here today. If they would do away with that and talk about the bill and the defense of this country, we would come together.

Mr. Chairman, I look at ''tax breaks for the rich.'' My colleagues in the Democrat leadership have never seen a tax that they do not like. They fight against tax relief when it comes, and then they fight to try and justify why they did not vote for tax relief for working families.

In 1993 they controlled the House, the Senate and the White House, and then the majority leader said, ''Oh, we are going to have a bill, we are going to have a tax bill that has tax relief for working families and the middle class.'' What did they end up doing? They increased the tax on the middle class. They increased the tax on Social Security. They stole every dime out of the Social Security trust fund to balance their budget. Was it a balanced budget? No. That budget was $300 billion in deficit, and we were looking at approaching a $5 trillion national debt. We paid $1 billion a day on just the interest on the debt.

So Democrats are not only to blame for that, Republicans are, too. But the rhetoric going on here today, saying, well, Republicans are doing this, that and that, it is just not true. It is intellectually wrong.

Let me go through some things, reasons why we came together in the Committee on Appropriations, that I think is very, very important for us to realize.

The previous administration, I stood on this House floor and said to my colleagues that supported extending going into Somalia that it is going to cost money and it is going to cost lives. You have seen Blackhawk Down. You know why we lost those soldiers, because an administration changed the policy of going after General Adid and reduced the number of troops in Somalia at the same time, making our troops vulnerable. And when our very military asked for help, they were turned down. It cost the Secretary of Defense his job. Was he to blame? No. And what happened? We lost a lot of people.

Haiti could still be there for many more years. Go to Haiti sometime. It is one of the worst places you could ever go. Billions of dollars.

Then you look at the other 127 deployments, peacekeeping deployments, that put us over $250 billion in the hole for defense. There are 14 ships, both Republican and Democrat districts. But there is even more for the national security of this country that cannot go anywhere because we had to take

money out of the O&M accounts, operation and maintenance accounts, and we have not been able to fix those ships and bring them up to mission capable. We are going below a 300-ship Navy, which is detrimental to the national security of this country.

The R&D accounts, the SU–27, a Russian-deployed fighter going to many, many different countries. Mr. Chairman, I have flown against Mig AIC, and our pilots died 95 percent of the time in our best airplanes, our F–14s, F–16s, F–18s, because the Russians have developed an AA–10, AA–11 and AA–12 missile. They have a helmet-mounted sight. Our kids died. We have never had that in America.

We are fighting a war overseas, billions of dollars. Billions of dollars going to New York, which I think is justified, to help them recuperate. We are fighting with billions of dollars here in the United States, trying to defend this country. My good friend, the gentleman from Wisconsin (Mr. OBEY), fought brilliantly to actually increase homeland defense.

Do we want to raise the debt ceiling to help our military? Yes. Do we want to go through the political rhetoric of this bill? No.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have only the highest respect for the leadership that we have heard from on the other side of the aisle from the Committee on Appropriations, the gentleman from Florida, the gentleman from New York, the gentleman from California, and I listened carefully to what they were saying.

For example, I agree with much of what the gentleman from New York had to say, but I sincerely believe he is wrong if he thinks that I or some of my colleagues here are seeking to avoid hard choices, for example, on the debt limit. It is not something that I seek to avoid. I am happy to have a debate on this floor on the budget on our fiscal situation dealing with these difficult, difficult choices that I know our friends on the Committee on Appropriations are dealing with on an ongoing basis.

□ 1115

Sadly, what we have here today, however, has little to do with fighting the war on terrorism or dealing with hard fiscal choices. If that were the case, we could have an honest debate and reach resolution quickly. If it were just about funding our war against terrorism, we could have that debate in minutes and have unanimity and be done with it. Sadly, the defense supplemental is only an excuse; it is a label. We are seeing, for instance, that the purpose of the bill and the rule under which it is presented to us is precisely a way to avoid having that debate, to avoid dealing directly and honestly with the debate limitation. But it goes far beyond fiscal policy. It goes far beyond the war on terrorism.

I have one other sad example that concerns me, as we see inserted in the supplemental appropriations bill a provision to grant the Department of Defense an exemption from environmental regulations to deal with responsibility for water consumption that occurs ''outside a military installation and beyond the direct authority and control of the Department of Defense Secretary.''

The reason this provision is in has nothing to do with fiscal responsibility, has nothing to do with the war against terrorism. It is simply to avoid environmental protection for the San Pedro River in Arizona, one of the richest biological reserves in all of North America that was designated by this Congress after deliberation by a committee of jurisdiction in 1988 as a national riparian conservation area. But this river, this resource is being dewatered as a result of the activities of the Department of Defense operation at the nearby Fort Huachuca.

The amendment in the bill we are debating today means that the fort's action in the future, adding activity, contracting out that will increase water consumption, can occur without any consideration to the extent to which they jeopardize the river, without any consideration of the alternatives. This has nothing to do with fiscal policy. This has nothing to do with the war against terrorism.

In addition to irreparably damaging an ecosystem in Arizona, it is an additional terrible precedent for the way that this House operates. Throughout my tenure in Congress, I have been dedicated to the proposition that the Federal Government should be a better partner with State and local governments, with the private sector, with individuals, to make communities more livable, to lead by example, not lots of rules and regulations and imposition of things that are difficult. Just step up and walk the talk.

But this is sad commentary, Mr. Chairman. The House does not legislate very often. It is hard for people to feel comfortable debating on the hard decisions. But this act does not solve America's problems. Stealth attacks on the environment are not a part of the war against terrorism. Stealth evasion of fiscal policy, the debt limit, and what we should be doing in the future, are not part of the war against terrorism and, most important, Mr. Chairman, having a bizarre provision under this rule that creates false conflicts on this floor are not, are not a part of the war against terrorism. The American people deserve better.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

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

Mr. GEORGE MILLER of California. Mr. Chairman, we are here at the eve of Memorial Day, and as we approach this weekend and we approach Memorial Day, we think about all of the symbols of the values of this country and all of the battles that have been waged on behalf of those values of democracy, of freedom; all of the sacrifice that has been given to this country on behalf of those values, on behalf of those freedoms. We all recognize our duty, as we have young men and women in harm's way in Afghanistan, in the Philippines, in Colombia, and so many troubled areas of the world where those values of democracy and freedom are not near and dear as they are here. We all understand our obligation to provide the resources to those individuals, to those troops, to those support organizations for those young men and women. That is what this supplemental is supposed to be about, to provide those resources so that there will be an unbroken chain of support on behalf of our troops.

We are all prepared to meet that challenge, as we have so many times in the Congress of the United States. We have met that challenge, along with our citizens, from small towns, from urban centers, from rural areas, because Americans understood what we were supposed to be about, that we were about defending democracy, that we were about defending freedom. They understood it as we engaged in the war on terror to repel the attack that was made on our country. They understood that their sons and daughters would be placed in harm's way. They understood that their neighbors, their friends would be placed in harm's way. But we all also understood America's role in the world.

Yet, we now find, we now find, as we will remember in speeches this weekend, in parades and ceremonies, the courage of these young men and women, the great symbols of the past, the Midways, the Pearl Harbors, the Antietams, the great symbols of this country, the pieces of history of this country, the sacrifice of this country, as we remember that and remember that courage, we will have to think back to today when the House of Representatives and the Republicans in the House decided they would not exhibit that courage. They would not exhibit the courage equal to that of the young men and women who are in harm's way, to those who sacrificed in the past.

The simple courage would be to stand up and cast your vote, to cast your vote, yes or no, to add $750 billion to the debt limit, to cast your vote, yes or no, whether or not we want to invade the Social Security trust funds; to cast your vote, yes or no, whether or not you want to make it more difficult to take care of the baby boomers who are getting ready to retire; to cast your vote, yes or no, whether or not Medicare will be available for them to the extent that it is today. That is what we all said we would do when we ran for Congress.

But today, today courage is failing the Congress, the House of Representatives, the Republican majority. Today,

courage seeps out of their body as they try to disguise this vote, to camouflage this vote so that they will not be held accountable for the results. The results are a dramatic addition to the national debt of this country. The results are increasing liability of the Social Security trust fund, the vulnerability of the Social Security trust fund.

It was said by Alexander Hamilton on the explanation of representative government when he answered the question, he said, ''Here, sir, the people govern.'' The people govern. And we govern through them and they govern through us.

What the Democrats are asking for is the opportunity to cast a vote, yes or no, up or down, on the most important issue confronting our economy and our country, and that is the debt of this Nation. My colleagues are not denying GEORGE MILLER a vote. My colleagues are not denying the gentleman from Tennessee (Mr. TANNER) a vote. They are denying the people of Tennessee and the people of California a vote who have strongly held views. That is why we have had great debates in this Congress in the past. That is why we had votes where a one-vote margin raised the taxes or lowered the taxes or got rid of the debt.

Mr. Chairman, we need to have the courage of our convictions. The Republican Party has to have the courage of its convictions. If you believe the debt limit should be raised, if you believe Social Security should be invaded, then have the courage of your convictions to stand up and do it. Our men and women in harm's way have their courage.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is a lot of talk about raising the national debt limit here; and I just want to point out, first of all, that I have in my hand the supplemental bill right here. It has nothing to do with raising the national debt. In fact, if my colleagues want to know what is in the bill, they can simply get the report portion and they can read the highlights on pages 1 and 2; and it outlines very nicely about how we are going to address the needs of our Department of Defense, of our Department of Transportation, Federal Emergency Management Agency, and so on, things that are very necessary at this point in time.

I think it is important that we point that out. It is not in the supplemental bill. Where all of this confusion is coming from from the other side came from the rule. Now, in the rule it says nothing about owing $750 billion or borrowing $750 billion, or robbing Social Security, or any environmental issues about a river in Oregon. What it does say, very simply, on page 3 in the rule, or the report on the rule, it says, section 1403 provides statutory assurance that the United States Government will take all necessary steps to guarantee the full faith and credit of the Government. That is all it says, full faith and credit of the government. That is what this debate has boiled down to when we talk about the national debt.

Now, if we look at full faith and credit, what is the alternative? What would the others propose to do if we avoid the full faith and credit of the United States? Now, some of them have people in their districts, maybe even relatives, that actually have U.S. savings bonds. What if they wanted to go down and cash that U.S. saving bond, but we had no full faith and credit in the United States? What kind of chaos would occur from that? I think it is very important that we have full faith and credit in the United States.

Now, let us just review what happened to come to this phrase. It says full faith and credit of the United States Government. September 11 threw us into a big shock in our economy. We all know that it happened; we cannot deny it. If we listen to the debate that we have had, I think we pretty much agree that we have to do something to ensure our national security and our homeland security. I do not think there is any doubt about that. We may argue about how much we should, but I think the point remains that we want to do something to ensure that our national security and homeland security is safe. But because of September 11, the economy will generate in fiscal year 2002, starting last October and going until next September 30, about $200 billion less in Federal tax revenues. Well, that puts us in a problem. But to address the problem, we have already placed $43 billion in additional funds to address the crisis in fiscal year 2002; $43 billion. We are looking at taking care of more of those needs right now.

But we have heard how our economy was devastated, our Federal revenue was devastated by the tax cut that was passed last year. Well, during fiscal year 2002, there will be $38 billion less in Federal tax revenue because of the tax package that was passed; $38 billion less. Now, where did the numbers of $750 billion come from?

Mr. Chairman, we have been hearing that there is $750 billion that we are going to take out of Social Security; yet there is only $38 billion less because of tax relief. Now, what did the Americans do when they got that money in their pocket? Well, they had a little extra money in their pocket, so they went out and they bought durable goods.

□ 1130

This month, durable goods orders are up. That is a good thing. It is helping our economy get generated. That will increase the amount of Federal revenue through increased tax dollars.

What else did they do? They bought new automobiles. I had an automobile dealer in Wichita, Kansas, which was the community that was hit the worst by the events of September 11. Wichita, Kansas, and the surrounding area, if we take the number of jobs lost because of September 11 versus the total number of jobs in the community, percentagewise, we were hit worse than any community in the Nation. Yet, the Ford dealer, the largest Ford dealer in that area, had a record month at the end of last year because there was a little extra money in people's pockets and they were going out and spending that money, helping generate revenue by increased tax dollars.

So that $38 billion has gone towards new washing machines, towards new automobiles, towards new homes. It has made a significant difference in helping us recover from the events of September 11.

The CHAIRMAN. The time of the gentleman from Kansas (Mr. TIAHRT) has expired.

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas (Mr. TIAHRT) be allowed to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. WALSH. Reserving the right to object, Mr. Chairman, I will not object, but I would like to register a complaint.

The dilatory tactics we are seeing today are bad enough playing by the rules. To waive the rules to allow more dilatory tactics is not necessarily a good idea for this body.

Mr. Chairman, I will not object at this time, but if there are further requests for extensions of time beyond the normal rules and I am in this chair, I will object.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Chairman, will the gentleman from Kansas be kind enough to yield?

Mr. TIAHRT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

The gentleman suggested that there was really nothing in this bill which related to the addition of $750 billion to the Nation's debt, and indicated that our problem was with the rule instead of the bill.

The problem is this, if the gentleman would continue to yield: The rule added section 1403 to this bill, and that section has the language to which the gentleman refers on the full faith and credit of the government.

That was not included so that we could send a message to ourselves; that was included because, under the rules of the House, that is what we have to do in order to make possible the addition of that $750 billion by way of a Senate amendment. That means that when the bill comes back here, Members will be voting on this entire supplemental. They will be shielded from having to take the responsibility for that vote.

If the gentleman does not agree with that, he is the only one in the House who does not.

Mr. TIAHRT. Reclaiming my time, Mr. Chairman, the point is that we had a vote on whether this language should have been included when we voted the rule and approved the rule on the floor of the House.

When we approved the rule, we conducted, as our Founding Fathers had hoped, the democratic process in our republic form of government where we approved by a simple majority that this would be part of what we are addressing right now. It was part of the rule. That is where the vote was, so the gentleman had a vote, an up-or-down vote. We had an up-or-down vote on whether this was going to be part of that.

Mr. OBEY. Mr. Chairman, if the gentleman will yield further, we did not have a vote on that.

Would the gentleman grant that under the rule, it is impossible for us to offer an amendment so that we can vote only on that issue? That was wrapped into other issues when the rule was adopted.

Mr. TIAHRT. Reclaiming my time, did the gentleman vote for the rule?

Mr. OBEY. No.

Mr. TIAHRT. There were other issues here. This may have been the driving force, but when most of us make up our decision, we try to weigh the good with the bad. The gentleman apparently chose that this was at least one of the straws on the camel's back that it was too much for him to vote for the rule.

I would suggest that the majority thought this was an important enough issue that we should directly address it by putting it in the rule.

Mr. OBEY. But the gentleman would grant that we did not ever have a vote specifically on that? He would agree with that?

Mr. TIAHRT. I would agree that we did not have a specific vote.

Mr. OBEY. Does the gentleman not think we should?

Mr. TIAHRT. When do we ever have a specific vote on something like that?

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will suspend. The Chair would request that all Members use proper procedures in yielding time back and forth, and that Members address their remarks to the Chair.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there are a lot of problems with this bill today, but I would like to focus, Mr. Chairman, on one major provision snuck in there, really, by the Republicans. Of course, that provision that I am talking about deals with the increase in the debt limit.

Now, this seems like a pretty technical and obscure term, but it really does deal with a fundamental issue that affects us all. It is actually pretty simple.

Now, the Republicans inherited a budget surplus which, of course, they squandered last year on their $2 trillion tax cut benefiting primarily the wealthiest people in this country. That is an unfortunate fact, but that is what occurred.

Now, because they have totally overspent their own budget, they must increase the government's debt. This is totally irresponsible and jeopardizes programs important to millions of Americans, programs like Social Security and Medicare, which our seniors and people with disabilities rely on. Every penny we take to increase the government debt must come from the Social Security and Medicare trust funds.

Instead of taking money away from Medicare, we really should be adding to it, including a comprehensive prescription drug benefit. Instead of robbing Social Security, we should be shoring it up to ensure its solvency, so that our children and grandchildren will have these benefits.

Social Security is an essential social insurance program which keeps so many seniors, especially women and low-income individuals, out of poverty. It is unconscionable that the Republicans want to rob Social Security to really pay for this irresponsible tax cut last year.

I also think it is pretty hypocritical to ask for this debt increase. Last year, a bankruptcy bill, a very punitive bankruptcy bill, was rammed through that will hurt many hardworking people who could not pay their debts, often because of unexpected hardships, such as an illness or the loss of a job.

So now I do not believe that congressional Republicans have faced an unexpected hardship. They intentionally passed that $2 trillion tax cut knowing that it would decimate our Federal budget. So now, instead of tightening their belts or repealing that irresponsible tax cut, they are just giving themselves more money. That is basically what this is.

How is it that they can put the screws on ordinary working people who cannot pay their debt, but just simply raid Social Security and Medicare when they cannot pay their own debt?

During debate on the bankruptcy bill last year, I remember very vividly the Republicans stated that those who cannot manage their debts were acting irresponsibly and should live within their means. So I think what we are doing today really is an example of the height of hypocrisy that we have seen in this body: There is one standard for ordinary people and another for congressional Republicans.

I think we all should practice what we preach. Instead of sneaking an increase in the debt into this emergency spending bill today, we should be repealing the reckless tax cut passed last year. We really cannot pass this on, or we should not pass this debt on to our children and our grandchildren. We should not raid the Social Security and Medicare trust funds. We must not also cut essential programs that people rely on, such as housing and education and health care. This bill does much more, and much of that.

So it is time, I think, for us to do the right thing. I urge my colleagues to vote no on this very dangerous debt increase today.

Mr. TOOMEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just felt the need to respond to the level of really demagoguery and intellectual bankruptcy that I have been hearing from my good friends and colleagues on the other side of the aisle this morning and last night. I just feel the need to review some facts that every one of the Members knows have been conveniently left out of this discussion.

I will start with one, which is a simple fact that everyone knows, that if we had not passed any tax cut at all last year, we would still be running a deficit. They know that. They know for a fact that the cost of the war, the cost of rebuilding New York, the cost of increasing homeland security, as well as the cost of spending in other areas, is vastly greater than the revenue that was lost to the Treasury as a result of last year's tax cuts. Members know that.

They also know that, perhaps with the exception of defense spending, where many would still like to cut, not all but many would, that these folks want the Federal Government to spend much more money on non-defense, non-homeland security areas than we do. We just heard the previous speaker talk about inadequate spending in all kinds of other programs.

Members know also that each and every year, at least since I have been here, and that is only 4 years so far, but in each and every year when there has been an appropriation bill on this floor in which we are not in agreement, I cannot remember a single time in which these folks came down here and said, you know, you guys are spending too much. No, it was always the opposite. They have always come down here and said, they are not spending enough.

Mr. OBEY. Mr. Chairman, will the gentleman yield so I can correct his statement?

Mr. TOOMEY. Furthermore, Members know that if they had had their way last year, for instance, if they were in control of this Chamber and the rest of the Federal Government, I am sure there would have been no tax cut. I am sure that is true.

Mr. OBEY. Mr. Chairman, the gentleman is filling in with misstatements.

The CHAIRMAN. All Members will suspend. The time is controlled by the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. I thank the Chairman.

I think it is a very safe bet that in the absence of that tax cut, the revenue that theoretically would have been collected, although that is theory, but that revenue would in all likelihood have been spent on any variety of government programs that those folks would like to spend more money on.

But thinking about this, I thought, well, maybe I am wrong.

Mr. OBEY. Mr. Chairman, would the gentleman yield so I can correct that mistake with a fact?

Mr. WALSH. Mr. Chairman, regular order.

Mr. OBEY. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. TOOMEY) has the floor. The gentleman is recognized.

Mr. TOOMEY. Now, I want to reflect on the possibility that maybe I am wrong. Maybe I am wrong about this.

Mr. OBEY. . . .

Mr. TOOMEY. Maybe there is a new consensus in the Democratic Party. Maybe there is a new conscience about deficits that was never exhibited during the decades in which the Democratic Party controlled the Federal Government and ran up massive deficits and accumulated a huge debt. There was no evidence of that conscience then, but maybe there is one now. Maybe there is a new sense of fiscal responsibility.

Since those folks are so upset about this deficit and the debt that is occurring, then what we ought to do, and frankly, what we all ought to do, myself and all the Republicans, what we ought to do is seriously consider the alternative budget that they have proposed, the alternative budget that those folks ran in the Committee on the Budget, the alternative budget that would have no deficits, that would accomplish all the goals that they have talked about.

But why is it that we do not consider that alternative budget? Well, they know the reason for that, too. It is because they do not have one. All the rhetoric, the demagoguery, the attacks occur, but there are no alternatives.

Mr. OBEY. Mr. Chairman, would the gentleman yield so that I might——

Mr. TOOMEY. I sit on the Committee on the Budget.

The CHAIRMAN. The gentleman will suspend. The gentleman from Pennsylvania (Mr. TOOMEY) has the floor. He has indicated he does not wish to yield. Members should not interrupt other Members who have the floor. The gentleman may proceed.

Mr. TOOMEY. Mr. Chairman, as a Member of the Committee on the Budget who sat through budget hearings and the budget markup and the debate on the budget, I think I know why there is no budget from the other side. That is, if they had to propose a budget, they probably would have proposed a budget with larger deficits than we have.

Oh, sure, there would have been no tax cut. In fact, some would like to have raised taxes by repealing what is coming in the way of further tax relief. Some do not want to do that. But the fact is, there would not be the future tax cuts. That money would have been spent, as was proposed by the Democrats on the Committee on the Budget during the markup. We would have a weaker economy as a result of a higher tax burden, and probably less revenue.

Mr. Chairman, I would simply argue that the lack of a serious alternative really undermines every single argument that we have heard from our colleagues on the other side. A party that lacks the courage to propose any alternative really lacks the credibility to justify the attacks against the party that has taken the responsibility of governing.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. TOOMEY) has expired.

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania might be given 2 additional minutes.

Mr. WALSH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. WYNN. Mr. Chairman, I move to strike the last word.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. WYNN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I find it interesting that apparently the tactic on the other side is going to be to have speakers get up and make erroneous statements that have nothing whatsoever to do with the truth or the facts, and then refuse to debate that issue by yielding time, and then further refuse to extend the time so that they might be challenged on their statements. That truly means there is no real debate left in this House.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. OBEY. The gentleman would not facilitate it for me. Why should I facilitate for him what he would not facilitate for me?

Mr. Chairman, I would point out that I think the gentleman who just spoke was the gentleman from Pennsylvania (Mr. TOOMEY). The gentleman from Pennsylvania (Mr. TOOMEY) is one of the sponsors of a constitutional amendment which requires a three-fifths vote of this House before the national debt could be raised by one dime. Yet, he has just stood here on this floor defending actions by the majority which, in essence, have enabled this House to slip through, eventually, a $750 billion increase in the national debt without a single Member of the House ever having to stand up and actually vote directly on that issue.

That is why I challenge the gentleman's statements, because I have never seen a bigger example of different positions within a short period of time.

Mr. TOOMEY. Mr. Chairman, will the gentleman yield?

Mr. OBEY. The gentleman will not yield to me. I will return the same courtesy to the gentleman that he has returned to me.

□ 1145

Mr. WYNN. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Maryland has 3½ minutes remaining.

Mr. WYNN. Mr. Chairman, I rise in opposition to this bill and I want to talk today about fiscal responsibility versus fiscal irresponsibility.

Now, my colleagues on the Republican side of the aisle would have you believe that this bill is just about the war effort and supporting homeland security. Let me tell you if that were true, we would have passed this bill last night. Democrats support the President's war against terrorism. Democrats support the war. Democrats support the weapons system that we need, and we certainly support homeland security since, believe it or not, we share the same homeland with my Republican colleagues.

No, this debate is about the fact that the Republicans have slipped into this bill a measure to raise the debt ceiling. Let me repeat: the Republicans want to raise the debt ceiling. They want an extension of credit on the Nation's credit card.

Now, what does that mean? This means that they want to raid the Social Security trust fund. They want to weaken Social Security for the baby boom generation. This also means that we will have an increase in long-term interest rates, which means that interest on home mortgages will increase.

Now, the question we really ought to ask is why do we want to raise the debt ceiling? Why do they want more credit? Now, they will tell you it is the war effort, and we all ought to be behind the war effort. Let me give you the facts. Only 10 percent of the deficit is due to the war effort; 43 percent of deficit is due to the big tax cuts that the Republicans passed. Again, they are saying we have got to have an extension of credit. It is like a man whose house has a leaky roof. He comes to the credit card company and says I need an extension of credit because my roof is leaking. He ignores the fact that he bought jewels, bought furs, bought new cars and took big vacations. That is why he maxed-out his credit card.

Now, they would also like you to believe that we are talking about the tax credit that most Americans got, $300 for a single person, $600 for a couple. That is not true. We are talking about the tax breaks that the Republicans gave the wealthiest 1 percent of Americans. How much do they make? The wealthiest 1 percent make over a million dollars a year; and yet this year they have got $9,000 back in a tax break. Over the entire term of the tax break they will get $54,000 in tax breaks, but yet they tell you the problem is the war.

The problem is not the war. The problem is the fact that we have given money to the very wealthy in this country. We should not let the Republicans hide behind the war effort to shield their irresponsibility. Democrats support our men at war. Democrats support our President and Democrats support our homeland. But we do not support fiscal irresponsibility.

If they wanted to raise the debt ceiling, why hide it in a bill to support the war? Why not have an open and clean debate? They do not want to do that. They would rather slip it in.

I say we should reject this bill, insist on a true war effort bill, and then insist on a clean debate on the debt ceiling because if they want to expand the credit line for the Nation's credit card, they at least ought to be up front and tell the American people why.

Mr. HYDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been listening carefully to the debate, and I feel slightly confused. I have heard my friend, the gentleman from Wisconsin (Mr. OBEY), and other Democrats talk about increasing the national debt. It seemed to me we are talking about increasing the national debt ceiling which is a measurement of the national debt but not the national debt. The national debt is increased by voting for appropriations which is done by the gentleman's party with great glee and delight, and so increasing the national debt is a function of appropriations and borrowing, and we are talking about the debt ceiling, which is a measurement only.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank my good friend for yielding.

Mr. Chairman, let me simply say that debt is not only rung up when you appropriate money, whether it is for war or for education. Debt is also added to if you pass tax cuts that are paid for with borrowed money; and that is what the majority party did to a fare-thee-well last year. I thank the gentleman for yielding.

Mr. HYDE. Mr. Chairman, I know the gentleman's animosity towards tax cuts. It is profound and palpable.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would observe that part of the reason I did not yield time before is because I was concerned that what did happen would happen, which is that rather than refute the basic premise of my argument, the gentleman from Wisconsin (Mr. OBEY) brings up extraneous issues. For instance, he did not refute that the Democratic Party has utterly abdicated its responsibility by not proposing a budget. Instead, he brings up the issue of a balanced budget amendment to the Constitution, which I do support, but which, unless the gentleman can correct me, unless I am mistaken, it includes an exception for time of war.

I would observe to the gentleman from Wisconsin (Mr. OBEY) that it strikes me that we are engaged in a war, I believe. It also allows for an exception in a time of a national emergency. If we are not in a national emergency, then I do not know what this is.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. HYDE. Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. OBEY. Could the gentleman tell me, has the Congress declared war so it would in fact fit under the terms of that resolution?

Mr. TOOMEY. Under that logic the gentleman would suggest that Viet Nam was not a war, Korea was not a war, in the Persian Gulf we did not have a war, and today we are not at war. I would reject that categorically. It seems to me pretty clear that we are at war. We were at war in those other circumstances despite the fact that Congress did not declare it.

Mr. UDALL of New Mexico. Mr. Chairman, I move to strike the last word.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, this is a very important bill that we have before us. It supports the troops and our brave men and women overseas. It supports homeland security. And I think all of us here in this Chamber support those efforts. And yet, we hear Members from the other side get up and say that we are making this issue political. Nothing could be further from the truth.

When this bill came before the Committee on Appropriations, it passed with a large overwhelming bipartisan majority; Democrats and Republicans working together to put out an appropriations bill to further our war effort and our homeland security effort. And it was only when the Committee on Rules intervened and devised this devious rule to join up this raising of the national debt and our war effort together that we had this serious problem before us. And it is our friends on the other side of the aisle that control that Committee on Rules that have made this a political process.

There are a large number of controversial riders in this bill which we should be able to vote on individually. There is an increase in our involvement in the civil war in Colombia. This bill requires Medicare provider reimbursement increases in parts of the country while ignoring others without a vote. This bill requires textiles to be dyed and finished in the United States without a vote. There are other important foreign policy issues. There are important health care issues. But we are demeaning this institution, this fine democratic institution, if we do not allow votes on these important national issues.

I am beginning to feel like Bill Murray in ''Groundhog's Day.'' Every day I wake up expecting that the Republican leadership will want a lively debate on the extremely important public policy issues that we are asked to consider in this body. Unfortunately, when I get to work, it is always business as usual. No open debate; no democratic process.

The Republican leadership and this administration are attempting to conceal their efforts to raise the national debt by attaching it to a bipartisan appropriations bill. Instead of working to undo the fiscal mess their budget created, they are pursuing a policy that would simply raid the Social Security trust fund to paper over their fiscal mismanagement.

According to the President's own numbers, the national debt will be roughly $2.7 trillion greater than it was projected last year. $1.9 trillion of that loss cannot be explained by the terrorist attacks or the economic downturn. It is the direct result of an irresponsible fiscal policy of this administration. Large deficits mean higher interest rates, and higher interest rates means millions of hard-working Americans will face what is essentially a tax increase. This increase falls hardest on the middle class and the working poor, those people who have the most debt. Sixteen cents out of every dollar, or roughly $1 billion per day, goes to pay interest on the national debt. Since much of that interest is paid to foreign investors, American taxpayers send nearly $100 billion out of the country each year.

Now, I remember when the Republicans accused Democrats of irresponsibility because Treasury Secretary Ruben wanted to raise the debt ceiling. Now, with President Clinton and the Democrats working hard, we have balanced the budget and our friends on the other side of the aisle are calling for a run of deficits into the future. Current projections put us 10 years out on deficits. And, again, the Democrats are being proactive in searching for ways to fix the problems created by this administration's fiscal policy.

The Democratic leadership has called for a bipartisan summit to discuss the Nation's financial problems and to work toward bipartisan solutions. I hope my Republican colleagues will join with us to seek out long-term solutions, not deceptive policies that will lead to more debt and less economic security. We should not allow fiscal mismanagement and the raiding of Social Security to slide through without a vote.

Let us all remember one year ago, this President and the Republicans on this floor told us that we could do it all. We could pay down the debt. We could protect Social Security and Medicare. We could have other urgent dollars to pay for needs. Now today we are no longer paying down the debt. Mr. Chairman, to my friends on the other side of the aisle, we are borrowing, borrowing from our grandchildren. Shame on you in this procedure.

Mr. DAN MILLER of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I find this an interesting political debate we are having now. And for my colleagues on the other side who are in the minority and the policies of tax and spend when they had 40 years of control, and so now they start going off on this filibuster-type debate on issues that are not really the critical issues of vote today.

Today we are talking about a war supplemental. I got elected in 1992. And I served my first 2 years in the minority in this institution. I was never in politics before I came to Congress, and I found it disappointing, actually, how partisan this institution was. And in 1993 the budget was basically a partisan issue. They had the largest tax increase in history in 1993 and every Republican voted against it. But as a minority, when John Kasich was chairman of the Committee on the Budget, we presented a budget in 1993 and 1994. We had an alternative budget. But now all the minority wants to do is complain. There is no alternative budget. All they would do is offer some amendments to our budget.

The other body, to get a conference report on the budget, which is really the crux of the whole problem we are facing right now, the other body has not produced a budget. The Senate has not produced a budget yet. And so we are in this position where we have to move forward with our appropriations bills; but without a budget we just have to go through this process that we are doing now with the deeming of the resolution and doing this on the supplemental.

Now that we are in the majority, I remember when I came into the majority in 1995, I had to vote for things that I did not want to vote for. I remember as a minority member I did not have to vote for a lot of the appropriations bills. I voted against the District of Columbia appropriations back in 1993 and 1994. Marion Barry was mayor. You all had to vote in favor of that. It was a tough vote as a member of the majority. It was a tough vote for me in 1995. And I think I did vote for the D.C. appropriation bill back then because we had the responsibility to govern. And so now that we are in the majority party to have to face some of these tough issues and increasing the debt limit is one.

□ 1200

Every year the Democrats were in the majority, they had to provide for increases in the debt limit. Either we had a vote or my understanding is they used the Gephardt rule and was part of the budget conference report that automatically had the increase in the debt ceiling.

So it was passed continually for the years when the Democrats were in control and we have had to do it every year to provide for it that way, too, because if we do not increase the debt ceiling, we are not going to send out Social Security checks. We are not going to the hospitals or the doctors for Medicare. We are not going to take care of our veterans. It is something that has to be done because it is the only way we can keep the government running.

We are talking about why we are into this fiscal crisis. I came in as a fiscal conservative. I was upset with the fiscal irresponsibility in Washington, and so a key part of our Contract with America back in 1994 was balance the budget. The big fight we had in 1995 was balancing the budget over 7 years, and we did it in less than that, and the key is getting to a balanced budget.

I am disappointed we are not going to have a balanced budget now, but there are certain things that have come up, as the President talked about, that are causing this. One is a recession. Our revenues are down an estimated $200 billion, and so we need to stimulate the economy and grow ourselves back out of it. That is how we got into a surplus, a large reason was; we grew ourselves out of it by the booming economy. So first of all, we have a recession.

Then the September 11 events, we are in a war. We had a $40 billion emergency supplemental last year which I voted for. We are going to have another $29 billion here today or tomorrow. So we have got another $70 billion of emergency spending to take care of the war issue.

So what are our choices? We need to take care of our homeland security, we need to address the war, and we need to continue the priorities of biomedical research, of education, of the veterans and other issues we have to address here.

My solution to the whole problem today is we need a closed rule. This idea of a totally open rule is just going on and on and on. So I would encourage our leaders on our side of the aisle to go back to the Committee on Rules, come back with a closed rule, and say let us have all of the appropriate amendments, set up a time, we do this all the time on the Committee on Rules, and say let us go ahead and have a regular debate and regular order and not continue talking and talking and talking about basically the same thing because the other said, oh, we are fiscally irresponsible when after their 40 years of control is what got us into all the debt problem, and now we have a war and a recession, combined with a national emergency, and we are doing the responsible thing.

They did not vote for the rule. I am not sure what they are going to do with the final bill. I think we should take it to the Committee on Rules, come up with a new rule and end this filibuster.

Mr. OBEY. Mr. Chairman, I ask unanimous consent the gentleman from Florida might be allowed to continue for 1 additional minute.

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

Mr. WALSH. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. DAVIS of Florida. Mr. Chairman, I move to strike the last word.

I yield time to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, evidently what we have going on here is that we not only have faux legislation, we now also have faux debate. We are not having debate here. We have got members of the other side giving speeches without being willing to engage in give-and-take.

I would simply like to say to my good friend from Florida, he is right. This place has been too partisan, but I would point out, we did not make this bill partisan. This was a bipartisan bill supported by both parties in the committee. It came out of the committee, and your leadership made it partisan by dragging in their partisan plan to raise the national debt by $750 billion so they could pay for their tax cut plans to the detriment of Social Security and Medicare.

Secondly, with respect to the gentleman saying, ''oh, this bill is going so slow, we have to have a rule, a closed rule'', I would point out, this House has not met a single Friday this year. There is plenty of time for debate if this House works Monday through Friday. It has not been doing that, and it is the majority party that sets that schedule, not the minority party.

Mr. DAVIS of Florida. Mr. Chairman, this debate today should be about the highest priority of the Congress and the Nation and, that is, national security. Instead, what we have heard from the other side is they will do whatever it takes to pass this bill. One of the questions that deserves to be answered today is at what cost? What limits are there to us doing whatever it takes to pass this bill? Are there any limits in decency, in fairness, in what this country and this Congress is supposed to stand for?

Nobody has attempted to rebut the fact that there is a special fix in this bill for 2 hospitals in the United States when hospitals all over the country are suffering, the people they are supposed to serve. No one has attempted to rebut the fact that we are rewriting a trade agreement with Caribbean nations that was balanced and strongly supported on a bipartisan basis.

There are few facts we agree on today. These are some of the ones we do agree on.

This should be about national security. It should not be about economic security and Social Security. Thank goodness on September 11 this country was strong economically to withstand the horrendous attack that occurred because we had balanced the budget and begun to pay down the debt. Nobody is rebutting the fact that what is happening today is we are going to raise the debt ceiling; the Federal Government is going to start borrowing money again. There is no dispute that that has the serious risk of raising long-term interest rates which threaten the prosperity of my State, Florida, and communities across the country.

The men and women in uniform that are protecting our country at home and abroad are not just fighting to protect the flag. They are not just fighting to protect a Nation. They are fighting to reflect certain principles that we all swore to uphold here, to have a strong

country, a strong economy, a national community, a strong system of Social Security and, most fundamentally of all, a democracy.

Well, we have a stand here, and that is, have an open and honest debate on the issues which we have been deprived of, not just Democrats but Republicans as well, under a rule that is forcing us to pass laws that would never survive a majority vote in this Congress.

Let me finally refer to the USAir situation. We are changing the rules in the middle of a system that was passed on a bipartisan basis that allows airlines to demonstrate they deserve a loan from the Federal Government. Nobody has tried to rebut the fact that what this bill is doing, just as the Senate is about to do, is to close the opportunity for a major carrier in my home, Florida, and the Southeast and the Northeast and other parts of the country, to borrow money to avoid a bankruptcy.

Have any of my colleagues seen airline bankruptcy? I have. I watched the Air Florida bankruptcy. It is an ugly thing. I will tell my colleagues who benefits. It is the bankruptcy lawyers. Ultimately this is not about USAir. It is about the passengers that depend on that airline in my home and around the country for competition, for reasonably low fares, for choices, and who will forgive us if we contribute to the bankruptcy of a major carrier in the Southeast?

The answer that is offered in response to this argument is let somebody else take care of it some other time. Well, excuse me, but who is ultimately accountable here? We are. The Senate Appropriations Committee has already passed a bill that does exactly what this bill does. It closes the funding window. USAir has said they are on the verge of preparing a loan application. They are at risk of filing bankruptcy. What are we doing about it? Exactly nothing.

Some of us called over to the Senate today to find out, is this going to get fixed in the Senate. The answer came back, no, it is not. Folks, this is our job. We are ultimately accountable. This is a real serious issue amid a lot of politics and speechmaking here.

This bill needs to be fixed. We need to restore the integrity of this loan application program. We need to worry about the people that depend upon this carrier and for traveling to do their business.

Mr. HOUGHTON. Mr. Chairman, I move to strike the last word.

I may be missing something here, but I do not know what we are talking about. The fact is the country is running out of money because the economy is down and the military and terrorist, antiterrorist expenditures are up. We have to have more money. This is not unusual. It has happened before. It happened when my colleagues were in the majority. It is happening now. It happens in business. Someone sets out a plan, they like to feel the plan makes sense, but all of a sudden they get into different circumstances.

Who could have forecast the drop in the economy? Who could have forecast the terrorists of 9/11? We could not. Things have got to change.

Should the rule have been better? Probably. Could we have had a different tax reduction program? Probably. Should we have had an up-and-down vote on this? That is a question. Should this $750 billion be the figure? It might be, but that is not the fact.

General George Catlett Marshall was my hero, and what he said was, ''There are 2 things in life you don't want to do. One is to get into the minute so you forget about the issue. Secondly, do not fight the problem. Find the solution.''

We are fighting the problem. We need the money. The country needs the money. It is the only thing to do. Let us increase this debt ceiling.

Mr. ETHERIDGE. Mr. Chairman, I move to strike the last word.

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

Mr. ETHERIDGE. Mr. Chairman, we are approaching Memorial Day, and I think most of us would like to get home. I certainly have plans for the weekend, wanting to be home with my family and friends and with those that we are going to honor who have given so much to this country. But today, as many of my colleagues before me, I rise to support and thank our men and women in uniform who are serving our country and protecting our freedoms and our opportunity to come to this floor, all around the globe.

Like my colleagues, I strongly support a robust military, as do all Americans, I think, and certainly in this House on both sides of the aisle, but I am shocked that I have heard Members come to this floor and allude to someone on either side of the aisle who is not supportive of our military. We could correct that very quickly.

We have a bill before us. All we have to do is take the things out that should not be in it, that are not tied to our military, and the bill would have passed last evening.

I represent an awful lot of folks who either are stationed or have loved ones at Fort Bragg and Pope Air Force Base or some who have served there and, Mr. Chairman, I support the President and the war on terrorism. I have been here for every vote, and I support a balanced budget. I came in 1997 and I want my colleagues on both sides of the aisle to understand, I was one who voted to make that last step to balance the budget. I came to this Congress to help do that, and I understand these are difficult times.

So that people will understand, I also served as chairman of the Committee on Appropriations in my State legislature for 4 years, and so I understand what it is to slip something in a bill, but we do it in the light of day so people can see it and know what we are doing. We do not go to a closed room after we have had an open debate by all the parties in the committees, and then bring it to the floor. That is not right. That is not fair to the American people. It is not fair to the American people.

I represent as many people on this floor as any Member on either side of the aisle, and yet because I do not serve on the Committee on Appropriations or the Committee on Rules I cannot make an amendment to this bill and present the issues that my people send me to Washington to defend and represent, and that is wrong. That is wrong in the people's House. It is absolutely wrong.

The reality is that we want to pass this piece of legislation. We want to fight terrorism. We want to get Osama bin Laden and the al Qaeda and all those agents of terror around the world. We are still here today, not because we disagree with the bill that is before us to get the job done on terrorism and support our men and women around the world. It is because of things that were put in that bill by the leadership.

The reality is that the leadership has chosen to make this political and controversial. We can have a vote on the debt ceiling later. I do not know where I would be on that. I might vote for it, because I want the government to keep going on, to pay our bills, but it is wrong to hide it. It is wrong to say to my mother and her Social Security check and all those who are paying it, well, you might have to take a cut later because we are going to spend the money for something else. It is wrong, wrong for the American people to be put in this position.

My colleagues devised this scheme. I did not know it could be done, but I guess I should learn something new every day, and I have learned something. Raising the debt limit through procedural tricks, I think, has serious implications for this Nation, not to mention it has dangerous consequences for my children and my grandchildren I hope I will have. It is wrong.

I have been to this floor arguing on education issues because I believe in them and I have worked through my whole career to tell children to tell the truth, to do the right thing, to be honest. I hope they are not watching this debate today. I would be ashamed if they saw what is happening.

We ought to be willing to put it on the table. Mr. Chairman, we can do better and we should.

Mr. Chairman, I rise in full support of our men and women in uniform whom are serving our country and protecting our freedom all over the globe today.

Like my Democratic colleagues, I support a strong and robust military ''we are all Americans.'' Many of the folks I represent work or have loved ones who are stationed at Fort Bragg.

And Mr. Chairman, I support the President in the war on terrorism. I served in the U.S. Army during Vietnam.

Today, we are considering an emergency supplement appropriations bill that will help us continue our fight against Osama bin Laden and al-Qaida and other agents of terror. I have no doubt that this emergency supplemental would pass with a strong bipartisan majority if it were a clean bill. But, the reality is that the Republican majority loaded this bill down with provisions so controversial they won't have to debate them in the light of day.

The Republican majority has devised a scheme for raising the debt limit without the consent of this House.

What's more, this Republican scheme to raise the debt limit without debate or a vote places a unfair burden on the shoulders of or children. Our children and our grandchildren will be responsible for cleaning up the mess that the Republican majority is making today. That is not the American way, Mr. Chairman.

Raising the debt limit means that we must pay more money in interest of our national debt. That means we will not have the resources necessary to provide a comprehensive prescription drug benefit to our seniors, or build new schools for our children.

Just a year ago, we stood on this floor and tried to decide what to do with our national surplus. We had a surplus, and the Republican majority squandered it. And now they come to this floor and are playing politics with our united war on terrorism, the retirement security of our seniors, and the future of our children.

Mr. Chairman, we need a responsible, honest, and balanced budget. One that meets our obligations today so our children are not left with the tab.

I believe that when you hold a public office you hold a public trust. Part of that trust means respecting the institution that is this House. We should have an open debate on the debt limit and all the other issues that the majority tacked on this bill, at another time. The resolve on this side of the aisle is strong, and we'll stand up for what we know is right. The troops overseas, our seniors, and our children deserve no less.

Raising the debt limit through procedural tricks has serious implications for our Nation, not to mention dangerous consequences for our seniors and our children. Raising the debt limit means giving the government a credit card with a higher spending limit. It means that we will be spending more money from the Social Security and Medicare trust fund to pay for government initiatives.

Mr. Chairman, those funds are supposed to be off limits. They represent a promise that we made long ago with our seniors that they would not have to live out their golden years in poverty. By raising the debt limit we risk their futures and the retirement security of our working families.

□ 1215

Ms. McCOLLUM. Mr. Chairman, I move to strike the last word.

I support our servicemen and women, law enforcement officials, State, Federal, and local officials working together to protect the American people. I support the funding for the billions of dollars in the supplemental appropriation. These dollars are needed to keep America safe, secure, and free from terrorism. But, Mr. Chairman, allowing this bill to come to the floor represents an attack on the economic security of our Nation, raising the debt ceiling an additional $750 billion.

Mr. Chairman, I strongly support strengthening our Nation's homeland security, as this bill intends to do. We need to keep America safe. But I will not support a fiscal attack raising the debt ceiling and exploiting the national debt. Mr. Chairman, I support fighting AIDS and infectious diseases around the world, but I will not support the Enron economics this bill represents by hiding language that will allow this generation and future generations to be burdened by expanding the national debt with no regard for full disclosure or fiscal discipline.

Mr. Chairman, I support the needed resources to fund programs. I have 10 higher-education institutions in my district, but I will not burden today's college students and tomorrow's with a $750 billion expansion of the national debt limit set on top of their student loan burden. It is wrong.

Mr. Chairman, I believe that with all my heart we need to provide the funds needed to rebuild New York, but I also believe this body has a responsibility to the American people to be honest about what we are committing them to, an expansion of the national debt with no accountability by any Member of this body.

We need to protect America from terrorism. That is what this bill should be about. But, Mr. Chairman, do our servicemen and women need to have the national debt limit raised without a vote in order to fight the war on terrorism? I say no. Do our Federal agents, police officers, firefighters, and emergency personnel need to have the debt limit raised $750 billion to protect America without a vote? I say no.

I am a first-term Member of Congress. I came to this body hearing the majority's mantra of bipartisanship. This bill, once again, demonstrates empty words and empty actions from the Republican majority, and the consequences are empty pockets for America's working families and a growing national debt for the American people and future generations.

Mr. Chairman, the people of Minnesota are angry that the national debt is going to grow. To the people back home this represents the majority party's lack of leadership, a total lack of fiscal discipline, and a complete lack of honesty.

It is dishonest for the Republican majority to question the patriotism of myself or any of my Democratic colleagues on a bill that is not honest with the American people. We, as a Nation, are fighting a war on terrorism. This bill, with its deceitful language, clearly shows the American people that it is only the Democratic minority fighting the battles against fiscal irresponsibility and against fat tax cuts, and it also is plundering the Social Security trust fund.

If my Republican colleagues want to raise the debt limit to pay for last year's tax cuts, then let us vote on it, yea or nay. If my Republican colleagues want to add an additional $750 billion of debt on the backs of the American people, have the courage to vote on it yea or nay. If my Republican colleagues want to be honest with the American people, honest with our servicemen and women fighting the war on terrorism and honest with yourselves about placing this Nation an additional three-quarters of a trillion dollars in debt, then let this body vote on it yea or nay.

I applaud my fellow colleagues on this side of the aisle, the gentleman from Wisconsin (Mr. OBEY), for his leadership and his support of our national security and the retirement security for our seniors and the economic security of the American people. Today, I will stand with my Democratic colleagues until the majority party tells the truth to the American people about the consequences of their political policies and the costs that they will have for future generations of Americans.

Mr. SUNUNU. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the last few speakers have spoken quite eloquently about the importance of the funding in this supplemental appropriation bill, strengthening our national security, investing in homeland security, investing in the technologies, the maintenance, the resources to support our men and women serving overseas. They have been unequivocal about their support for that funding, for that financing. But the last speaker was also unequivocal in making her point that she was vehemently opposed to borrowing to fund that investment in winning the war on terrorism and strengthening our homelands security.

I think therein lies the fundamental problem. That is maybe the disconnect that we are hearing and the complaint that we are hearing that this is somehow partisan. It is not partisan when you point out that if we are going to invest in this unprecedented war on terrorism, if we are to give the men and women of the armed services the resources they need, which we all understand that because of the economic recession we are going to have to borrow additional funds to make sure they have that support, then you cannot stand on the floor and say, well, I support everything in this bill, but I will not support borrowing to support our men and women fighting overseas.

This brings us back to the debate that began the year in the Committee on the Budget, when as previous speakers have pointed out, we brought a budget to the floor, we brought a budget through committee that met the priorities laid out by the President in his State of the Union Address: winning the war on terrorism, strengthening homeland security, and getting the economy moving again. The Democrats offered no alternative. And the simple reason is because the choices were simply not to fund the war on terrorism,

to raise taxes, which they are apparently not willing to do, or to cut other programs.

Those are the three choices we are faced with today as we recognize that due to the economic downturn we need to borrow some additional funds to win that war, to strengthen homeland security and keep the economy moving. They will talk about postponing taxes or tax relief 5 and 10 years down the road, and they will say it is only for the wealthiest of Americans. But the fact of the matter is we know we need the resources this year. They are not willing to raise taxes this year. We know we need to fund the war on terrorism this year. They claim they support all the funding in this bill, but they are not willing to borrow $1 billion, $2 billion, $10 billion, much less raising the debt ceiling by the required amount to make sure we have all the resources we need in this time of crisis.

Those are the three choices. And I would yield the floor to anyone that will state whether they are willing to raise taxes this year, whether they are opposed to the defense and homeland security funding in this bill, or whether they are going to stand on the floor and say we are willing to dramatically cut other domestic programs so that we do not have to raise the debt ceiling. And I will pause.

Apparently there is no one willing to go on the record supporting one of those three options, the only three options available if we are not going to borrow funds to fight the war on terrorism.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SUNUNU. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, the gentleman forgot one other thing. We can rescind the tax cuts that have deprived us of $60 billion in revenue since they were implemented, and I will vote to do that in a heartbeat.

Mr. SUNUNU. Reclaiming my time, Mr. Chairman, the gentleman is willing to rescind all the tax cuts that are in effect this year. That is effectively a tax increase for fiscal year 2002 and 2003.

I respect the gentleman for taking that stand, for increasing taxes in fiscal year 2002 and 2003, but that is exactly the wrong thing for our economy at this time in this place.

Finally, we have heard the opponents of this legislation say, all we want is a separate vote on raising this debt ceiling. That is all we ask for. But let me refer them to the rules and manuals of this House of Representatives. On page 806 of Jefferson's Manual, which sets the precedents for this House, they can clearly see that the rule put in place by the Democrat majority in 1979 clearly prevented this House from taking a stand-alone vote on raising the debt ceiling for over 20 years. And that rule was only rescinded under this majority.

Now, my Democratic colleagues are absolutely correct in saying we do not have a stand-alone vote on this issue today. But the fact of the matter is it was the Democrat majority that stood firm for well over 15 years preventing such a stand-alone vote from ever taking place. That is a very pointed fact.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would hope that the previous speaker and all other speakers would take the time to look at this. Our Nation is now $5,984,677,357.213.86 in debt. In the past 12 months, since the President talked about this town being awash in money, it is awash in money, we have to have tax cuts because we do not know what to do with all this money, in the past 12 months since the passing of the President's budget and the President's tax cuts, because the Republican majority controlled both Houses when that happened, we have increased the debt by $323,329,559.211.21.

Now, what is particularly troubling about this, and I see my colleague, the gentleman from Mississippi (Mr. WICKER), and we both have daughters about the same age, they are both 23 years old, but on the day our daughters were born, our Nation was less than $1 trillion in debt. We had gone all the way from the Revolutionary War, the War of 1812, the Civil War, the Spanish-American War, our First World War, the Second World War, we had gone through Korea and Vietnam. We had gone all the way until 1980, and through all of that our Nation only borrowed $1 trillion. In the 22 or 23 years my daughter has been alive, we have borrowed an additional $5 trillion.

The fact of the matter is that since the passage of the tax cuts, my colleagues have deprived the Nation of $60 billion in revenue. My colleagues say this bill is just for defense; but on reading this bill, there is $170,000 that is going to go to the Christian Church Homes of Kentucky. A very noble cause, but is it really worth borrowing and sticking my daughter with that bill for the rest of her life?

What is particularly bad about this is, just like when Americans borrow money and they have to pay interest on it, if we stop to think about it, the biggest expense of our Nation is not welfare, it is not food stamps, it is not highways or the military, it is interest on the national debt. We squander $1 billion a day on interest on the national debt. That does not educate a child; it does not help a sick person or a senior citizen. It is just squandered.

For those World War II veterans, they must love to know the fact that a third of that goes to German and Japanese lending institutions.

Mr. WICKER. Mr. Chairman, will the gentleman yield, since he called my name?

Mr. TAYLOR of Mississippi. Under those circumstances, I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, I find it interesting that the gentleman mentioned both our daughters, who recently graduated from college. I would find the gentleman's remarks to be a little more credible if he would at least acknowledge that during the time those girls were in college this Republican majority in the United States Congress has paid off $500 billion in public debt during that time.

Mr. TAYLOR of Mississippi. Reclaiming my time, Mr. Chairman, I would tell the gentleman that that is a sham, and the sham is that the Republican Party paid down public debt. You stole it from the trust funds.

If we could get to the Social Security trust fund, if we could somehow open it up, the gentleman knows, as I do, that there is nothing there but an IOU for $1,260 trillion. If we could get to the trust fund for Medicare, coming out of people's taxes, there is a line on their paychecks, the gentleman knows that we have stolen as a Nation $263 billion from the Medicare trust fund. There is not a penny there.

□ 1230

Civil servants, border guards, customs people, FBI, the guys we are counting on to defend us right now, those cops out there who are guarding us right now, we have stolen from their retirement trust fund $527 billion.

How about the troops? This is supposed to be for the troops. There is a military retirement trust fund. If you were to open it up, it says we owe you $167 billion. And your answer is to borrow more money, $750 billion more money? That is your answer?

It is absolutely hilarious because I come from a conservative State. For so long Republicans said, ''We've got to balance the budget. Please let us govern. We've got to balance the budget. We've got to quit running up the debt.'' You are in the majority. We admit you were right. We have got to balance the budget. We have got to quit running up the debt. Now that you have finally convinced us, you are changing your story. You are saying that the answer is more debt. We have to borrow money so we can send Mississippi arts to Pennsylvania to the tune of $150,000. Read the bill.

Mr. WICKER. Mr. Chairman, I move to strike the last word. I appreciate my friend from Mississippi yielding to me for just a few seconds there.

The fact is that during the time his daughter and my daughter were in college, during the last 4 years, during a Republican majority in the House of Representatives, this Nation has paid off almost $500 billion in public debt during that time. That is debt that the Nation was borrowing from the public through savings bonds, T bills and that sort of thing. We have reduced that amount during the time that our daughters were in college.

I would find my friend's argument a little more credible if that $6 trillion in public debt that he was pointing to on that chart were not the very same $6 trillion in national debt that his party

ran up during the time from 1980 to the time of the Republican takeover of the House of Representatives in 1994 and 1995. I would think that my colleagues from the Democrat side of the aisle would have a little more credibility as fiscal conservatives if that were not the figure that they themselves ran up while they were in charge of this entire town.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. I thank the gentleman for yielding. I would have to say that I have been enjoying this debate all day today and I enjoyed this debate all evening last night, late into the evening.

I would like to make an appeal to the Members on both sides of the aisle. We have had a lot of debate on this bill. But I want to remind our colleagues, for those who did not have the great privilege of serving with a real statesmen, that Morris Udall was an outstanding Member of this House. He had a famous statement that I have quoted on occasion, and I want to quote it again now. It went something like this: That everything that needs to be said has already been said. The problem is that not everyone has said it yet. But I think we are about at the point that everyone has said it.

So I wonder if I could just make an appeal to get to the amendment process? Why do we not start to deal with the amendments that are filed and let us proceed and get this done? If we want to have a major political debate on any kind of issue, I am sure we can find a parliamentary way to do that. But I think we have really beaten this one to death. Can we get on with the business of the Committee? Can we get on with the amendments and see if we cannot come to some closure on this bill?

Mr. WICKER. Reclaiming my time, let me just say this. There have been a lot of complaints, this morning, about the rule. I think it is no secret that I was not overly delighted about the procedure under which we are taking this bill up. But that debate was held last night. That vote was taken and that issue is behind us. We have before us now a national security, wartime appropriation, primarily for the troops. I think it is time that this House moved forward, as the Chairman has suggested. Let us take up the legitimate amendments that are before us. Let us move beyond the time-consuming dilatory tactics that we have seen so far and let us pass a bill for America.

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

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the gentleman might be given 2 additional minutes so that we could explore the time agreement that the gentleman from Florida was just inquiring about.

Mr. YOUNG of Florida. If the gentleman from Mississippi would like to request that time, I would be willing to agree to that.

The CHAIRMAN pro tempore (Mr. SIMPSON). Without objection, the gentleman from Mississippi is recognized for 2 additional minutes.

There was no objection.

Mr. WICKER. I yield to my friend from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, the distinguished chairman of the committee has asked that we get to the amendment process so that the amendments can be offered that Members want to offer. Let me suggest something, if I could, because the problem is that under this rule, wildly extraneous matter has been added, as the gentleman knows, but we cannot reach that by amendment to strike it under the rule. So Members cannot really offer the amendments that need to be offered to correct the problem under the rule under which we are debating the bill.

I would ask the gentleman whether or not he could explore with his leadership something like the following: I think we could greatly shrink the debate time on this bill if we could get a unanimous-consent agreement under which the House would be able to consider the committee-reported bill, stripped of the extraneous add-ons. We would limit amendments to those printed in the RECORD or at the desk. We could limit the debate on those amendments to 30 minutes, retain the motion to recommit, and I would certainly be willing as part of that agreement to discuss greatly reducing and withdrawing a large number of amendments that are now at the desk or which we contemplate offering absent such agreement.

If the gentleman would at least take that offer to his leadership, that might help us to find a way to finish this bill in rational fashion.

Mr. YOUNG of Florida. I thank the gentleman for this offer. Once we begin to talk about a way to get out of this, I think then we can accomplish that. I would be more than willing to discuss this with the leadership on my side. As a matter of fact, we have discussed similar situations earlier. I do not have a conclusion that I can report to our colleagues in the House one way or the other, but I would be more than happy to discuss that with the leadership.

Mr. OBEY. I appreciate that. I think that that is probably the only way that we are going to avoid an extended debate which will be frustrating to both sides. I thank the gentleman.

Mr. STENHOLM. Mr. Chairman, I move to strike the last word.

It is a good time to be speaking because the spirit of the last exchange is something that I am very much in favor of. The sooner that we put the charade that this is an open rule behind us, the better off we will all be. Because yesterday we did debate the rule and some of us felt very strongly that it was not a fair rule and we objected very strenuously. My fellow colleague from Texas kept calling this an open rule when everyone knows that if you were to do as the normal appropriation process around here does, if you object to the spending in a particular appropriation bill, you may stand up under an open rule and strike it.

I want to make it very clear. I support the $27.1 billion that the President requested in order to fund the war on terrorism. I and every Member on this side of the aisle support that. But we get the trivializing of this debate regarding that we are unpatriotic because we object to the process that we have been subjected to, not by the chairman of the Committee on Appropriations or the ranking member but by the leadership of this House that has added $2.4 billion in extraneous spending and also has tried to hide an increase of the debt ceiling in this particular bill, which will be in it once we pass the bill, which is one of the reasons why I will oppose the bill very strongly.

It is very frustrating to me to stand on the floor and to have to object to things that I used to support my friends on the other side when they were in the minority and I voted with them on improving the budget process. Sometimes we won. We took the minority and added with some on this side and we actually won. The gentleman from Texas (Mr. BARTON) yesterday spoke of that. I appreciate him giving credit to me for being a part of that. I give credit to him. I see the chairman of the Committee on the Budget, someone that I believe I could and would work with on this floor on the budget, but his leadership has precluded that at every turn.

Why all of a sudden did we decide to waive the rule that provides that extraneous matters should not be added to an emergency spending bill? We passed it in 1994 with 322 votes, of which all but 4 Republicans joined it. Yet yesterday all of you, 166 of you still here, voted to waive that rule. We can get out of here in 1 hour by agreeing by unanimous consent that we will appropriate the money for the war and strike all of the extraneous matters. It can pass by unanimous consent. The Senate can take it up. It can be on the President's desk by Saturday. Everyone in this body knows that can happen.

But why do we insist on spending more and then cooking the books on paying for it, which you have done in this resolution? And yet my friends on the other side that I used to vote with, and you used to vote with me, are going along with that because your leadership has said that is what we ought to do. I do not understand that. We can get out of here in a heartbeat and do what this is all about, fund the war on terrorism. You can do it by unanimous consent if the leadership will take the gentleman from Wisconsin's request and the gentleman from

Florida and the folks on his side of the aisle will go to their leadership and say, ''Let's quit this charade.''

To those that believe somehow you are going to hide the debt limit, this is what is so funny about us having this. If you believe in a heartbeat that the Senate is going to go along with a $750 billion increase in the debt ceiling in a conference on this bill, you are living in a dream world. All the Blue Dogs have been asking now for the last several weeks, months, just have a clean up-and-down vote on the debt ceiling. Do not jeopardize the faith and good credit of the United States on a political argument that we are having today that you blame us and we blame you and who gives a hoot who is at fault. The fact is that it is happening and at fault in this body is the majority. Not the minority. We cannot do all the bad things you say that we are doing. We are in the minority. But we will gladly join with you in unanimous consent if you will listen to what the gentleman from Wisconsin and the gentleman from Florida would like to do. We will do it in a heartbeat and we can go home for Memorial Day.

But please, please, let us stop insisting that this is a patriotic vote. The patriotic vote is a clean vote, not the one that you are asking us to vote on, not the one that you shoved the rule down our throat yesterday on a pure party line vote in which I know a large number of my colleagues on this side did not like to vote for that rule. You can undo it by unanimous consent. I hope you will go along with us in doing that.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS. Mr. Chairman, let me first make a comment and say that cloaking partisan amendments in the name of the war on terrorism is not patriotism, in my personal opinion.

Mr. Chairman, for citizens watching this debate late last night and today, I can understand why there could be some confusion about what this debate is all about, because much of what has been said has nothing to do with the issue at hand. So let me just go back to the basics.

Fact number one. The bill we are considering is entitled, and I quote, the 2002 Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States. That is the bill before us.

Fact number two. This bill came out of the Committee on Appropriations on which I serve and vote on a bipartisan basis. Why? Because we all want to support homeland defense and the war against terrorism.

Fact number three. On Tuesday night, the Committee on Rules under the direction of the Republican leadership of this House took a bipartisan bill to fund our war on terrorism and made it a Christmas tree full of partisan ornaments, amendments that have absolutely nothing to do with the title or the subject of this bill.

□ 1245

That is fact number three.

Fact number four. What Democrats are objecting to on the floor today is adding extraneous, unrelated, partisan, controversial amendments to a bill that needs to be passed quickly so that we can efficiently and quickly fund our war on terrorism and needed important homeland defense measures.

Now, what we really are getting down to is one question, and that question is very simple and very direct. I have not heard an answer to this question so far. The question is, will the Republican leadership of this House allow us to strip out of this important bill to fund the war against terrorism those amendments that were partisan and had nothing to do with the title or subject of this bill? It is a simple question, and we Democrats, still, after 2 days of debate, await the answer to that question.

What I am sorry to say, Mr. Chairman, is what this is really all about is politics as usual. I understand politics. We all do. But I believe that politics as usual is not good enough when we are talking about funding a war on terrorism at a time when our Nation's security is at risk.

Now, what is politics as usual? Politics as usual is taking an important bill, a highway bill, an important natural disaster funding bill, knowing that the majority of Americans will want it passed, and then adding extraneous amendments that have nothing to do with that bill because perhaps those amendments may be partisan and could not pass on their own merit. That is exactly what happened on this bill.

I will yield the balance of my time if 1 Member of this House on the Republican side could tell me what the following amendments, added late at night on a partisan basis by the Committee on Rules, have to do with fighting our war on terrorism.

Amendment No. 1 that I referred to, section 1404, treatment of certain counties for purposes of reimbursement under the Medicare program.

I am not quite sure what that has to do with the war on terrorism. Let me continue quoting. ''Effective for discharges occurring during fiscal year 2003, for purposes of making payments under subsections (d) and (j) of section 1886 of the Social Security Act to hospitals (A) in Lackawanna, Luzerne, Wyoming, Lycoming, and Columbia Counties, Pennsylvania, such counties are deemed to be located in the Newburgh, New York-Pennsylvania Metropolitan Statistical Area.''

Is there a single Member of this House on this floor right now who would like to take the rest of my time and explain what that has to do with fighting the war on terrorism?

I guess not.

Maybe a Member could explain to me why the next part of the amendment has something to do with the title and subject of funding the war on terrorism. ''(B) in Mercer County, Pennsylvania, such county is deemed to be located in Youngston-Warren, Ohio Metropolitan Statistical Area.''

If there is any Member that can explain to me right now, what this has to do with fighting and funding the war on terrorism I will be happy to yield my time.

Mr. Chairman, I guess apparently no one wants to answer that question.

Well, let us go to amendment No. 3, 4, 5 and 6. Can any Member explain to me how they relate to funding our war against terrorism?

This process is about politics as usual. That is not good enough in fighting a war against terrorism.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is interesting, because to follow my colleague, the gentleman from Texas (Mr. EDWARDS), and then for him to have followed the gentleman from Texas (Mr. STENHOLM), I have a very urban district in Houston, but whether it is central Texas with the gentleman from Texas (Mr. EDWARDS) or West Texas with the gentleman from Texas (Mr. STENHOLM), we are concerned about the procedure that is happening today, because every one of us have voted for funding for the war on terrorism literally since September 11. But the procedure that my Republican colleagues have put us in today in the majority is that what happened yesterday with the rule to the supplemental began to raid the Social Security trust fund. This is a dangerous thing that will return us to the days of deficit spending.

Mr. Chairman, my first term in Congress was 1993–1994, when our debt, being hidden by Social Security every year, increased $250 billion. It is estimated that now our national debt not hidden by Social Security will be $300 billion every year more. So what we are seeing is we are increasing the national charge card.

I have to admit, I am concerned, because whenever we increase our debt limit, like we would on our Visa cards, then sometimes we do at least pay the minimum balances. But we are not even paying the minimum balances. We are just increasing the debt.

My colleagues on the Republican side for my first term when they were in the minority talked to us so much about how bad it was, that we are taxing the future, we are taxing our grandchildren and great-grandchildren. Well, we are doing it today with this and the shoe is on their foot now. They are the ones doing that.

It is not for the war on terrorism. It is not for the war on terrorism. I would stand here today and vote to increase the debt ceiling on a clean vote, like I think a majority of the Democratic Caucus would, if you said we need to

increase the debt ceiling and devote that to the war on terrorism, devote that to the military that we need, to investigations we need to make sure our country is safe. That is not the case. That is not the case.

That is what is so frustrating. They are wrapping themselves up in the war on terrorism, yet they will not realize that last year when the economy was taking a downturn, we did not know how much, last year before September 11, we voted one of the biggest tax cuts in history. It took effect last year and will take effect over the next 10 years. Yet they want to make it even permanent after that. That is what is causing this debt ceiling to have to be increased. It is not the war on terrorism. The national debt again will be $300 billion more than it was at the first of this year.

Now, I am just shocked, as a Democrat, who is supposed to be a big spender, to see what my Republican colleagues have done in the years they have been in the majority. This increase cannot be explained by the war against terrorism or even a downturn in the economy. The cost of the war and the downturn in the economy roughly are $800 billion in the increase in the projected debt. Yet this leaves nearly $1.9 trillion in more debt that is not accounted for. The only thing I can say is it is either increased domestic spending, some of which I support, or most of it is the tax cut voted on prior to September 11.

The new debt seriously inhibits our ability to provide a prescription drug benefit, to shore up our Social Security programs or invest in a number of other domestic priorities that we need to have. Instead of sneaking around to increase the debt ceiling, we should be discussing how we got here and what we need to do to avoid getting our Nation further in debt.

I encourage my colleagues to oppose this back-door effort in mortgaging our children's future and find a meaningful solution to our budget woes. Lots of ways could correct this, but not to continue to charge up our national credit card.

We can do what the gentleman from Wisconsin (Mr. OBEY) suggested, a unanimous consent request that we go back to the original bill and take away that rule vote last night that hid the increase in the national debt. Or we could do an up-and-down vote on increasing the national debt ceiling with devoting that increase to the war on terrorism to make sure our country is safe.

Again, I think we could go back to what we saw after September 11, a huge bipartisan majority saying yes, we want to defend our country, we want to defend our community, we want to defend those men and women in Afghanistan and literally all over the world now. We wanted to do that. We wanted to do it based on a tax cut last year passed prior to September 11. That is what is so frustrating. That is why you are going to see Members of the Democratic Caucus from all walks of the party, from every philosophical point of view, who want to vote for an increase in the debt ceiling, for the war on terrorism, to protect our communities, but that is not what my Republican colleagues are allowing us to do.

Mr. KIND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this process is wrong. What is occurring here, starting last night and throughout the course of the day and perhaps into tomorrow and this weekend, is wrong, because it is perpetrating just yet one more fraud upon the American people on an important policy issue, an important debate that we should have in this Chamber, and that is what type of economic policy are we going to be pursuing as a Nation that will have long-term broad implications for virtually every single American in this country?

Today, Mr. Chairman, we have visitors up in the gallery of the House. I see some seniors. I see middle-aged Americans. I see young children and students from around the country. The debate we are having today is an important one because it affects every single life in this Chamber today and every single life throughout the country. What is hidden is a fraud covered under the guise of an emergency supplemental bill under all the patriotic speeches we have been hearing over the course of the last 24 hours, support for troops, support for homeland security, we can stipulate right now that we are in support of the troops, we are in support of investment in homeland security. There is no issue, there is no wedge that divides Republicans and Democrats on that. But it is the extraneous provisions that have been attached to the supplemental bill that is wrong, and it is fraudulent, and it is being done for political purposes, for partisan motivation alone.

It is wrong to have provisions that adjust the Medicare reimbursement so it affects just a few hospitals in this country, excluding the host of other hospitals, including those in my district, that are suffering under inadequate reimbursement rates, but they are being added to the supplemental bill figuring it is something that is going to fly through mainly for political purposes.

But what has me mostly concerned about this supplemental is the important debate we should be having in this Congress and throughout the Nation about raising the debt in this country by over $750 billion. When you talk to people about annual deficits and national debt and the impact it is going to have on the financial markets, people basically say ''what?'' But what this is about is the national credit card and adding $750 billion more on the national credit card and the interest payments we are going to have to pay for years and years to come.

Now, they are fond on the other side of accusing Democrats of favoring tax-and-spend provisions. But what they are pursuing is even worse in regards to economic policy. They are spend and borrow and borrow and borrow.

I would submit, what is more fair than to ask the current generation of Americans to contribute to the benefits and the programs that we have today through taxes that they should be paying for, or whether we should deliver the benefits of those programs, but delay the pain and burden of paying for them to future generations, to our children and to the next generation of children when these IOUs come due because of the large national debt that is being accumulated and the obligation that our kids are going to have to meet in future years. That is wrong.

Mr. Chairman, I have 2 little boys at home. They are just 3 and 5, and hopefully within a couple of days I am going to be able to return and look them in the eyes. I want to be able to tell them we had the courage and we had the wisdom in this Congress to be thinking about their futures and the future of our country, rather than short-term political gain and what impact this might have on the next election cycle. But by hiding the increase in the national debt ceiling under the guise of a patriotic supplemental bill, we are delaying the day of reckoning and, unfortunately, that burden, that obligation and responsibility, will not be falling upon the current generation who is asking for the programs that need to be paid for, such as the investment in defense spending and homeland security. Instead, it is going to fall on the youngest and most vulnerable in our Nation today, our children and future generations. That is what is so wrong with this process right now.

I understand they do not want to debate the economic policies they passed last year and the fact we are back into annual structural deficits again. It is a replay of the 1980s all over again. But the difference today, Mr. Chairman, is this simple fact: We do not have the luxury of recovering from the failed economic policies of the past by turning the economy around and running surpluses again, because we have 77 million Americans all marching lockstep to their retirement in a few short years.

Now is the time to maintain fiscal discipline. Now is the time to pursue fiscal responsibility, to prepare our country and to prepare future generations to deal with the aging population, with this demographic time bomb that is about to go off. But, unfortunately, that is not what is being considered in this supplemental. Instead, they are trying to increase the debt ceiling, digging a deeper hole, creating a greater financial burden for future generations and our children, and that is what is wrong, and that is why 1 party at least has to stand up and tell the truth to the American people today.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SIMPSON). The Chair would remind all Members that it is inappropriate to address or refer to our guests in the gallery.

Mrs. DAVIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the supplemental appropriations legislation. One of the most important responsibilities our Constitution gives Congress is to maintain a Navy and, among other essential funding provisions, that is what this bill is all about. This supplemental provides needed funding, procurement, operations and maintenance and personnel to allow the Navy to continue its successes.

□ 1300

Mr. Chairman, our Navy has performed magnificently in Afghanistan, and they deserve our support. However, I wish to express my concern about potential efforts to raise the debt limit to spend up our national credit card by $750 billion. This took place during conference committee proceedings on this legislation.

Mr. Chairman, the debt limit of the United States is such an important issue that it deserves a full debate in the Congress and should not be relegated to only conference committee deliberations. It is so important that many of my colleagues, including those on the other side, are supporting efforts to make it harder for Congress to raise the debt limit.

Those outside Washington may wonder, why are we even concerned about the debt limit? There are at least two reasons why this is an important issue. First, the size of the debt affects interest rates. An increase in the debt will likely cause a rise in interest rates, which means working families paying higher monthly house payments, higher monthly car payments, and higher student loan payments. Second, we need to understand the context of a debt limit increase. The message it sends is families must live within a budget, but the government can continue to spend beyond its limits.

Mr. Chairman, just a year ago we had a surplus and today we have a deficit, and we cannot afford to continue our deficits. To be sure, we must, we must pay for the war on terrorism, but we must still have the mechanism to keep spending under control.

Mr. Chairman, I believe that when the circumstances arise, having a debate on raising the debt limit and having a stand-alone vote is a responsible action for Congress to take, but what is so irresponsible is to hide the debate from the American people.

Mr. Chairman, let us be straightforward; and let us consider, as many of my colleagues have suggested, what I would like to call the ''grandkid test.'' A year ago last May I stood in the well of this Chamber and celebrated the birth of my first grandson; and I said then, when we talk about major issues of concern and consequence to our great country that we think about whether it is in the best interests of our children and our grandchildren. On the supplemental, I say yes. The war on terrorism and supporting our military, absolutely. That is in support of my grandkid. But when I think about the unlimited credit card and the impact it has on interest rates, on Social Security and Medicare, well, that requires more notice to the American people.

So let us separate out these issues and subject our assessment of these additions to this good supplemental bill to the grandkid test, is it in that kid's best interests in the future.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to spend a few moments considering how we got here and where we go from here. To do that we have to talk for a bit about the debt and what the debt really is. To understand that, we really have to take a step back and look at our trust funds. There are about 50 or so trust funds, the biggest of which, of course, is Social Security, and then the next biggest one is civil service retirement, and then the Medicare trust fund, the transportation trust fund, and it goes on down. Those trust funds, most of them, are running surpluses and, over the years, those surpluses have accumulated until we now have, order of magnitude, about $2 trillion in surpluses.

Now, by law, the only place that those surpluses can be invested are in nonnegotiable U.S. securities. So what that means, even if we limited our spending to current revenues, we would still be increasing our debt by the amount of the trust fund surpluses, because the only place they can be invested is in nonnegotiable U.S. securities. So until we change that and find something else to do with our trust funds, we will always have an increasing debt.

Now, I mentioned that the trust funds represent about a $2 trillion debt, order of magnitude. The rest of the debt that we owe is what we call the public debt, or the Wall Street debt. That is the amount of money that we have borrowed from stocks and bonds and securities and so forth. That is a total debt then of roughly $6 trillion.

Now, we have told the American people for the last couple of years or so that we were paying down the debt. That was truthful, and that was not truthful. What was truthful was that we were using monies from the Social Security lockbox and the Medicare lockbox, those are surpluses in those two accounts, to pay down the publicly held debt. But I just checked this morning with CBO, and there never was a year in which, in fact, the national debt, which is the sum of these two, $2 trillion in the trust fund debt, $4 trillion in the public debt, there never was a year in which the total of those two debts went down. I asked them, was there a moment in time when that debt went down, the national debt, which is the debt we should have been talking about. Well, he said, probably so, because you see, our outlays are reasonably consistent month by month. But we have a big surge of money that comes in in April when Americans pay their taxes. So for April, there may have been, and he was not sure, he was going to check and call me back, for in April, May 2000, 2001, maybe 1999, there might have been a month when we, in fact, did reduce the debt.

But if we use an accrual method of accounting, and the government requires everybody with more than I think $1 million revenue to use it, and we certainly have more than that in the government, to use accrual methods of accounting, so if we use accrual methods of accounting, there never was a moment in time during these past several years when, in fact, the national debt did not go up.

Now, the national debt is going up a bit faster now than it would have gone up, because we are in a war; and I hope there is nobody who is saying that we ought to spend less money on our military, because we are now not spending enough. I am not sure we have given our military enough money to fight this war. They went into this war with a spear that was very sharp at the tip, but very little in back of that. Readiness was down. I am concerned that we cannot give them enough money, and this in a time when there is an enormous wave of patriotism, enormous support for the military, that we are not going to get it done. So I hope there is no one who would suggest that we are not giving them enough money. I do not think we are giving them enough money.

I just wanted to make it clear, Mr. Chairman, where we are, that we never in fact have paid down the national debt. The debt that we were paying down was the public debt.

Now, that is very good for us, because paying down that public debt means that interest rates drop and we are paying roughly 2 percent less for everything we borrow now. But think of what we have done to do that. We are telling our children and our grandchildren we cannot operate our government on current revenues, so we are borrowing from your future. What you are going to have to do is not only run the government in your day on current revenues, you are going to have to pay back the money that we borrowed from your future, these trust fund dollars.

When I ran for Congress 10 years ago, I promised that I would conduct myself so that my children and grandchildren would not spit on my grave. I still intend to do that.

Mr. TIERNEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill started as a bipartisan committee effort. It was done in order to fund the emergency needs for defense and homeland security. That is why it was so grating to sit here last night and again today

while many of our Republican members, including chairpersons and others who want to do the right thing, agree that the original bill was focused on emergencies, but that their leadership hijacked it and changed that bill, still all have the audacity to stand up here and wave the flag and insinuate that other people who want to talk about things that are extraneous to the bill are somehow unpatriotic. They shamelessly join in and make those insinuations, and somehow they want to know that they or their proxies are the ones who are changing the nature of this bill.

Every American knows and every Member of this House knows that Members on both sides of this aisle support and continue to support the security of this country and the protection of our troops. Shame on those who try to hide their shenanigans by implying otherwise. The question is, do they have no shame.

Late last night before the majority abandoned its attempt to move this bill in the dark, we witnessed the shameful spectacle of the Speaker of this House, and others, claim as political those who question the nondefense, nonhomeland security aspects of this bill. That was disgraceful, even for a majority that has made the disparagement of the democratic process an art form.

Let us review the situation again, Mr. Chairman. This committee did bipartisan work. It passed a defense and homeland security emergency spending bill. It went to the Committee on Rules where the majority of Republicans rewrote that bill. Essentially, they took it and they spread the American flag out; they put the Committee on Appropriation's work on it, and then they added things. They added violations to the Caribbean Basin initiative that just happens to have two of their Members, one from South Carolina, one from North Carolina, who took politically harmful votes earlier in the year to be helped in their upcoming elections.

They changed distribution of hospital funds. It just so happened that Members of the Republican Party with tough elections ended up with their hospitals getting more and hospitals around the Nation getting less so that could happen. They reported to put in a deeming in the budget amount that the leadership could not otherwise get through both bodies in this Congress and which forces the rest of the year every other place of education, transportation, housing and so on to be cut, and it raises the debt ceiling, hidden in this bill, tucked in there so that no Member of the majority party will have to stand up and be counted. They did this even though most of the people over there on that side of the aisle have signed a bill saying that it would take three-fifths of this body in an open vote to make such an increase in the debt ceiling.

It is the Speaker's job to represent and uphold the integrity of this House and not to play partisan politics with our security needs. It looks like ours needs to be reminded of that. He took to the floor to participate in the shameful waving of the flag to mask political additions by the Republican majority to this bill.

The debt ceiling in America is America's credit card limit, the maximum that we can charge on our credit cards, if you will. The Republicans are rightfully embarrassed, as they should be, that they took a $5.6 trillion surplus and in one year, they blew it out so that they need to raise the amount that this country can borrow.

Now, we as American families could understand that if they had to raise it to borrow to invest in the future needs of our families and this country. For instance, if they had to borrow for security reasons, but they do not, or for housing, but they do not, or for education, but they do not, or transportation, or each retirement. But these Republicans are not raising the credit limit of this country because they want to invest in those things; they are not borrowing for our security. There is plenty of money in there and both sides of the aisle would vote to have this country secure. They are not helping us secure housing needs. They are not educating our children with the money; in fact, they are cutting the education funding and leaving the children behind. They are not doing it for our retirement, because, in fact, as a result of this, they are going to have to spend the Social Security and Medicare trust funds.

The Republicans are raising the debt of America because they gave our savings away to their wealthy neighbors. What American would take their credit card, increase the debt and use that money to give it to their wealthy neighbors at the expense of their children's education, their parents' retirement and prescription drugs, their communities' needs? But that is exactly what has been done here, and they have the audacity to stand up and call others who question nondefense needs and nonhomeland security needs as political.

The majority wrapped this bad act in the flag together with the bipartisan emergency security funding, and brought it here hoping Americans would be distracted by their waving of the flag. It is a disgrace.

When Webster comes out in the future with a pictorial dictionary, next to ''bravery'' it is going to have the photos of Americans who fought in Afghanistan, who helped in New York, and who paid their taxes to support the unity, freedoms and civil liberties of this country. Next to the words ''political cowardice'' it will need space enough to fit a group so large as to encompass the entire Republican caucus, chief among them the so-called moderates who voted for this crummy rule and wring their hands afterwards.

□ 1315

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I support this legislation and the language in it to increase the debt. I do have concerns about it, and I believe that my Democrat friends today have shown rare interest in fiscal restraint.

I am glad to see it. I know there are a lot of them, like my friend, the gentleman from Mississippi (Mr. TAYLOR), who is always on the target, and I am glad to see he has growing numbers there. We on the Republican side of the aisle welcome all the help we can get when it comes to fiscal conservativeness.

What I want to say now is that the Treasury is not going to be able to finance the homeland security and the war on terrorism without addressing this issue.

We keep hearing we do not like the process. But if we go back in our book, which is the House rules and manual, on page 945, rule number 49, which was at one time known as the Gephardt rule, it says and I quote, ''The vote by which the conference report on the concurrent resolution on the budget was agreed to in the House, or by which the concurrent resolution itself was adopted in the House if there is no conference report, shall be deemed to have been a vote in favor of such joint resolution,'' and that is concerning the debt ceiling, ''upon final passage of the House of Representatives.'' This was the case for over 20 years as a mechanism designed by the Democrat party to address the issue of raising the debt ceiling.

Now, I want to say let us get off the process issue. This is a standard thing that the Committee on Rules has done. But I also heard the words of the gentleman from Pennsylvania (Mr. TOOMEY) earlier today. I have to say to my Democrat friends, where was their plan? Where was their budget? When we had the budget debate, there was not one.

The words of the gentleman from Missouri (Mr. GEPHARDT) said that it is a problem and they are just going to vote no on it. But as the burden of governing goes to the majority party, we have addressed a lot of debt reduction, $453 billion in debt paid off; in 1998, $451 billion; in 1999, $89 billion; in 2000, $223 billion; and in 2001, $90 billion in debt reduction.

We are very serious about this. We have passed a budget this year that gets us back on this track. We are going to continue to do so.

Here is another chart about what our plans are about it. Here is $3.7 billion, going up to $3.2 billion by 2007. Meanwhile, back to the Democrat ranch: no budget, no submission. There was a plan that one of the leading Democrat senators said that goes into Social Security. That is something they always try to accuse us of, but here is a news article about how the Democrat plan in the Senate was planning to get into Social Security. The House plan was not,

because there was no plan, so they can kind of pick and choose issues here.

Is war free? Did anyone think on 9/11 that this was not going to cost us money? Can we really put a price on defending our freedom? Can we really say that, well, we did not mean it, and we do not like the procedural situation here today, so we are going to take a pass on it? I do not think that anybody in this House, Democrat or Republican, conservative or liberal, would ever want to do this.

Can we put a price tag on defending our freedom? This bill today helps us continue the war in central Asia until we win it. This bill today helps us to defend our homeland, which we need, and our airports, our ports, our EMS, our police officials back home. This bill helps fund that.

This bill also has $5.7 billion for New York City. Now, I am sure if we all looked at it politically and said let New York take care of it on their own, nobody is necessarily going to lose the election because they did not vote for more spending for New York City. But the fact is, the attack was a national attack. Every Member in here, from Hawaii to Maine to Miami, all want to stand up and support, as fellow Americans, side by side, the rebuilding of New York City. This bill today allows us to do this.

War is not free. War is not pleasant. Financing war, financing anything, is not easy, but this is an approach. I support the bill and hope that we can move on from some of the partisan rhetoric that we have been hearing today.

Mr. DEFAZIO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think, given the words of the gentleman who preceded me in the well, there is substantial ground for agreement on homeland security, money for the National Guard; our troops, giving them what they need; the Coast Guard needs more funding; aviation security, I was a principal in writing that bill, and it is going to cost billions of dollars; and money for New York City.

There was tremendous agreement on the Committee on Appropriations. If that bill were brought to the floor, I would venture to say it would get a two-thirds vote. We would probably do it under suspension of the rules, or maybe better.

But that is not what is before us today. That is the problem. This is not an emergency supplemental, it is the early arrival of the Capitol Christmas tree. This bill has been larded down with billions not requested by the President, and extraneous provisions like raising the national debt limit.

In other areas, some of particular concern to my constituents, they have shorted the President's request. I will tell the Members what is an emergency to the people of my district. In addition to fighting the war on terrorism and defending our homeland, it is the fact that we have the highest unemployment rate in the United States of America in my district. This bill shorts the President's request of $550 million for national emergency grants under the Work Force Investment Act to provide unemployment training assistance by $250 million.

That is going to be shuffled elsewhere. They ignored the President there. That is a real crisis, a real emergency to people in my district.

There are other things about this bill that are particularly outrageous: the increase in the debt limit, running up the credit card by spending Social Security trust funds.

What happened to the lockbox? That was a Republican invention. We voted on it 7 times in the House. I voted on it each of the 7 times. I supported the idea of a lockbox for Social Security. Where has it gone? They have blown the door off and pulled the money out.

This year, in this year's budget, $150 billion of money that should be going in the lockbox, that should be there to pay for future generations of Social Security retirees, is going to be spent and replaced with IOUs with this year's projected $307 billion budget. This merits an airing. This merits a debate on this floor.

If we are going to increase the debt of the United States of America by three-quarters of a trillion dollars, if we are going to run $200 billion to $300 billion-a-year deficits as far as the eye can see, half of that money coming out of Social Security, how are we going to pay for the retirement of the baby boom generation?

Will they be better off watching the money flow to the most wealthy Americans with the tax cuts, or would they be better off safeguarding their trust fund, paying down some of the national debt, making us more capable of carrying those burdens when that generation retires? That is a debate we should have. Let us have a debate over the policies that are leading to this request that we increase the debt ceiling of the United States by three-quarters of $1 trillion: $750 billion. It is $750 billion, B, billion dollars. That is a lot of money, even here in Washington, D.C.

Can Members not have the courage of Ronald Reagan? He jammed through huge tax cuts and big spending increases with similar rosy projections. Two years later, he had the courage to admit he was wrong. In fact, we were running huge and growing deficits, and the tax cuts were too big to support. In fact, he rolled them back, very significantly working with a Democratic House and a Republican Senate.

Can Members not have that courage to admit that the $5.6 trillion of rosy scenario, which has now evaporated, which allowed them to put through a tax cut, which is going to absorb about half of that money, that is not here anymore? We are in deficits. Should we borrow money from Social Security to finance tax cuts principally for the wealthiest Americans, or should we safeguard those funds?

We could have a wonderful policy debate here on the floor of the House about raising the debt limit, what is leading to it, and what we should do about it. But that is not going to be allowed. That is being rolled into this bill with little bitty sneaky language so it can come back.

Let us have a fair debate on that issue. Let us strip out all of the extraneous provisions of this bill. If they will do that, I will vote for it. I will support a unanimous consent request to just deem the bill adopted. Just strip out all the extraneous positions out of this bill, and I believe we could get every Democrat to support a motion similar to that.

We support the money that is going in there for the troops, the war on terrorism, the other essentials; but we do not support the Christmas-tree approach that this bill is taking, including avoiding any significant policy discussion about trading off tax cuts for increasing the debt in the United States and raiding the Social Security lockbox.

Mr. SPRATT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the debate we have before us is about a supplemental spending bill, but it is not about supplemental spending for the war on terrorism, not this debate. When it comes to fighting terrorism, we are not going to be stinting about the cost. We want to win. We support our troops. We support our President. We are ready to vote for supplemental spending to win the war on terrorism. Let us make that clear.

But the leadership of this House, knowing that this supplemental would be widely supported, cleverly stuck on it provisions that are totally unrelated to the war on terrorism which we cannot and do not support. One provision in particular sticks in our craw. Members have heard us talk about it. It is seemingly innocuous, just a passing reference to ''the debt of the United States.'' But this passing reference is a coy trick, too clever by half, particularly with a matter of such gravity as the national debt of the United States of America. Because what this bill would do without a direct vote, without open acknowledgment, what this bill would do is open the back door for an increase in the national debt of $750 billion.

Now, we all know that the national debt ceiling will have to be raised by $750 billion, and probably before it is all over with, even more. I voted for it before and I will vote for it again. But if we let it slip by, if we let it pass, buried in this bill, I will tell Members what we will be voting for: We will be voting for 2 more years of avoidance, 2 more years of dodging the issue, 2 more years of not dealing squarely with the problems of our budget, the deficit, and the debt that has put us so far in debt that we now need $750 billion in debt ceiling increase.

Look at this chart. It is just a simple explanation of how far we have sunk in

the last 2 years with the administration's budget policies. This was what they projected here, that we would not need to come back for an increase in the debt ceiling for at least 8 years. That is what Secretary O'Neill told us as recently as last year when he testified before the House Committee on the Budget. It would be 2008 before he needs another debt ceiling increase.

Look at what has happened in 2 years. Look at the red line shooting up there. That is because of the budget that we have which is shown on this next chart. The numbers are too small, and it is too bad, but this chart shows graphically, literally and figuratively how far we have sunk.

Look at this bottom line here, the remaining on-budget surplus. We have gone from the first surplus in 30 years, not including Social Security and Medicare, to an expected deficit by our calculation this year of an on-budget deficit of $314 billion, $314 billion.

Look across this line and see what happens to the bottom line. It does not self-correct. It does not get any better. This year we expect $314 billion. Next year it will be $342 billion, without Social Security and without Medicare. The next year it will be $248 billion, $284 billion, and then $238 billion.

Mr. Chairman, what we are avoiding, if we vote for this bill and approve a debt ceiling increase by the back door, is any confrontation with this dire fiscal situation we have on our hands that results from the Bush budget policies. That is the bottom line. That is what the debate is about.

We went to the Committee on Rules and said quite simply and openly, give us an amendment to this bill which would basically provide that before the debt ceiling is increased by more than $250 billion, and we will let you have a $250 billion increase, but before we add the additional amount, let us have in place, let us pass and put in place a budget resolution that would restore us to balance in 5 years, that would put us back on an on-budget surplus in 5 years.

Is that asking for too much? All that is asking for is what we all promised on the 7 occasions in the last 2 or 3 years when we brought to the floor bills we called lockbox bills. Remember those? Everybody got up here and forswore this practice of digging into the Social Security trust fund, digging into the Medicare trust fund and using those trust fund surpluses which are building up for now for ordinary operating purposes of the Federal Government. We all said that now we were in surplus and we are able to do it, we would not do it again.

Well, here we are, Mr. Chairman, back at that practice again as a result of the budgets we have adopted for the last 2 years. What we have tried to say, the amendment we tried to offer and get made in order, simply provided that before we raise the debt ceiling $750 billion and preclude this issue from being considered again for at least 2 years, bypass this debate, let us put in place a budget that will put us back in balance. That is what this debate is all about.

□ 1330

Ms. SOLIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, last night I stood in this very same room with some of you here to argue against the raising of the debt ceiling and from bankrupting our Social Security system for our current senior citizens and future baby boomers like myself and others. I am dismayed that this afternoon I have to return and make the very same argument again, raising the debt ceiling especially in such a backhanded way that unfairly forces us to make choices, choices of priorities. Make no mistake about it, make no mistake about it, Democrats do support our troops. We do support the war on terrorism; but we cannot sit idly by while the Bush administration and the Republican leadership continue to chip away at the support beams of Social Security in the name of patriotism.

I ask, Is it patriotic to steal food and shelter from our seniors? Is it patriotic to force our seniors to choose between nutritious meals and their prescription drugs? Is it patriotic to ask our workers to pay into the Social Security system that may be dissolved before they have an opportunity to benefit from it, like myself?

Mr. Speaker, the U.S. House of Representatives has over 61 women Representatives here now. But the United States is comprised of over 140 million women. And of those women, there are many who will be adversely affected by the radical shift in Social Security. Today women represent about 60 percent of the Social Security recipients and 72 percent of those are beneficiaries aged 85 years and over. More than a quarter of these women depend on Social Security as their sole source of income.

And just like my district where there are many minority women, Latinas and women of Asian descent, they are at risk. Where are they going to go to help pay for their rent, to get their medicine, to take care of themselves? Because all they have is that check that comes maybe once a month. We cannot play with the lives of these women who have given so much to our country. Many are sole survivors now whose husbands have fought in our wars. We should not be forced to choose between democracy and the men and women who worked together to build this mighty country.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. SOLIS. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I could not help in listening to the gentlewoman's passionate plea about the status of women, just to share with the gentlewoman in my own district just a few weeks ago I went around to different senior citizen sites and met with a lot of the women who are there now who rely upon Social Security. And one of the difficulties is that they do not have even now enough money to pay for prescription drugs, to be able to pay for their rent and expenses. And if we violate what the gentlewoman has said, the trust of the Social Security, by voting on this bill with an increase in the debt ceiling, the debt limit, we are now putting a heavy burden on these constituents' backs, Hispanic women, Asian women, Anglo women, African American women, elderly and those who are yet to come.

I want to congratulate the gentlewoman for focusing her remarks on women because I saw it firsthand. There are people who told me that I cannot pay for my own food because I do not have enough money to be able to enjoy a quality life.

I thank the gentlewoman for making this very vital point. That is why I am so indignant.

Mrs. McCARTHY of New York. Mr. Chairman, will the gentlewoman yield?

Ms. SOLIS. I yield to the gentlewoman from New York.

Mrs. McCARTHY of New York. Mr. Chairman, I think when the gentlewoman brought up there are 61 women here representing the people of this Nation, I think that we should also remember those people who are on Social Security disability. My son was on Social Security disability, and it got us through some very, very hard times. There are millions and millions of people with disabilities that are counting on Social Security also, and I do not think we should forget them.

Ms. SOLIS. Mr. Chairman, I just want to reiterate again to the Members that we are talking about what is at stake here for millions and millions of people, senior citizens, even young folks that rely so heavily on this check. And what about those widows that now receive that payment? What are we telling them? What are we letting them know about our decisions here tonight?

I would ask we consider rethinking this whole plan because I am not in a position to go home this weekend, Memorial Weekend, to start giving speeches about how patriotic our government is and how much we are doing everything we can; and at the same time, the very people that I am going to be speaking to, most of whom are on Social Security, knowing that we will be taking away from the very folks that deserve to have this support.

Mrs. CUBIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been watching this debate for the most part of the morning, and I have to say it is shameless. And I think it is shameless when women use their gender to try to achieve political goals.

The fact is this bill is about the defense of our country, our national security and our homeland security. We

need to get this bill passed so that we can get the proper equipment, training and everything else that our troops need while they are there defending our freedom.

When these young men and women get up every day they button on their jackets. When they do that they are basically saying, I will die for you today to protect your freedom. And what this bill is about is getting the money and the resources that we need for homeland security and for the defense of our country.

We know that we are under threats from terrorism across this country. And to stand up here and refer to starving seniors, and taking drugs away from seniors and from young women, taking checks away, Social Security checks, they know this is not true. They know that is disingenuous; and Mr. Chairman, that is a debate that needs to take place on another day.

Everyone in this Congress on both sides of the aisle are committed to saving Social Security and seeing to it that all of the seniors and all of disabled people in this country have a living and have health care and have food. Now, let us cut with the dramatics and get down to the basics of what this is about. This is about defense and homeland security.

Now, Mr. Chairman, I ask that we cut down on the emotions, get to the facts and get on with the debate of this bill.

Mr. PASCRELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, you know you are in dangerous, dangerous waters when you mess with questioning anybody's patriotism or dedication to our troops. You are in dangerous waters. So I speak today as a veteran. I speak today as a loyal American.

We support our Commander in Chief in the execution of the war. May no one think otherwise. But under the cover of war, do not politically pursue your goals. That is dangerous. American people are smarter than we give them credit for.

Mr. Chairman, this is my Social Security card. I do not need the poster here. This is my Social Security card. And I am not going to show you the number because it is nobody's business, by the way, which is another thing we will debate at another time.

This card, this Social Security card, has become a national credit card. Borrowing off my Social Security card will put us deeper in debt. The excruciating rates of credit companies, credit card companies in this country, will pale in comparison, in comparison to the interest rates every day growing and growing and growing on the Nation's debt. In fact, in the first minute I have spoken, a million dollars. You may choose to ignore this. I do not.

This is the most recent in a series of fiscally irresponsible acts by the majority that you have taken in the last 18 months. First, you push through an offensive tax cut that benefits primarily the very wealthy in this Nation. It is back-loaded so as to hide the effects this will have on our budget. But the worst is yet to come in 2003, in 2004, in 2005 when those other rate cuts plug in.

Just last month you tried to make this permanent, ad infinitum. It was not bad enough to have a 10-year budget. You cannot predict the budget for 10 months. Now they want to raise the debt ceiling by $750 billion.

Mr. Chairman, no one on our side of the aisle has questioned our authenticity. Let us get the record straight. We know what you are dealing with. You know what we are all dealing with. That is not the issue. Prior to this Republican tax cut, according to the Congressional Budget Office, all the Treasury debt held by the public could have been paid off by the year 2008. That is gone. That is serious business. You know that and I know that.

As a result of that tax cut pushed through, the Republicans by 2008, the baby boomers thought to retire, the government will owe $3.49 trillion more than it owes at this very moment. Now, you may dismiss it under the cover of war again; but, again, you cannot borrow off my Social Security card. I do not want you to. The American people do not want you to either. Remember, that is not just the debt we have to worry about. There is also an interest on that debt. Fifteen cents out of every tax dollar we send to Washington automatically goes to paying the interest on the debt before we even sit down and try to respond to the basic needs of American people. That is unconscionable.

According to the President's own numbers, this year alone we will pay $178 billion in interest on our debt; and the payment amounts go up every year. The effect on America's national debt is an additional $396 billion. This is a direct result of what we did last spring in 2001. We will pay off almost $400 billion in additional debt as a direct result of the majority's efforts to make this tax cut permanent.

The majority is always talking about responsibility. You are darn right. There is a values question. This is a values question. I value this card. And so do the American people.

Mr. TANNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I, like all of us here, remember the first day I got here to Congress. I came here to represent my constituents like all of the Members did consistent with the national interest. And we know that over time we lose some of that. And, quite frankly, the leadership on both sides, in the interest of party unity, ask us to vote for rules that we know are wrong and are not in the best interest of our constituents and not in the best interest of our country. That happened yesterday on this floor.

We tried to make a fight of it, but you know in your heart that you are putting party politics above the interests of this country and the people here when you come to the floor under this rule that disguises a raising of the debt limit of our country. This may be the most cynical rule in my 14 years here.

I honestly believe that this is the most cynical rule I have seen in 14 years I have been here. Members on both sides of the aisle I know are called on in the interest of party unity from time to time to vote for rules. That happened yesterday. It was wrong for our country. We know it was wrong when we hide this attempt to raise the national debt like we did.

□ 1345

As has been said many times, we will vote for unanimous consent today, right now, for every dime the President requested to fight this war, but when my colleagues come to the floor and say this is for the war effort, I have read through the bill.

Do my colleagues realize there is $425,000 in here for a school district in this country for after-school activities? There is $250,000 in here for after-school activities for another school district. There is $250,000 to equip a community technology center in this bill. There is $250,000 for a mental health agency for the planning and development of a facility. There is $600,000 for a community enrichment corporation for construction of a facility; $500,000 for an affordable housing program; $100,000 for the renovation of a historic building; $200,000 for construction of another facility; $200,000 for facility improvements; $600,000 for renovation of a facility; another $200,000 for facility construction. It goes on and on.

It has nothing whatsoever to do with the defense of this country, with homeland security, with the troops or anything else. That is what we object to. We object to hiding stuff like this under the guise of the flag and patriotism. It is wrong, and I would just simply ask that the chairman of the Committee on Appropriations again please go to his leadership and say, look, we will pass by unanimous consent every single nickel that the President has asked for the homeland defense of our Nation and for the troops, but do not bring this here and do not pad, under guise of raising the national debt, this cynical rule, the most cynical rule I have seen in 14 years here, and all of us know it.

Surely to goodness we can put partisan politics aside and do what we came here the first day we were sworn in, and that is represent our constituents consistent with this country's interest. That is what all, that is all we are asking our colleagues to do.

Mr. WAMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, while there is still civility and sanity on the floor, let me just come to the well and say that I have found some good in all 435 Members of the House, tried to get to know every one of my colleagues, tried to work with all of them from time to time on different issues, and I see a lot of good in this House.

There are no clean hands, though, completely spotless hands. There are a lot of good areas, but we all have our own little burdens to bear in terms of taking care of our districts from time to time or putting things in bills that do not belong or might not be germane, and so I think this is a time where we need to come together.

My colleagues may have noticed, yesterday I voted present on this rule. I did not like this rule. I am a member of the House Committee on Appropriations, and I frankly think the Committee on Rules went too far. I think rules ought to be more straightforward and a lot cleaner.

But I also watched the board as the rule vote was concluded, and the rule passed, and Winston Churchill once referred to our form of government as the worst form of government imaginable except for every other because it sometimes is sloppy. It sometimes may seem unfair, but majority rules, and the rule passed, and at some point we have got to resolve our differences and pass the bill and go home and honor those that have given so much, and maybe check in with our families a little during a weekend, which would be good.

I am in no hurry, but I think it is important that at some point we go ahead and say we fought the good fight, we stood for whatever we believed in on both sides and then we worked out a compromise and went home, even if it is not what my colleagues want. Make your case and then let us come together because I think we need to do this work. I think there are a lot of difficult issues that are out there, and I know there are a lot of people of goodwill here.

So let us try to do this in a civil way, in a timely manner. State your case. But I have got news for my colleagues. The tax relief was important. We would be in a lot worse economic shape as a Nation today had we not passed that tax relief. So my colleagues can keep arguing that until they are blue in the face, but it was done and it needed to be done. It was the right thing to do, and now we have a whole other set of circumstances in front of us, including a wartime, antiterrorism effort that requires at some point in the coming hours that we meet together at the water's edge.

My friends on the Democratic side have seen me come to the well and defend legislation that they offered this year, but at some point in the coming hours, let us find a way to come together and pass this supplemental and go home and honor those that have given so much to our country.

AMENDMENT OFFERED BY MR. GEPHARDT

Mr. GEPHARDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEPHARDT:

In chapter 14 of title I, strike section 1403.

The CHAIRMAN. For what purpose does the gentleman from Florida (Mr. YOUNG) rise?

Mr. YOUNG of Florida. Mr. Chairman, the gentleman's amendment is subject to a point of order, but at this point, as a courtesy to the gentleman to allow him his 5 minutes, I will reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

The gentleman from Missouri (Mr. GEPHARDT) is recognized for 5 minutes on his amendment.

Mr. GEPHARDT. Mr. Chairman, I appreciate the Chairman giving me the opportunity to explain my position on this amendment and on this point of order.

This bill is being considered under a rule that does not include language on the full faith and credit of the United States until the Committee rises, and then the language comes into the bill at a point too late for this body to consider that language or amendments to that language.

We think that it is in order and should be in order to make an amendment to that language, and we feel it so strongly because we know and believe that if that language persists in the bill, it will be used in a conference to bring about language lifting the debt ceiling, in other words, raising the debt limit for the United States, raising our credit card limit, which will come back in a conference report and be a fait accompli.

This is an important moment in the economic history of this country. We worked our way out of debt over a long period of time in the 1990s in a bipartisan way. The gentleman from Tennessee's comments were well taken. It was bipartisan. After the 1993 budget, we passed a budget in 1997 and worked our way out of debt, in fact, to the point where a year ago we were talking about surpluses.

My friends on the other side of the aisle a year ago insisted on a tax cut, half of which went to the wealthiest people in the country. We can argue it till the cows come home about that tax cut, but that tax cut, in our view, now constitutes at least half of the cause of the reason that we lost the surplus, and we now face huge deficits for as far as the eye can see.

I can certainly understand my colleagues' position. I do not agree with it on cutting taxes to that extent, but I understand that they wanted to do that. I understand that they wanted to articulate that to the American people, but when it comes time to pay the bill for that tax cut, they do not want to be seen. They do not want to have a vote. They do not want to have a discussion.

The reason it is important is that in effect what we are doing is we are raiding the Social Security and Medicare trust funds in order to pay for a tax cut for the wealthiest Americans. Let us be straight about it.

So you bet we want a debate. This is an important moment. I would vote for an increase in the debt ceiling to get us another month of time. I realize we cannot fail to have an increase in the debt ceiling; I know that. When I was in the majority, I worked hard with these Members to get them to vote to increase the debt ceiling, and it was hard to do, but we did it because we have to do it. Of course, we have to do that, but what I want more than that is about a month on the debt ceiling so we can get to what we ought to be doing, and that is, having a budget summit, a budget conference, a budget meeting, with you and the administration and the Senate to come up with a new budget.

You can bet that every family who lost someone on 9/11 has had a budget meeting in their household. They have sat around the kitchen table working on a new budget for their family. Our American family had a tragedy on 9/11 that we are trying to respond to here today, and in all common sense, we should be sitting at a table with trust and respect for one another's viewpoint and adjust our budget for the change in circumstances that our country faces.

When you did the tax cut, we did not know about 9/11. We did not have a war going on in Afghanistan. We did not have all of these needs for homeland defense and homeland security. In the name of common sense, let us pass a debt ceiling today for one month. Let us sit down and have a budget summit. Let us find a budget that will save Social Security and Medicare. We are going to have the baby boomers coming in about 8 years to get their Social Security benefits. How in God's name are we going to take care of them if we have not adjusted the budget?

Now is the time to do it. I ask the chairman of this committee to allow this amendment, let us put in some new language on debt ceiling. Let us get to a budget summit for the American people. Let us save Social Security. Let us do what is right for the American people at this time of peril.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida (Mr. YOUNG) insist upon his point of order?

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the gentleman's amendment. Under the rule, section 1403 was adopted in the Committee of the Whole and the House. Page 52 of the House Practices states that an amendment that seeks to strike an amendment previously agreed to is not in order, and I insist on my point of order.

The CHAIRMAN. Does any other Member wish to be heard directly on the point of order?

Mr. DOGGETT. Mr. Chairman, I ask to be heard on the point of order.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. DOGGETT. Mr. Chairman, it is very hard to follow such a moving appeal that demonstrates the importance and the urgency of permitting this amendment, but I think it is appropriate to reflect on the parliamentary situation in which we find ourselves at present.

A very odd and strange rule has been imposed on the House.

Mr. YOUNG of Florida. Mr. Chairman, I believe the gentleman's comments are not related to the point of order.

Mr. DOGGETT. And should we not be permitted to offer the amendment and the point of order be sustained, Mr. Chairman, that would deny any opportunity under the rule for us to consider this critical issue of whether we want to raise the limit on the debt and invade Social Security.

The only alternative at that point would be for us to raise this issue by continuing to speak around the clock to defend Social Security and by appealing the ruling of the Chair who I believe has done a very fine job today, but that would be the only way if the point of order were sustained to get this critical issue of whether we want to raise the limit on the Social Security credit card, as it is being treated, my colleagues' Social Security card being treated as a credit card for expenditures on other issues.

□ 1400

We can avoid that problem. We can conclude our business, be home to honor those on Memorial Day who have served our country so well, by simply agreeing by unanimous consent to let this critical matter come up, do it now, do it on a bipartisan basis, cooperatively join to deal with this problem, get us a budget, preserve Social Security and do so in a collegial and appropriate way. Or alternatively we can challenge the ruling of the Chair, and we can stay here for a very long time.

Because it is clear that not just one or two people but all of us are committed to doing what is necessary to preserve Social Security for this unfair rate that is being proposed today.

The CHAIRMAN. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. OBEY. Mr. Chairman, were the Chair to rule that the distinguished minority leader's amendment is nongermane, would in essence be for the Chair to determine that it is fair to operate under a set of rules under which the House can push into an unrelated bill the subject of the debt ceiling, but it is unfair to push it out again in order to get back to the bipartisan wartime supplemental which so many Members of the House today have been suggesting this bill is supposed to be.

We agree that that is what it is supposed to be. And so I would urge the Chair in the interest of fairness, since the majority party leadership brought this issue in in the first place, to rule that it is just as legitimate to take it out as it is to put it in.

The CHAIRMAN. Does the gentleman from Texas wish to be heard directly on the point of order?

Mr. STENHOLM. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. STENHOLM. Mr. Chairman, I have taken the time to review, as best I could, the rules on which the Chair made the decision yesterday, in ruling in favor of the rule, that allowed this rather unusual procedure. I take it that our Parliamentarians and everyone in this body recognize the seriousness of making a precedent ruling. That is what this is, I believe.

I do not believe that we can research the rules of this House from the very beginning of this House and find a ruling made by the Chair that indicates an amendment is not deemed to be in play until it has been voted on in the Committee of the Whole. And this is where I make my appeal to the decision of the Chair.

It seems to me that in making that determination, that denies the opportunity to strike something that is not in the bill, was not in the rule, but was deemed to be passed after we vote in the Committee of the Whole. This is, at best, confusing; but it also, if the decision of the Chair holds that this type of parliamentary procedure shall become the precedent and the ruling of the House, that you might put into a rule language that says, in this case the debt ceiling, hidden in a rather innocuous way, will be considered passed after we vote on the bill; but until you vote on the bill it is never in play.

The minority leader has asked that it be stricken. The gentleman has quoted from the rules in saying it cannot be stricken because it is not in the bill. It was not in the rule. And it was not in the rule because it could not be in the rule until it was passed by the House, and the House has not acted as yet. That is rather confusing to this cotton farmer from Jones County.

I conclude my appeal on the ruling, Mr. Chairman. We are getting on very thin ice in this body when we use sleight of hand and attempting to hide the true intentions of what we do behind a rule, and now a ruling of the Chair that not once but twice has now been held that this will now be perfectly the order of the day. This is not the spirit in which we were all elected to this body, Mr. Chairman. This was not the spirit in which we were elected.

So I would respectfully ask that you reconsider your agreement with the point of order, because this is setting a precedent that I do not think either side will want to go, if you in fact should make that ruling. And I urge you, in fact I implore you, to not sustain the point of order, to allow this vote to proceed, to allow an up-and-down vote on the issue, the issue of whether the debt ceiling should be hidden in the way in which it was hidden.

Mr. TIAHRT. Mr. Chairman, I wish to speak on the Chair's ruling, on the point of order.

The CHAIRMAN. The gentleman will be heard.

Mr. TIAHRT. Mr. Chairman, this phrase that includes the term ''full faith and credit of the United States'' was first placed in the rule during the Committee on Rules hearing, and there was a vote taken in the Committee on Rules in the past which brought the rule to the floor. The reason we have a rule is so that we can conduct business in an orderly fashion and not repeat procedures over and over and over again. It is a way of avoiding delaying tactics so we can conduct the business of the House. If we repeatedly go through a process of trying to change something that has been voted on several times, it will cause us to backtrack, not move forward.

The House cannot afford to be frozen in time on one particular item. We must address the item and move on. This particular item not only has been addressed in the Committee on Rules, where a vote occurred and it was successful, it then came to the floor where a debate followed. The second vote was taken by the full House, and it was accepted by a majority of the people in the House of Representatives.

Now, to move forward, we have come to the bill. It is now part of the bill. Hopefully, at some point in time today, we will have the opportunity to vote on the bill in its entirety, again addressing this issue with a ''yes'' or ''no'' vote.

So I would request that the Chair consider that in order to continue our orderly fashion of moving forward, rather than being frozen in time and repeating again and again a vote on a single issue, that we sustain what the chairman of the Committee on Appropriations has brought forward and continue business as we have conducted it in the past.

Mr. OBEY. Mr. Chairman, I would like to further be heard on the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. OBEY. Mr. Chairman, I note one comment the previous speaker just made, that we should not return to issues upon which we have already voted. The problem is that we have not yet explicitly voted on this provision. This provision was never presented to us in a freestanding up-or-down situation. It was presented only in the rule, where it was encompassed in a package with a number of other items.

The Constitution says that no money may be expended except by vote of the Congress of the United States. And yet through this indirect sleight of hand, were the Chair to rule against the amendment of the gentleman from Missouri, it would mean that in essence we would have paved the way for raising the national debt by $750 billion without ever having had an explicit vote on that.

So I think the gentleman is in error in suggesting that we have already voted on the specific proposal of the gentleman. In fact, we have not. That is the whole point. The House should.

The CHAIRMAN. Does the gentleman from Florida wish to be further heard on the point of order?

Mr. YOUNG of Florida. Yes, Mr. Chairman. Further on my point of order, I would respectfully disagree with my friends on the minority side when they say that this would be a precedent-setting ruling. For on page 52 of the ''Guide to the Rules, Precedents and Procedures of the House,'' using ''Deschler's Precedents'' as the basis, it simply says it is not in order to offer an amendment merely striking out an amendment previously agreed to. The rule previously agreed to the amendment that was offered on the subject that the gentlemen are concerned about.

So I think this is not a precedent-setting point of order. I believe that it is well established in precedence.

The CHAIRMAN. Does the gentleman from Massachusetts wish to be heard on the point of order?

Mr. FRANK. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. FRANK. Mr. Chairman, this is not a narrow question of interpreting the rules; it is a fundamental question about democracy.

I am a great believer in the rules. I think Members ought to understand them, because properly applied they structure our debates so that two purposes are served: first, we come to decisions; second, equally important, the American people know what their elected representatives have said on these important questions. And the rules should be interpreted to serve both purposes.

Yes, there is precedent. But precedent is not confining and constraining and controlling. The vote of this House is. I have in the past voted against the majority of my colleagues on my side because I thought the Chair was correct in interpreting a rule and that my colleagues were trying to get a second bite at an apple or bring in something that was not germane. Obviously, this is germane. It was brought forward by the majority.

The question then is, should we set the policy that a very controversial, very important subject can be considered to have been decided when it is hidden in another issue? People have said we have already voted on it. I am sure that Members on the majority side, when asked on the trail, Did you vote for raising the debt limit?, will say, Oh no, I just voted for a rule. I just had to vote for a rule to advance the procedure. And that is a question of the rules.

The question is what should the rules be interpreted to mean? Should we set a new precedent, a precedent that says the harder the issue, the more obscurely we will have that vote? No one believed that the only issue was the vote on the rule. Indeed, we had Members, when we were debating, saying this is not just a vote on the debt limit or this or that; I have heard the debate, this is a vote to help our troops, a subject on which there is no dissent in this House.

You cannot argue when we are debating the rule that it is really about getting the money out for the troops and then later say, oh, but it was really a separate vote on the debt limit. No one really believes that. No one is prepared to argue that. So this is a question of the rules.

The question here is the spirit of the rules and how we should interpret them. We are talking again about democracy. And what troubles me is that we have had an increasing pattern of the rules being manipulated, and I think twisted away from their original intent. I do not think Thomas Jefferson ever thought that they should be used in this fashion. We have a chance to go back to that basic underlying spirit of the rules being there so people know what happened.

We have an increasing set of procedures, the purpose of which is to allow Members to conceal their position from the voters. That is what is at issue. Nothing could be more in conformity with our rules than to say an important issue ought to get a vote. And I do not understand this problem. We are not talking about something that ought to be considered extortionate.

The Members of the House of Representatives say let us vote on this important subject. What are you afraid of, I have to say to my friends on the majority side? If you think this is important, if you think it is so defensible, then why not have a vote on it? Why create a precedent? And let no one think this will be the only time this will happen. Let this go forward unchallenged and increasingly, the more difficult the issue, the less the American people will be allowed to know where their elected representatives stand.

So on behalf of the rules, on behalf of the essential function of creating a structure in which democracy goes forward, let us have this vote on this amendment. That is all we are asking. And if you have the votes, you vote it down. If you think this is an important thing to do, do it. But do not hide.

□ 1415

Do not hide and do not distort the rules of the House of Representatives and degrade democracy.

The CHAIRMAN. The Chair is prepared to rule. Does the gentleman from Missouri wish to be recognized?

Mr. GEPHARDT. Mr. Chairman, I will be very brief and this will wind up our debate on this. I just want to reiterate what the gentleman from Massachusetts has said, because I think it is an extremely important point. If this is ruled against us, this will become another precedent for the House slipping a very important decision under the carpet, avoiding a vote, and doing something that I think the people want to know about, need to know about, and need to be included in, in terms of the debate.

I think raising the debt ceiling is a very important and necessary thing. I know that we have all had the experience of putting things on credit cards. When you get the bill, it sometimes is a surprise and you have got to reorder your priorities to pay the bill. This is a case where the national credit card has been used, and now we are not even considering whether to pay the bill, we are just considering whether to call the credit card company and raise the limit on the card. If we can slip that in without a vote and a discussion, the next thing, we will be able to declare war by putting it in a rule and not having to vote on it, or some other major act of this government.

I plead with the chairman, I plead with the majority to allow us to vote for a 1-month increase in the debt ceiling, let us get a bipartisan budget that is good for our troops, good for our war against terrorism and good for these great United States of America.

Mr. THOMAS. Mr. Chairman, I would like to be heard on the rule.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. THOMAS. Before anyone thinks that this is a decision on a narrow, technical parliamentary discussion, I want you to understand what is at stake. My friend, the gentleman from Massachusetts, said he could not believe that we would be doing this, or that Thomas Jefferson would not comprehend the fact that we were trying to run our business this way. The gentleman from Massachusetts had a popular politician at the time that Thomas Jefferson was a popular politician by the name of Elbridge Gerry. He created the gerrymander, to draw a district so bizarre that it was said, ''It looks like a salamander. Let's call it a gerrymander.'' Why was it drawn that way? To retain political power. They would go to any lengths to retain political power.

If you take the logical argument of the gentleman from Massachusetts and say that we really ought to express ourselves on each and every item, that you should not hide something in a bill, can you imagine what the procedure would be on the floor of the House if each and every item had to be voted on? Because if you did not vote on it, then you are hiding it behind another item. And that when you are in this kind of a structure, i.e., moving a supplemental bill, by its very nature it is supplemental, it means we have picked up some pieces, we have had some things happen we were not aware of and we have had to put them together to respond to the real world. Not the desired world, the real world. And that their problem is they do not want to vote on this. They had a chance and they did. They voted ''no'' on the rule. But the majority prevailed. They now do not want to vote on this bill so it can go to conference and we can make an adjustment on the fundamental balance sheet of the United States because they do not want to vote on it when it comes back.

So I want everyone to understand, this is not a narrow parliamentary argument. This is simply a resurfacing of the fact that they do not run the place anymore and they do not like it. Because they used to do this routinely. And, guess what? Obviously by the reaction, it is quite true. Because what we are doing here is trying to deal with a situation no one had planned on. And what the friends on the other side of the aisle are concerned about is that we might actually be able to accomplish something. Because every move they make and every word they speak is planned to try to get them to return to power following the elections this fall.

Our job is to run the country as a responsible governing majority and we intend to do just that.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts further directly on the point of order for a brief time.

Mr. FRANK. Yes, very briefly.

The gentleman from California asked what it would be called, what it would be like if our point of order were to prevail. I will answer him. It would be called democracy. I ask that the majority not in the name of defending democracy throughout the world extinguish it here on the floor of the House of Representatives.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Florida raises a point of order that the amendment proposes to strike an amendment previously agreed to.

The Committee is considering the bill under the terms of House Resolution 428. House Resolution 428 provides, in pertinent part, that ''the amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.'' As indicated on page 240 of the House Rules and Manual, it is not in order to offer an amendment striking out an amendment previously agreed to. The amendment offered by the gentleman from Missouri proposes to strike the language in section 1403 that, by the terms of the rule adopted by the House has been considered adopted in the Committee of the Whole.

The Chair would also note that because House Resolution 428 provides that the amendments be considered as adopted, the text thereby inserted in the bill is not even read for amendment in the Committee of the Whole.

The point of order is therefore sustained.

Mr. STENHOLM. Mr. Chairman, I regretfully rise to appeal the decision of the Chair.

The CHAIRMAN. The question on appeal is: Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. STENHOLM. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 215, noes 203, not voting 16, as follows:

[Roll No. 198]

AYES—215

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—203

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Burton
Clay
Combest
Condit
Deutsch
Gutierrez
Jefferson
Linder
Lipinski
Paul
Quinn
Roukema
Rush
Thompson (MS)
Traficant
Vitter

□ 1443

Mrs. CAPPS and Ms. SANCHEZ changed their vote from ''aye'' to ''no.''

Messrs. HEFLEY, LAHOOD, ENGLISH, KNOLLENBERG, BRADY of Texas and Ms. DUNN changed their vote from ''no'' to ''aye.''

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

So the point of order was sustained.

□ 1445

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we are on the eve of Memorial Day, a day set aside each year beginning with the war of 1917–1918 to recognize and memorialize those who paid the ultimate price and those who served and, subsequently, those who fought in wars since that time. Mr. Chairman, we are today involved in war.

This bill before us is purported to be a supplemental for the battle against

terrorism, one that is purported to support the war against terrorists and to support those wonderful young men and young women in American uniforms. So I think it is proper to measure this legislation before us by giving it the soldier test by asking that soldier who might well be in Afghanistan being shot at or returning fire and in danger as to what help he needs from the Congress of the United States in a supplemental appropriation.

This bill has good things in it. It provides for new protective body armor for the servicemembers. It provides for Global Hawk and Predator unmanned aerial vehicles, which give invaluable intelligence. It provides for remote chemical and biological agent vapor detection systems. It provides for new radios for the F–15 fighter aircraft that have been so instrumental in providing close air support. It provides for CH–47 Chinook helicopters which move soldiers and equipment to the battlefield. It provides for Navy and Air Force JDAMS, that is, smart bombs; and most important, it provides for conventional ammunition for soldiers to use on the battlefield.

But let us further apply the soldier test. Unfortunately, this bill contains a number of items completely unrelated to prosecuting the war on terrorism. Included in this bill are matters that detract from our fundamental purpose of passing legislation, and it tarnishes what we should be doing here on the eve of Memorial Day. Among these provisions are raising the debt limit; a special interest provision requiring textiles to be dyed; a special interest provision providing for changes in reimbursement of Medicare for certain areas of our country; provisions deeming the House-passed budget resolution levels to be applicable to the appropriations bills; a provision relating to the fees charge by the Fish and Wildlife Service at Midway Atoll. Money for YMCA in the Seattle area. Money for low-performing schools in Pennsylvania. Money for American theater, arts and youth.

I ask, Mr. Chairman, what does that or any of these items have to do with fighting terrorism? They do not meet the soldier test.

Coming out of committee, this was a good bill which genuinely and properly provided many good things that are absolutely essential for those troops wearing the American uniform to be able to fight and to win the war on terrorism. Sadly, the inclusion of highly controversial extraneous provisions having nothing to do with our national security on this war have compromised our ability to do what is right for the American troops.

Mr. Chairman, the sole star of our effort today should be providing those young men and young women, our troops, our soldiers, with the equipment, with the systems, with the training that they need to defeat terrorism. That is where it starts, and that is where it ends. Sadly, this bill includes the extraneous material that detracts from this wonderful purpose.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the last word.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I am going to support this legislation. I think it is extremely important that all of us get behind it, but I want to make a few comments first.

First of all, I want to thank the distinguished chairman of the Committee on Appropriations, who has been a tireless advocate for the firefighters and emergency responders of this country, and who led the effort to make sure that we got $100 million initially to support the firefighter grant program.

Unfortunately, because of the actions of another committee and the Justice Department, money that was supposed to go to those firefighters was circumvented in the form of $175 million to police grants through Justice. Now, I am not against the police, but we give the police departments locally $5 billion a year; $5 billion a year. And to have the Justice Department siphon off $175 million, which would have gone to those 32,000 fire and EMS departments, to me, is outrageous.

I would ask the gentleman from Florida (Mr. YOUNG), my friend and colleague, if he will commit to work with us to right that wrong when we get to conference.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I will respond to the gentleman as I did to an earlier inquiry similar to the gentleman's, and that is yes, the first responders include firefighters, police officers, emergency medical people, and all other types of folks who respond. Anyone that knows anything about September 11, 2001 understands the importance of first responders.

We had originally thought that the $175 million the gentleman talks about should have gone to the Office of Homeland Security. The Administration determined that they did not want that money to go there, and so the gentleman knows why we moved the money to the Department of Justice.

But I agree with the gentleman. We have to make sure that all of the people that provide first response to a tragedy, a disaster, whether it be a terrorist attack or a flood or a hurricane or an earthquake, whatever it is, have to be supported. They are also our first line of defense for homeland security.

So I say to the gentleman, yes, we will work with him to do the very best we can to make whatever is needed to provide the first responders what they need.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman.

I want to say one more thing to my colleagues on the other side. This is my 16th year in this body, and I know my colleagues are upset about this rule and about this process. I guess I have seen this before. It was my first term in Congress when Jim Wright was the Speaker, and to accomplish what the then majority wanted, he did something that only God could do. He declared it to be two separate days on one day to get a package through this body.

Now, all of my colleagues who were here back then ought to remember that famous day, because we were outraged. Only God could declare a new day. But Speaker Wright supported, and my good friend is shaking his head yes, Speaker Wright actually declared it to be two days in one day so that we could accomplish the will of the majority.

So I would say to my colleagues, this bill is important because of the need to support our troops and because of those priorities that we have for this country. Am I happy with everything in it? No. But I would ask my colleagues to get behind this. You have made your point. I hear you. I was just as frustrated back when Jim Wright declared it two days in one day as you are now that we are going to pass an increase in the debt ceiling without ever supposedly voting on it.

So I would say to my colleagues, let us get beyond this and work together. Let us get this done. Let us deal with the issues in conference, and let us move on so that we in fact can accomplish what we need to do, which is to pay for those costs associated with the war on terrorism.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have served 38 years in a legislative body, 26 here in this House; and I have never seen a gag rule as unfair as the one imposed here today. It is not just a gag on the minority in this House, but upon the American people.

I know that there are some Republicans who are embarrassed over this attempt to do by stealth what their leaders are afraid to do openly, to increase the limit on the national credit card.

Everyone in this great hall is patriotic and supports our military efforts, but there is also an economic patriotism among the American people we represent. We experienced that economic patriotism in the 1990s as we, in a bipartisan way, were balancing our Federal budget and paying off our national debt. The American people felt very good about that.

Today, because of the enormous tax cut of last year, we find ourselves reversing that progress and increasing the limit on our national credit card in a stealthy, unholy manner. This dips into Social Security and shatters the lockbox. We asked the majority leadership to remove the gag so that we could at least have a debate and a public vote on raising the national debt limit.

Let us return this bill to its original intent: to fight the war on terrorism which we all support.

We all support our troops, including my two sons who are captains in the United States Army. Let us strip out the gimmicks and the add-ons and pass a clean supplemental appropriations bill to fight the war on terrorism that threatens our Nation.

Mr. HUNTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the great author James Michener in his book ''The Bridges at Toko Ri'' described the scenario, when the hero in the book who had gone off to strike these very heavily protected bridges in North Korea and failed to return, he described the captain of the ship on that carrier contemplating the state of affairs of the United States Navy and the people who served there when that pilot failed to return, and he said, and I am paraphrasing, where does America get these people? These people that join the military at great inconvenience, great separation from their families, from their livelihoods; they put themselves in very dangerous and difficult positions for this country. If they are an aircraft carrier pilot, they end up flying off of this small aircraft carrier going off to bomb a heavily defended target thousands of miles away from the United States and then, after they have successfully completed that mission, if they return, they are trying to find that little postage stamp that is out there in the ocean and they try to make a landing on that very difficult night landing, perhaps.

Then he concluded, when he asked himself where do we get these people, where does America get these people? They come from our villages, our cities, our towns; and as long as these wonderful people keep coming to protect our freedom, we are going to be a great Nation.

□ 1500

A few months ago, we had solidarity. The Members of this Congress had solidarity with the people of our Armed Forces. It was something we had not seen since World War II. We were all together. We heard tremendous speeches from both the Democrat side and the Republican side, followed by legislative action. It was quick action, and the action resulted in the material and the tools that we need to get this job done flowing to the military very quickly.

We helped our Commander in Chief because he is the guy on the point of the spear, the 5-star general. We gave him the tools to get the job done. We have to get him more tools. That means we are low on ammunition, we are low on materiel, we are low on monies it takes to repair our ships and aircraft. We have to move those tools to our fighting forces.

Do Members know something about these great people? We all talk about them. We see them at the parades, at the military installations. Members come back from CODELS, Democrats and Republicans, and the one thing we all agree on is that it is remarkable about these wonderful people who protect our freedom.

Do Members know something? They think that we are still going to act with the same solidarity and sense of purpose today that we had 8 months ago, because they are still acting with that same sense of solidarity and purpose. They are carrying out their mission.

Those special operations teams at 10,000 feet elevation up in the elements, getting beaten up by the elements and sniped at by the al Qaeda, they are carrying out their mission. The people on the aircraft carriers knocking those big jets off the decks, they are carrying out their missions. The people in Korea just south of that line, which is loaded with massive artillery and rocket power, which could devastate them if the balloon goes up, they are carrying out their mission.

We are not carrying out our mission. Our mission is to win this war. I know there are lots of things in this bill that particular Members do not like and do not agree with, but we have to regain our sense of mission and our sense of purpose. Let us regain that sense of mission and that sense of purpose, and let us bring back the solidarity that we had only a few months ago. Let us win this war.

Mr. DOGGETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we now approach Memorial Day, a time to memorialize and honor those who have defended our country. It is appropriate that we also honor those who defend our country today at home and abroad by providing them with the resources they need to get the job done.

But as important as our military strength is, the strength of America also is found in its economic vitality. I fail to see how that economic vitality will be advanced by piling almost $1 trillion of additional debt on top of the trillions of dollars in national debt, that we already have and doing so with no real budget plan in place.

Indeed, the only budget plan being contemplated is one that expects one deficit after another deficit after another deficit, piling up more and more national debt and threatening the vitality of our country and the future of our Social Security and Medicare system.

Guns and caviar: It sounds like a rock band, or a promotion for the National Rifle Association. But I maintain that ''guns and caviar'' is really an accurate description of the approach the administration and its House Republican allies are promoting this year. The guns are significantly higher military expenditures; and caviar, well, they have one tax break after another. They cannot find enough tax breaks for those at the top of the economic ladder.

The Republicans offer the elite and the multinational corporations in this country an unequivocal message: You can have all the security you want at home or abroad, anywhere around this globe, and for you, it will not cost much of anything extra. It is free because they promote one tax break after another.

We have, with each passing day, one corporation after another renouncing its American citizenship and moving its mail box to Bermuda or somewhere else to avoid paying for any of these additional expenditures.

Republicans talk about containing federal spending, but they are proposing with this budget the largest increase over a 4-year period we have had since the 1960s. Yet to those at the top of the economic ladder, the Republicans turn a blind eye when they move offshore to avoid paying any of the cost of this, when they use the various tax dodges and tax breaks that have been created and proposed, and that they want even more of the same so that the elite tax dodgers can avoid paying their fair share.

So those at the top and the multinational corporations will not pay their fair share of a ''guns-and-caviar'' budget, how will it be paid? Well, this very bill is the purported Republican solution to that problem that they are offering. That solution is to take our Social Security cards, the ones we all carry in our pockets, the ones Americans have relied on for over 60 years, and make it their Republican national credit card, to use the future of Social Security as their way of paying for today's spending.

They are, through this bill, doing what some families sometimes find they have to do when they are overcome with debt: They are asking to raise the limit on the national credit card. In this case, it is our Social Security card and all the money being paid in by us and our employers for Social Security and Medicare. They want to raise the credit card or debt limit, but they do not have the courage to come out here and face the American people and do it in an honest and direct way. So they have, through combined procedure and recent rulings, we limited our right to even have a vote on their decision to take our Social Security card and use it as their credit card to pay for things they tell these multinational corporations they can dodge, avoid, and evade. But we are going to have to pay for today's spending right out of the Social Security and Medicare trust funds.

We have heard through the years 1 Republican leader after another tell us that they are really not too excited about Social Security. What better way to undermine our ability to provide Social Security and Medicare in coming decades than to incur mountains of national debt, as is proposed in a very secretive way by this piece of legislation.

Indeed, if we increase, the debt limit, by almost $1 trillion, as is proposed, right out of Social Security and Medicare funds, that means more interest,

more debt, and less ability to meet our Social Security and Medicare obligations. It is wrong and it ought to be rejected today.

Mr. HAYWORTH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a Chamber where men and women of good will can come to share points of view that from time to time may be at odds.

Mr. Chairman, we recognize that an election is about 160 days away. While passions and tempers may run high, Mr. Chairman, I would hope that we would be able to refrain from the temptation of politics as usual.

Mr. Chairman, I hear derisive laughter from the other side. That is fine and perhaps altogether appropriate, given the exercise we have seen both last night and during the course of this legislative day.

But, Mr. Chairman, the American people understand that we are a nation at war; that the attacks of September 11 forever changed this country. The American people understand we should stand together, even though there are the pressures of the political calendar for some to come in and sloganeer and try to find sound bites and go back to business as usual.

Extraordinary times call for extraordinary measures. Our Commander in Chief has pointed that out repeatedly, that this is a new type of war. Again, even though we rejoice in philosophical differences of opinion, only the most cockeyed of revisionists would have us believe that in previous Congresses, under previous majorities, similar rules were not employed to achieve legislative results.

This becomes the question at the end of the day, Mr. Chairman, or whenever the parade of sound bites and speeches ends: Are we willing to stand and deliver, not as Republicans and Democrats, not in the spirit of one-upmanship, but with the nonpartisanship the American people demand when we are a nation at war; when, in the twinkling of an eye, every American can be called upon to become a citizen soldier, every American can confront the scourge of terror?

Disagreements? Sure, they will continue. They are part of a healthy and free society. They are part and parcel of the fabric of the American people. But, Mr. Chairman, it does the Committee of the Whole House a disservice to be locked in legislative combat and one-upmanship when the business of the people, and the very people my friends who have preceded me in the well talk about, the fighting men and women on the front lines, need material, need equipment.

The American Nation needs to move forward with technological advances for border security, for shipping security, for homeland security. It does not do the American people a service, it does not do this body a service, to become slaves to the minutiae of one-upmanship and what passes for statesmanship by sound bite.

Let us return to the work of the people, appropriate the funds needed for this war effort, discuss our differences in an open fashion in the campaign season, but not use this Chamber for the preening and the prodding and the endless parade of politics that ill serves us at this critical time.

Mr. BOSWELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have followed this debate closely today and last night, and the preparations leading into it. I have noted the reference to years past. Those years past, I was not here. Since when did 2 wrongs ever make a right? So there are some things we acknowledge, but let us move on.

I have some things I want to share. The gentleman from Texas (Mr. EDWARDS) prompted me to think about a couple of things.

First, I want to tell the Members that I am a veteran, as many of the Members are; not all of them. But I am a veteran. I have had the opportunity to face the enemy, as some of the other Members have. I am nobody special. I know that. But do not tell me or us that have served that we do not support the war on terrorism because of this bill. Give us a clean vote on that war on terrorism and we will vote for it in a heartbeat. Let us get real.

Let me tell the Members one of the things that was brought to my attention when the gentleman from Texas (Mr. EDWARDS) ran out of time. On this subject, some of my colleagues from my State certainly share my concern, and across the country.

In this bill there is a provision, I am told, regarding Medicare payments to certain hospitals. What on earth does that have to do with the war on terrorism? As the gentleman from Texas (Mr. EDWARDS) was pointing out, there are several items in there. That one really caught my attention because in this country we have a situation of great disparity in Medicare payments to our citizens. We all get charged the same, we get taxed the same, but we do not get paid the same. That is really ironic. It is going on.

I have carried this question to the previous administration. I carried a copy of this chart and the bill that I am sponsoring, and others are involved in, to try to get some fairness. I have handed it to this President in his office, but nothing happens. Then we come along and see that certain areas are getting a little extra favor in this bill called war on terrorism. I do not understand how this can possibly be.

Mr. Chairman, I would hope that if that is the right thing to do, we might open this up and I could suggest some other places across the country, some of my hospitals and doctors and caregivers, that would like to have a little fairness in the Medicare reimbursement rates.

□ 1515

It runs all the way from $3,000 per capita in my State, up to the State at the top it is over $7,000; and the median for our country is almost $500. But we all pay the same. We all pay the same.

Now, why are not we addressing this? Thirty-five States are below the line of the average; 15 are above. I congratulate those that are above, but what about our folks in the other States? And if you do not know where your State falls, you might want to come and see me and take a look and I will show you the chart. It is for real.

What does that have to do in all seriousness with a vote in the war on terrorism? So I am going to ask all of you to do not use that remark. It is very offensive to those of us would have served, that this is a vote on the war on terrorism. If you again want to limit this vote to that subject, count on me. I will be the first one to drop my card in. But there have been a number of things added to it that have nothing to do with that. It is not right. It is not fair, and it is not the way I have been told historically this House should operate. And I certainly do not want to defend what has happened in the past. Today is today. We are responsible. We are responsible for what is happening today. Let us do it right. We have the opportunity to do it.

Now, Memorial Day weekend is coming up. In my family it is a pretty special thing. People travel a long ways to consider those who have gone before us. It is very special. But I have sent word to my family that I likely will not be there because we are going to be doing this. And it is unfair and it is important, and I may have to stay and stay and stay. I am prepared to do that.

This week's action behind closed doors by the House Leadership and Rules Committee is the most cynical of political dealings. Many of us have been working diligently to bring Medicare Equity to our seniors and allow our health care professionals to provide quality care.

Our constituents pay the same Medicare taxes as any other citizens. Yet, we are penalized with unfair Medicare reimbursement rates. Our dedicated doctors, nurses and hospitals continually struggle to provide the quality care they always have. Each day the inequity is not corrected, this task becomes more difficult.

Now, we see the House Leadership and the Rules Committee, apparently well aware of this discrimination, but unwilling to address it, have found a way to collect a few extra votes by fixing the problem for a few selected areas. If it is important enough to fix for a few, isn't it important enough to fix it for all our seniors.

In a context outside of this chamber, these cynical tactics might just be considered a bribe. I am hopeful this is more than just a cynical political ploy and is just the first signal from the leadership that treating all seniors, all doctors, all nurses equally will be a priority from now on. Our seniors deserve fairness, not fixes for a chosen few.

Mr. WATTS of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have heard a lot this afternoon, over the last 24 hours I guess, about what this debate is about

and what this supplemental appropriations is all about. And I think it is important that I explain this the way I had a friend say to me once. I was talking to him about some legal issue and he said, ''Explain it to me like I am an eight year old.''

So, Mr. Chairman, I am going to attempt to do that because it has been said that this bill is about taxes for the rich; it has been said that this bill is about Social Security. And it is about procedure and all that we have heard over the last 24 hours. Mr. Chairman, I just want to share with my colleagues in very simplistic terminology here what this bill is about. And I think we have to understand that this bill is about war. And I think when we understand that this bill is about war, then we have to ask ourselves is war free, and I think we all would have to admit that war is not free. There is a cost to fighting a war. There is a cost in giving our soldiers the resources to win, not the resources to play a good game.

We cannot expect our soldiers to go to Afghanistan or anywhere else in the world and fight with a switch or fight with a belt. They need the tools to win, ammunition. They need the proper equipment. Should we put a praise tag on defending our freedom? Freedom is not free. We all enjoy the freedoms here in the United States of America. There is a cost to living in a free country. This bill is about protecting the honor of over 2,800 people who lost their lives in New York City, the people that lost their lives in Pennsylvania, the people that lost their lives here in Virginia at the Pentagon.

Is war free? The United States Government shall take all steps necessary to guarantee full faith and credit of the government. There is a cost to doing that. We will not forget. This Congress should not forget. None of us should forget; the American people will not forget the events of September 11. The Republican Congress has not forgotten those who lost their lives in New York, Washington, and Pennsylvania. There is a cost to that.

This is not about Social Security. This is not about taxes for the rich. Those are gadget plays. This is about fighting a war, the war against terrorism. And we said, and we are saying, in this legislation that, hey, there are some more needs that we did not fund when we did a funding bill before, a supplemental before. We need more tools. We need more dollars. The supplemental appropriations, the bill we are voting on sometime today, will address that. We will not forget. Congress will not stop working on behalf of those victims. We will continue to work with the President to make sure every resource at our command will be available to win the war. I do not understand that some would say, hey, once we get to $1,000, let us do not spend any more. If you need 2,000 let us not spend any more. Let us let those soldiers defend themselves. Let us let them do what they have to do. Let us not spend any more than $1,000. Putting a cap on defending freedom, of fighting a war.

There is a cost to defending freedom. There is a cost to fighting a war. I just would remind us what September 11 was all about. That was an ugly picture. Nobody enjoyed that. We all will have to vote the way we see it. I do not say that anybody is anti-American or anti-war if you do not vote the way I vote. But I am just reminding my colleagues, you cannot have your cake and eat it too. You cannot have it both ways and say, I want to fight the war, but I do not want to pay for it; I want freedom, but I do not want to pay for it.

There is a cost to fighting a war, and we should make sure that we spend what we need to spend so that our soldiers, America's sons, America's daughters, America's grandsons and America's granddaughters, America's husbands and wives who have put their lives on the line for America's interests, for our freedoms, that we give them the resources to win. That is what this appropriations bill is about today.

Mr. EDWARDS. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma (Mr. WATTS) be allowed to discuss how we pay for our war against terrorism. I would like to ask unanimous consent that the gentleman be allowed 2 extra minutes to have an honest, respectful discussion about paying for the cost of our war against terrorism which he discussed.

Mr. LEWIS of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Ms. WATSON of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to thank you for recognizing me. I would like to thank the Committee on Appropriations for doing a fine job. But I have to say this, I am really sorry that when our children were in these Chambers they saw the most deceptive tactics being used. They saw people trying to paint us as unpatriotic. No one can question my patriotism. I have taught children overseas on Air Force bases. I represented this country as an ambassador; and I always stood tall because I represented America. How dare you question my patriotism.

What I am questioning you about is why did you take a good bill that we could all vote for and show our solidarity, to support our fighting men and women, to take care of those people that suffered losses during September 11, and throw in something that you know we could not support?

I will not abandon the trust my constituents put in me when they sent me here. And I came to this honorable House wanting to do the people's work in the sunlight, not in the darkness of these Chambers. How dare you put that position on all of us? I would like somebody over there who is part of this to answer my question. Why did you take the bill that passed out of appropriations and throw all of this in, throw all of this into it knowing that we would break trust?

Mr. KINGSTON. Mr. Chairman, will the gentlewoman yield?

Ms. WATSON of California. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, this actually is something that the gentleman from Missouri (Mr. GEPHARDT) put into law in 1979.

Ms. WATSON of California. I will not yield.

Mr. KINGSTON. I am just trying to answer your question.

Ms. WATSON of California. Well, answer my question, answer it.

Mr. KINGSTON. In 1979 the majority leader at that time, the gentleman from Missouri (Mr. GEPHARDT) put in rule 49. It is on page 945 in the House Rules and Manual, and it has been done for over 2 decades, actually, until very recent years when the Republican Party quit the practice of it.

Including the debt ceiling question in an appropriations bill was done for many many years. So this was not something that was not invented. It has been part of the House doing business.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentlewoman yield?

Ms. WATSON of California. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, it sounds as though the gentleman over here is trying to tell the right honorable gentlewoman from California (Ms. WATSON) that two wrongs make a right. I guess the gentleman just answered his own question.

The CHAIRMAN. All Members will suspend. The time is controlled by the gentlewoman from California. Members will follow proper parliamentary procedure in yielding to one another and not talking at the same time. The gentlewoman from California controls the time.

Ms. WATSON of California. Mr. Chairman, I would always be happy to yield if I can get my question answered specifically.

You cannot take me back to 1970-something and answer my question. I want to know how that Committee on Rules slipped these provisions in a clean and clear bill to support our fighting forces. That bill would have gone off this floor in a snap. And so I am so disappointed that you are trying to Houdini me into telling me an answer that relates to something that happened way in the past.

I am talking about the bill in front of us that came out of the Committee on Appropriations. And I want to thank the people for acting with integrity and respect. And I might close in saying this, to the people who represent America, I was sent here to represent a constituency of Americans. I am going to do that job. I am not going to play games with it. I am not going to sell them out, not you when you get 65 and older, not our children, not our grandchildren. I will fight if it takes me the

rest of this weekend into Memorial Day because I believe that we have said to the people of America, you entrust us. You give us your trust, and you pay into Social Security. I want it there when you get ready to retire. I want you to be able to buy your pharmaceuticals that will help you live. I want to be able to say to our children, we are not mortgaging your future. I want to let you know we are not going to play games with the trust you put in us.

So let us do away with this bill. Let us go back and come back with the bill that came out of appropriations and you will get my vote.

Mr. Chairman, I rise in opposition to the process that brought this bill to the floor. As America faces the twin challenges of terrorism and a weak economy, Americans more than ever need their elected leaders to demonstrate courage. Not much courage is required to do the easy things, like cut taxes. No, true courage is required to do the hard things, like balance the budget, and save for the retirement of today's workers, as well as their children.

Unfortunately, the process used here—to consider what was reported out of the appropriations committee as a bipartisan bill—demonstrates that courage is in short supply among the Republican leadership. Republicans know they can't balance the budget and continue to give tax breaks to the wealthiest individuals and corporations. They know their tax scheme puts the future of Social Security at risk. But rather than face that truth, they have decided to sneak a debt limit increase into this bill, avoiding a debate that will force them to defend their lack of fiscal responsibility.

Mr. Chairman, what is the Republican leadership afraid of? If they believe that America should proceed down the path of deficit spending and more debt, they should permit a debate on a debt limit increase. Instead, they are trying to sneak this debt increase past the American people, and hope they won't notice.

Mr. Chairman, haven't we learned anything over the past year? I thought the events of the past year had taught us that when America's leaders put partisanship aside and work together, our nation can be a powerful force for good. Instead, the Republican leadership has gone out of its way to reject a solid, bipartisan bill with partisan sleight of hand. Mr. Chairman, please do not let this be the legacy that the 107th Congress leaves to the American people.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

There was no objection.

Mr. KINGSTON. Mr. Chairman, I want to thank the gentlewoman for yielding me time a few minutes ago because I think it is very helpful to do that, but I also want to come back to this rule number 49 on page 945 in the House Rules manual that does show that this was something that actually the gentleman from Missouri (Mr. GEPHARDT) put into the rules and it was called the Gephardt rule as a nickname, but it did allow this to happen. For over 2 decades it was a pretty standard procedure.

I am a little shocked that my friend, the gentleman from Rhode Island (Mr. KENNEDY), says two wrongs do not make a right.

I am kind of glad to hear him saying that the distinguished gentleman from Missouri (Mr. GEPHARDT) was wrong on something. But I just want to say, there is a reason why this is here and it is a precedent. It is not some deep sinister thing. And I understand why the gentleman does not like it. We all understand that, but I want to say this is not some midnight procedure. But we are in a genuine position here right now with troops on the ground in Central Asia, and as recently as in the last week a soldier was killed in Bagrahm. And we want to keep those soldiers well armed, well supplied. We want to keep the good intelligence there. We want them to know that we are solidly behind them; and this bill, as you know, does that.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I think the point we are trying to make is we do not want those soldiers used for your agenda. We do not want your agenda to be piggybacked and attached to your special interest.

□ 1530

Mr. KINGSTON. Mr. Chairman, let me reclaim my time and say proudly our agenda is to our support our soldiers. Our agenda is for a homeland security and our agenda is to rebuild New York City, and I am proud of that agenda, and as the distinguished gentleman knows, we have got to address the debt issue, the debt ceiling issue.

All this bill does is says that if the conference committee, between the Democrat-controlled Senate and the Republican-controlled House, gives the instructing on it, it would be allowed in conference, but what does happen is we continue to supply our soldiers in the field, because no one believes, and I know the gentleman and I believe strongly, war is not free. We have got to bite the bullet in this case.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I believe the war is not free and there must be shared sacrifice, and for us to have shared sacrifice we do not cut the top marginal rate on the wealthiest of Americans and put the bill on the future generations to pay for this bill.

Mr. KINGSTON. Mr. Chairman, let me reclaim my time. We disagree with taxes. We understand that. Democrats a lot of time like lots of taxes. They like a punitive tax system. They like a tax system that does not reward incentives and does not help create jobs. We had a good debate about it. In fact, that was about a 6-month debate.

This debate today in this legislation is about supplying the troops to continue the war, $15.77 billion. It is about homeland security, securing our airports, securing our ports.

I live in Savannah, Georgia. I would love my friend to come down and visit me sometime. Last year in Savannah, Georgia, we had 1 million containers come through the port, and only 1 percent were inspected. This bill allows us to inspect those containers. The airport, now everybody flies in this Chamber at some point in time. I want to know that when we get on the airplane that we are secure as possible. This bill allows that to happen.

I will say another thing that is in this bill is $1.6 million, which I think the Democrat party would be interested in, that would allow our bicameral, bipartisan intelligence committees to continue to study 9/11, what went wrong, what went right, how can we do a better job; some very good stuff in there, reaching out to experts in the intelligence community. And I think these things have to go on.

Now, I know we disagree on the debt ceiling vehicle part, and as an appropriator, the gentleman knows that I am not 100 percent in favor of everything that is in this bill, as I know most of us are always in the position of accepting something they do not like in a bill, but for the name of the troops, for the name of homeland security, for the name of rebuilding New York City, I am willing to let this legislation move on, let the Senate hack away at it, if they can improve it. I know there is going to be differences on there, but let us get the process moving so we do not send a mixed signal to the troops.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. Mr. Chairman, how much time do I have left?

The CHAIRMAN. Fifteen seconds.

Mr. KINGSTON. Mr. Chairman, in an abundance of caution, why do we not do this. Why do we not just talk amongst us in the back of the room, unless the gentleman can get some time and yield it back and forth. I know we are going to have some philosophical things we cannot resolve in 15 seconds.

Mr. ALLEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today, first of all, to applaud this bill for what it does for our troops. I am proud of what this bill does for the men and women in our armed services around the world. They should be proud of what we are doing in that part of the bill.

I was over in Afghanistan in early March in the first 3 days of Anaconda, and I have never been prouder of the men and women who are over there doing their best to make sure that this country remains protected and strong. They know, they know that their performance, that our security depends on their performance. They are motivated. They are doing a good job, and this

bill, insofar as it provides them the resources they need, is a good bill.

I am not so sure that they can be proud of us. In fact, during this debate I have an image. It keeps coming back. I cannot help it. I think of the men and women I saw in Afghanistan, and I imagine them armed and ready behind a row of tanks, and behind them I see something else. I see the Republican majority hiding, trying not to be seen, trying not to allow a debate on the fundamental economic issues that are also wrapped up in this bill, not by the language in the bill but by what the bill does not do.

The debate that we need to have over the Federal budget is being hidden, and a debate on the debt limit is one of the very few opportunities we have or will have to have that debate, but it is being hidden, and there will be no clear vote on the debt limit if the majority has its way.

Now, why do we have to do this? We are being asked to raise the national debt limit because in just 1 year the Federal budget has fallen apart. Just 1 year ago we were looking at a $5.6 trillion surplus, and what happened? The new administration took 5 months to do enormous damage to this budget, and when that tax bill was signed, the damage was done. The damage began.

Let us take a good look at what has happened. Just look at the question of how much of the Social Security surplus has had to be used over the last couple of decades. What we see happening here, the line on this chart moving down during the first Reagan-Bush era is the amount by which we were dipping into the Social Security surplus, and when President Clinton was elected, we were dipping into the Social Security and Medicare surpluses by over $300 billion a year, and then we can see what happened.

As the gentleman from Missouri (Mr. GEPHARDT) said, on a bipartisan basis, we fought our way back. We fought our way back, and gradually the line came up, and just before this President Bush took office, we were using none of the Social Security surplus, not any of it, and then look what happened. We are right back down between $300 and $400 billion a year into the Social Security surplus. That is an outrage. That is unacceptable, but that is what this majority is preventing us from talking about.

Why is this important? Because we are now using Social Security dollars to fund our military, for general government expenses, and to pay for a tax cut for the wealthiest people in this country. Look at what is going on. We have a tax cut for the wealthiest Americans and they, according to the majority, must keep their tax cuts. The other side of the aisle wants to make that permanent.

In the meantime, we are going to use the dollars at 6.2 percent. All of our workers are earning less than $80,000 pay; 6.2 percent is going to fund the tax cut and to the general government. That is irresponsible. That is reckless.

In other words, what we are doing, we are not calling for a sacrifice from the wealthiest Americans. We are not calling for sacrifice equally from all Americans. We are saying basically that the young men and women who are over there and are fighting for us now, and their parents, middle income people in this country, they are the ones who should bear the burden of being in the armed services, and they are the ones who should bear the financial burden, not just now, not just this year, not just next year, not just the year after that, but we are saying to our children they shall pay, they shall pay, too. We are not going to pay for this war as it goes along. They will pay, our children, our grandchildren, at a trillion extra dollars alone.

This is failed policy, and to pass it without a vote is outrageous and unacceptable.

Mr. WATKINS of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this particular legislation, and I thought I would speak from this side of the well of the House. I do that, Mr. Chairman, because for 20 years I have served in this House, and 14 of those years was as a Democrat. For 14 years as a Democrat, I served in the majority.

I love this House. It has been some of the best years of my entire life. I think about the things that can be done, that can be accomplished, and there were a lot of good things that happened.

One of the things that always disturbed me during those years when I came here is that it seemed like we could never balance the budget. It always bothered me, because I was a businessman. I always felt like my personal budget needed to be balanced. I felt like our budget for my business should be balanced, and I always thought for our future, for our children, for our family, for our grandchildren, we should try to work within a balanced budget. But it always bothered me because it was kind of like a gotcha.

I remember full well in the majority we had a big majority. We did very much, but on the Republican side, we had a lot of individuals trying to get to the majority, and I remember so many times we talked about how irresponsible it was that on the Republican side they were attacking, and we would say, well, we are the majority, we had to try to govern, we had to make tough decisions, and sometimes that was raising the debt ceiling because of past debt. For 40 years, we had huge deficits. There is enough blame to go around to everyone, Democrats and Republicans, and that always bothered me. We should not feel like we walk on hallowed ground, whatever political party we are, because we do have that responsibility.

Fourteen years passed, and I was in the majority, and I decided to go home. For 6 years I stepped out. For 6 years, I was an Independent, but I returned 6 years ago as a Republican. I came back as a Republican because I wanted to do some unfinished things, and I am so proud of this body, Democrat and Republican, because we balanced the budget.

Thank goodness we were holding the line on a lot of the budget costs, but also we had a flourishing economy, and that growth in that economy allowed us to move forward. That growth started before the last administration, and the economic downturn started in September of the last administration, if my colleagues look back at the economic indicators, and today, after 6 years as a Republican, I hear the same things being said on that side of the aisle today as we said or had heard from Republicans back then, but I believe when we said it is irresponsible what is happening.

Let me say to the American people, we know what is happening. We all know. One political party is trying to get one leg up on the other. One is trying to get back into power that is out of power. There are some that want to be chairman and not be chairman.

I submit to my colleagues the American thing to do is to move on this legislation, pass this legislation. Let us move forward as Americans in a bipartisan way because the clock will be ticking on their time the next time and we all need to be trying to do what we can to be responsible and deliver this package to move our country forward.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in full support of our troops in the field. They are risking their lives on behalf of the American people and the global community. On the eve of Memorial Day, we honor the dedication of our men and women in uniform, on whom our Nation has always depended and on whom we are depending today to rid the world of the scourge of terrorism.

We must and we will provide the resources needed to support these troops and to shore up our homeland security.

We also must protect our Nation's economic integrity and strength. America can be strong militarily without being weak economically. Yet it is that link, that essential link between military and economic strength, that the Republican budget threatens to break today.

Mr. Chairman, I reject the proposition that our war on terrorism requires or excuses fiscal irresponsibility. And I emphatically reject the notion that those of us who raise critical fiscal issues are somehow being unpatriotic or are not supporting our Nation's cause. That is a scurrilous charge, unworthy of this body.

Mr. Chairman, many of us bear the scars of hard-won budget discipline by which we finally overcame the fiscal follies of the 1980s.

□ 1545

I remember well the decisive turning point, the budget vote of 1993. That deficit reduction bill was passed without a single Republican vote. I remember well the jeers on this House floor as our Republican friends waved good-bye, good-bye to the courageous Members who had risked their seats by casting that vote. I will never forget that. I will never forget how hard won that budget discipline was after 12 long years.

But the fiscal turnaround was real, it was genuine, and we made steady progress during the 1990s in reducing the deficit and finally achieving a unified budget surplus, and then at last a surplus in the non-Social Security budget. This chart tells the story: steadily reducing deficits, and finally, in the non-Social Security budget, a surplus. Over a three-year period we actually paid down the national debt to the tune of over $400 billion.

Now the reversal has come, a reversal confirmed and accelerated by this Republican budget. No more surplus: 43 percent of the ten-year surplus consumed by the Republican tax cut mainly benefiting the wealthiest Americans. Back into deficit spending. Back into diverting Social Security and Medicare revenues from their intended purpose. No more debt reduction. No more preparation for the day when the baby boomers retire and this Nation must redeem Social Security's promises.

And now, as if to add insult to injury, the Republican leadership of this House has injected into this supplemental appropriations bill a stealth provision to increase the debt limit as a way of sparing Republican Members an embarrassing up-or-down vote on the debt limit and as a way of masking the consequences of their budgetary shenanigans. It is the most cynical kind of partisan tactic. It tarnishes with a deceptive and irresponsible maneuver an appropriations bill that in fact is necessary to carry out our antiterrorism offensive and to strengthen our homeland security.

Mr. Chairman, we can fight terrorism without jeopardizing Social Security. We can build our Nation's defenses without abandoning fiscal responsibility. But in order to do that, we must have an honest, responsible, balanced and bipartisan budget; and we call upon our Republican friends to work cooperatively to bring such a budget into being.

Mr. SAXTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the process that we are involved in here, I think, is most regrettable; and the message being sent is a terrible message. We are involved in a conflict that I think is every bit as serious as any conflict that this country has ever been involved in, particularly when you consider the issues involved and the potential use of weapons of mass destruction in this war.

As I listen to speaker after speaker from the other side get up and proclaim their support for this war effort that is under way, I am reminded of a debate technique. It involves the word but. I am all for supporting this war, but. And I think that is a very regrettable message that this body is sending, hearing those speeches over and over and over again.

In the war on terrorism, the most important thing we can do is to stay together and stay strong. I recently was paid a visit by an Israeli general who recently retired. His name was Effi Eitam. General Eitam was the general who commanded the Israeli forces in southern Lebanon for the last several years that they were engaged in the southern part of that country. And he told me that on the day that the political leadership in Israel decided to withdraw from southern Lebanon, he called the Prime Minister and he said, Sir, with all due respect, I resign. He said, I did not retire, I resigned. I resigned because the worst thing you can do in the war against terrorism is to show indecision and weakness.

This debate is about indecision and weakness, and it is the wrong message to send. We have U.S. troops in the field as well, and the U.S. troops deserve to know that the political leadership on both sides of the aisle stand squarely behind them.

Now, I am in my 18th year in this House; and until 1994, needless to say, I was in the minority. I heard my friend, the gentleman from Pennsylvania (Mr. WELDON), talk about the day the Democrat Speaker declared two days in one so we could get a package through. It happened year after year after year when the Democrat Party was in the majority.

The U.S. troops that we have deployed in various parts of the world deserve my commitment, and they deserve my colleagues' commitment. And I think the debate where we stand up and say I support the troops and I support all of these things that are in this bill, I support $7.2 billion for ongoing military operational costs, I support $4.3 billion for personnel costs, I support $500 million for high-priority munitions, I support $1.6 billion for intelligence and other classified activities, I support $420 million for coalition support, but. There cannot be a but in this debate. We have to stand together, or we will be in the shape that Israel was in and is in after they showed a time of weakness and withdrew their activities, their troops from the southern part of Lebanon.

I also would point to the war on terrorism from another respect. When the two airplanes hit the Twin Towers, and when the third one hit the Pentagon, we got together and we showed what a determined country could do. We went to Afghanistan. We fought that war. We are still fighting that war. We were successful and have been successful because we are together. Today is a very regrettable day because we are no longer together.

Now, my colleagues can say that they do not like something in this because the rule provided for A, B, or C. I was here for many years as a member of the minority. I did not like everything that was in every appropriations bill. Far from it. But today we need to be together. And I ask my colleagues as Members of the U.S. House to come together with us, to pass this bill, and let us get it behind us, go home, and truly, together, together celebrate Memorial Day and those who have served our country so well over the decades before us.

Mr. CALLAHAN. Mr. Chairman, I move to strike the last word.

I wish we could, Mr. Chairman, get to a position where we could move on to discuss some of the issues we in this bill; and particularly I would like to get to the amendment process so we can start debating them.

In particular, I have several amendments that I would like to have the opportunity to bring before this body about the assistance in this bill to Israel and to the Palestinian Authority, as well as another amendment that probably will be out of order, but with respect to assistance for Egypt as well.

To give my colleagues some idea of what I am talking about, I have noticed with great admiration today that the gentleman from Georgia has all of these beautiful charts, and I know a lot of my friends on the other side of the aisle also have all these beautiful charts. So I am in the process of getting some charts, too; and I want to point out on those charts the economic conditions in Israel, the United States, and Egypt to give them a reason why I am so adamant about including Egypt in this process, as we have for the last 30 years.

So I am anxious to get to that. I want to talk about unemployment in Egypt, in Israel, and in the United States. I want to look at the cost of living in all three countries to give the American people and my colleagues an opportunity to see what we are really talking about.

Now, I have an institutional knowledge of the history of assistance to the Middle East; and I want to bring out the fact that we have appropriated nearly $100 billion to this process over the last 30 years and to show where maybe this extra $200 million is necessary, maybe it is not. That will be up to the Members to decide. I am not lobbying Members to vote, I just want the opportunity to bring information before this body which will show glaringly that we are making a big mistake if we do not consider all of these factors rather than just a couple.

I want to discuss economic assistance to Arafat. A lot of people say, do not say Arafat. I want to discuss whether or not the Secretary of State or the President of the United States asked for this money. I want to know if Prime Minister Sharon asked for this money, because there have been indications that this is not the case. Neither

the Secretary of State nor the President asked for this money or new economic assistance for Israel. Secretary Powell did not.

I was in the committee hearing when we discussed this section of the bill. Secretary Powell did not mention that, and yet some are inferring that this is a request from the Secretary of State. It is my understanding that it is not. Maybe I am wrong and maybe some of my colleagues can bring up some information that will dispute what I think is fact.

So I am anxious to get on with this process, because I want to show some very glaring historical figures of money we have spent. Nearly 40 percent of every dime we have spent on foreign assistance in the past 20 years has been spent in the Middle East, and I want to show how we capped this spending and how all the Members of the House agreed with me that it was time to cap this percentage of spending in the Middle East.

I want to recollect with my colleagues the speech that Prime Minister Netanyahu made right in front of your podium, Mr. Chairman, talking about the fact that it was time for Israel to begin this process of weaning themselves off this dependency of American taxpayer dollars. I want to hear what the Democrats have to say about that, because they are saying that every dime we spend in this bill for this and that is adding to the deficit. They want to say that every dime we spend in this bill is taking money away from Social Security. I want to find out why this section of the bill is not being debated.

And I am sure that there are a lot of people on the other side of the aisle that will have a reasonable explanation why this particular area is different from the area that we are talking about for the war on terrorism. So it is going to be an interesting debate, and I look forward to the opportunity to come before my colleagues to vividly explain my position.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for emergency expenses resulting from the September 11, 2001, terrorist attacks, $5,750,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For an additional amount for ''Salaries and Expenses'' for emergency expenses resulting from the September 11, 2001, terrorist attacks, $1,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for emergency expenses resulting from the September 11, 2001, terrorist attacks, $112,000,000, to remain available until September 30, 2004; *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $102,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment to this section of the bill.

The Clerk read as follows:

Amendment Offered by Mr. OBEY:

Page 6, line 12, after ''2004'' strike all through ''Congress'' on page 6, line 23.

Mr. OBEY. Mr. Chairman, we have heard a lot today about the need to pass this bill in order to support our troops in the field, and we have heard a lot about how we need to be tough in fighting terrorism. This amendment is the first of two amendments that I will try to offer, one to this section, the FBI, and another to the Department of Defense budget, which will do the following:

With respect to the FBI, in January, the FBI argued for additional funds for several critical activities to upgrade the security of their new computer system and to make certain that it is backed up and protected against loss in the event of terrorist attack.

□ 1600

The FBI also asked for funds to increase their access to foreign language translators and analysts, because the FBI and other intelligence agencies have huge amounts of paper lying around which they want to sift through for intelligence information but they cannot because they do not have the translators.

What this amendment does with respect to that item is to eliminate the line-item veto which this bill presently contains for the President. There is a clause on line 12 of page 6 which indicates that all of the amounts that we are appropriating to the FBI cannot be spent unless the President designates them all as an emergency. What we are trying to do is to eliminate that language, to make clear that we think that this money to the FBI is a high enough priority that it needs to be provided and should not be blocked by a decision by OMB.

We will also have, when we get to the next section of the bill, a companion amendment. That amendment will add $790 million to the amount that will be spent, not subject to an item veto, to assure that we do not have to demobilize nearly 20 percent of the Guard and Reserves who were called up after the events of September 11. Those Guard and Reserve forces are doing some fundamental work on behalf of this country. It is a poor policy decision that would require us for lack of money to demobilize 20 percent of those forces.

The President has said that we would spend whatever it takes in order to win the war on terrorism. Yet OMB has denied the request of the Department of Defense to appropriate all of the money needed so that they do not have to demobilize these forces. The Secretary of Defense issued an internal memorandum to his senior staff complaining about the high pace of operations on regular forces and saying it was creating a strain on those regular forces. Now we have fresh warnings that a reconstituted al Qaeda is planning an attack in the U.S. bigger than that that we saw on September 11. There is good reason to keep Guard and Reserve personnel on board as long as that is the situation.

I do not believe that we should continue to treat Guard and Reserve as second-class forces. They are an integral part of our military operations today. I think we need to act as such. These amendments are made possible because of the peculiar accounting practice associated with one provision in the bill. I do not particularly care for that accounting practice, but as long as it has been imposed upon us by OMB and by the senior House leadership, I think at least we ought to provide some constructive use for that language and for that provision.

I would say all of you who have been talking all day long about how we need to support the troops, about how we need to be tough on terrorism, you can back up your words with your vote by supporting this amendment and the next amendment that comes along shortly.

Mr. YOUNG of Florida. Mr. Chairman, I rise to speak on the amendment.

Mr. Chairman, we have no opposition to this amendment. It does not add any money to the bill. It does not take any money away from the bill. As the gentleman from Wisconsin said, it strikes the emergency designation for this section dealing with the FBI. When this bill was produced by the committee, we were at our top number. We could not spend any more money. In order to balance this bill, some of the requests were determined to be an emergency and others were offset. So we came out with a really good, clean bill. But now there have been some interesting budgetary changes, I am not exactly sure how they worked, but I understand there were some decisions made that changed the number of dollars available. Because of that, the gentleman from Wisconsin's amendment is perfectly in order and there is enough

money in this bill to provide this money without declaring it an emergency.

And so, Mr. Chairman, we have no objection to this amendment. Hopefully we can dispose of it and move on to the next item of business.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

I want to explain one other reason that we need to adopt this amendment. We discovered, and we discussed with the Attorney General in the hearing, the fact that up until September 11, the Justice Department appeared insistent on downplaying the importance of antiterrorism activities.

This is a document which demonstrates the papers that were presented to the Attorney General shortly before the events of September 11. As it was discussed in our hearing, apparently what happened is that the FBI was trying to push to have a higher emphasis on terrorism. Newsweek magazine contains a story discussing the difference between former director of the FBI Louis Freeh and the Attorney General about the relative importance that should be placed on antiterrorist activities. The FBI made it quite clear that they wanted antiterrorism activities to be given a much greater emphasis than the Attorney General was comfortable in giving them.

This chart was a chart given to the Attorney General. He was asked to spell out for the agency staff what his priorities were. He was asked to designate what his priorities were for the department for the coming year. The objectives were listed; fighting violent crime, dealing with illegal drugs, combating terrorist activities by developing maximum intelligence and investigative capacity. The Attorney General declined to indicate that combating terrorism was one of his top priorities and instead insisted that other items be given top priority.

Anyone can make that judgment. I am not saying this today in order to criticize the Attorney General. But I think it does emphasize the need for the amendment, because the relationship of the Justice Department with the FBI shows that consistently the FBI has tried to get a tighter focus on terrorism and they have met considerable resistance in doing that from the Justice Department. So that is another reason why I am offering this amendment today, to make certain that OMB cannot exercise an item veto with respect to these appropriations to the FBI for counterterrorism activities. I think it is essential.

I am also frankly unhappy about the fact that the Attorney General apparently was willing to charter personal planes for himself at the same time that notices were not being given to the general public that there were security reasons that would lead people to be concerned about flying commercial. I think all of this demonstrates a certain lack of judgment at the Department of Justice that in essence got in the way of the FBI's trying to get a tighter focus on terrorism. I think this amendment will help contribute to the ability of the FBI to do its job of putting terrorism at the top of the priority list.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me just say on the issue of Mr. Ashcroft, before 9/11 and after 9/11, the world changed tremendously. I think we have to look forward as to what we do. I was the author of the National Commission on Terrorism, the Bremmer Commission. It came up with their report in the year 2001. Many people believe that if those recommendations had been followed, many other things would not have happened. I think the world was not very interested in the issue of terrorism. I say that in defense of Attorney General Ashcroft, I think, as of 9/11.

But let me say, the gentleman has a good amendment. I agree that this funding is crucial to the FBI in its fight against terrorism. All of the funding under the discussion in this amendment directly supports the FBI efforts to upgrade and modernize this technology and better share its intelligence data. The reorganization that the FBI will soon be sending up moves heavily into this area, one, put terrorism at the top; two, deal with the technology which was a major problem in the Timothy McVeigh case. Also, to make sure that whatever data that the FBI has is shared with other agencies, such as the CIA and other government authorities.

The FBI is at a crucial period in their history and I think the Congress ought to do everything they can to help with regard to technology and with regard to upgrades. I think the gentleman from Wisconsin has a good amendment here. I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) will be postponed.

The point of no quorum is considered withdrawn.

Mr. BECERRA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I, like I believe every single colleague who has taken to the floor, wish to first begin by saying that I stand here today to support our troops fighting terrorism, not just abroad but certainly here at home, to support all our men and women in law enforcement civilly who are doing the same, to support our medical personnel, our community activists who are doing their utmost to work with our law enforcement and military leaders to make America safer. We are committed, all of us, to once again make America safe and free from harm.

Unfortunately, Mr. Chairman, my friends in the majority are using the battle against terrorism to pass what I believe is a dangerous and cynical provision that allows the Federal Government to break its own spending limit and raid hundreds of billions of dollars from the Social Security and Medicare trust funds.

Mr. Chairman, America can be strong militarily without becoming weak economically. But our friends in the majority are hoping they can escape today's debate without leveling with the American public. The Nation is back into deficit in its budgets and now my friends in the majority plan to use Social Security and Medicare trust fund dollars to pay for other programs unrelated to national defense and to counterterrorism.

Mr. Chairman, I would not be surprised if many people, including Members on this floor or people in the American public who happen to be watching this debate, if they are confused, because as I sat through hours and I sit through hours of this debate, oftentimes you hear conflicting statements by colleagues. But, Mr. Chairman, there is one rule that I believe stands the test of time, and that is that sunshine is the strongest of all disinfectants, particularly when it comes to ensuring that the political and policymaking process is untainted.

□ 1615

The Republican leadership, with this bill today and with the White House, which has endorsed this legislation, are borrowing a page from Enron and using gimmicks and stealth to hide the true nature of their plans for America's future. They are attempting to keep the American people in the dark about our Nation's budget challenges and the growing national debt.

This resort to stealth and secrecy, to me, is tremendously chilling. It is chilling. With this bill, the administration is seeking to raise the debt limit with no strings attached. They have disclosed nothing about their plans to repair our damaged fiscal situation.

Today the American people have told the Federal Government, you are allowed to borrow $5.95 trillion of taxpayer money, and today under this legislation, the administration and my colleagues in the majority are saying we want to raise that amount that we want to borrow. We want to pull this card out, the Federal credit card, and borrow even more.

We have already been told by Secretary of the Treasury O'Neill that he wants to borrow at least another $750 billion more to increase that national debt, a national debt which will have

to be paid for exclusively, every single cent of that $750 billion or more in increased debt, from Social Security or Medicare trust fund dollars.

I will say that one more time: Every single penny that would be used to increase the size of the debt and the deficit for this year would come directly out of only two pots, Social Security and Medicare trust fund dollars. Not only are we jeopardizing our seniors, not only are we jeopardizing those who need prescription drug coverage under Medicare, but we are jeopardizing all of our children. I do not intend to use the government's credit card and mortgage my children's future, but that is what we are being asked to do today. But it is being done under the cloak of national defense and antiterrorism.

Every single one of us, I believe, who has taken to this floor has said let us have a clean vote on the issue of antiterrorism and national defense, as this supplemental appropriations for the most part does, and rid it of the pork, and you have got a virtually unanimous vote in this House. But there is an insistence on also stealthily including through secrecy this allowance to increase the size of the national debt.

Now, this does not seem new. Just yesterday this House voted to allow secrecy to continue. It cannot happen. We have subpoenas on the Senate side saying, Mr. President, allow us to see what Enron had to do with the administration at its task force meetings on energy.

Let us stop the secrecy. Let us have a clean vote and not mortgage our children's future.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is a lot that the gentleman from California says that I agree with. We came here in the same year, in 1993. I have been working to try to hold down the increase in spending and thereby hold down the increase in the public debt. I hope that we can have a real debate on just how much debt do we want to leave our kids and our grandkids.

It is a mortgage, after all. I feel, like I am sure many of us, just like any family or any business, if you are going to go deeper into debt and borrow money, there should be some plan to start paying off that debt in the future, not just let it perpetually grow and grow and grow. Of course, that is what happened in the last 40 years in this Congress. Republicans came in and took the majority in 1995, and we came in with vim and vigor and tried to put pressure on the increase in spending.

I have heard some of my colleagues from the other side of the aisle suggest that it is the tax cut that is causing the deficit. Maybe that is true, if you say, look, we have no control over spending and we are just going to increase spending 2 and 3 and 4 times the rate of inflation.

But if we are doing what we should and having spending increases more consistent with inflation in this country, then there would not be any problem of digging into the Social Security trust fund or any of the other trust funds.

Let me say that our current deficit is the result of an explosion of spending. Let me give you this example. In 1998, we passed and executed a plan designed to balance the budget in fiscal year 2002. That budget projected a fiscal year 2002 revenue of just under $1.89 trillion. Actual revenues for this year are going to be slightly over. The CBO now projects $2 trillion, or more than 5 percent above the projection. So revenues, even with the tax cuts, are coming in much stronger than we even anticipated for a balanced budget.

Even if you subtract out the cost of the war on terror and the increased money for defense and this supplemental today, we would still have a balanced budget, if it were not for the outrageous increase in spending that this Congress, the House and the Senate, and the President have passed over the last few years.

The growth in discretionary spending over that period has been explosive. Discretionary outlays will rise at an annual average rate of 7.4 percent between 1998 and 2003. The President's proposal for $789 billion in discretionary spending in 2003 is a full $124 billion, or 18 percent, more than the President Clinton projected for this year in his last budget.

The point is, it is spending. It is not tax cuts, it is not digging into Social Security, but it is the tremendous growth in spending that is our problem.

The $35 billion in increased defense expenditures and $6 billion in expanded homeland defense for fiscal year 2003 are not even half of the total increase since President Clinton left office. Yet we heard complaints that even these gigantic increases are not enough. We need to get serious about controlling spending and deciding how much debt we want to leave to our children and grandchildren.

I am proposing debt ceiling legislation that would do a better job of assessing the government's true liabilities. It would include the debt held by the public and the debt held by government trust funds, as does the current limit, but it would add to that all of the unfunded government liabilities coming due within 10 years. This is going to give us a better position in deciding just how much debt we want to leave to our kids and grandkids. But I say let us not demagogue the tax cuts, let us not demagogue the issue on Social Security and Medicare. Let us face the real problem, and that is the significant increase in spending.

So I would hope I am not hearing from the other side of the aisle as we go through the appropriation process criticizing that there is not enough money for this issue or that issue or this program or that program. This is war. Those programs should have minimal increases or no increases, if we are going to win this war on terror and control spending.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

For an additional amount for ''Salaries and Expenses, Enforcement and Border Affairs'' for emergency expenses resulting from the September 11, 2001, terrorist attacks, $75,000,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act, or in Public Law 107–117, for the Immigration and Naturalization Service's Entry Exit System may be obligated until the INS submits a plan for expenditure that (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (3) is reviewed by the General Accounting Office; and (4) has been approved by the Committees on Appropriations: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $40,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For an additional amount for ''Justice Assistance'' for grants, cooperative agreements, and other assistance authorized by sections 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996 and section 1014 of the USA PATRIOT Act (Public Law 107–56) and for other counter-terrorism programs, including first responder training and equipment to respond to acts of terrorism, including incidents involving weapons of mass destruction or chemical or biological weapons, $175,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for emergency expenses for increased security requirements, $1,100,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President of the Congress.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For an additional amount for ''Scientific and Technical Research and Services'' for emergency expenses resulting from new homeland security activities and increased security requirements, $4,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FISHERIES FINANCE PROGRAM ACCOUNT

Funds provided under the heading, ''Fisheries Finance Program Account'' for the direct loan program authorized by the Merchant Marine Act of 1936, as amended, are available to subsidize gross obligations during fiscal year 2002 for the principal amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $19,000,000 for Traditional loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for emergency expenses resulting from new homeland security activities, $400,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251 (b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

CARE OF THE BUILDING AND GROUNDS

For an additional amount for ''Care of the Building and Grounds'' for emergency expenses for the Supreme Court building, $10,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for emergency expenses to enhance security and to provide for extraordinary costs related to terrorist trials, $6,258,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That $3,115,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President of the Congress.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'' for emergency expenses for activities related to combating international terrorism, $51,050,000, to remain available until September 30, 2003: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for ''Educational and Cultural Exchange Programs'' for emergency expenses for activities related to combating international terrorism, $20,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That $10,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', for emergency expenses for activities related to combating international terrorism, $200,516,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'' for emergency expenses for activities related to combating international terrorism, $7,000,000, to remain available until September 30, 2003: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'' to make United States peacekeeping payments to the United Nations at a time of multilateral cooperation in the war on terrorism, $43,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'' for emergency expenses for activities related to combating international terrorism, $7,400,000, to remain available until September 30, 2003: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BROADCASTING CAPITAL IMPROVEMENTS

For an additional amount for ''Broadcasting Capital Improvements'' for emergency expenses for activities related to combating international terrorism, $7,700,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RELATED AGENCIES

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for additional staffing to respond to increased needs for enforcement and oversight of corporate finance, $20,000,000 from fees collected in fiscal year 2002, to remain available until expended.

In addition, for an additional amount for ''Salaries and Expenses'' for emergency expenses resulting from the September 11, 2001, terrorist attacks, $9,300,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

GENERAL PROVISIONS

SEC. 201. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, section 15 of the State Department Basic Authorities Act of 1956, as amended, and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 202. Section 286(e)(3) of the Immigration and Nationality Act (8 U.S.C. 1356(e)(3) is amended—

(1) by striking ''is authorized to'' and inserting ''shall''; and

(2) by striking ''authorization'' and inserting ''requirement''.

SEC. 203. (a)(1) During fiscal year 2002 and each succeeding fiscal year, notwithstanding any provision of the Federal Rules of Criminal Procedure to the contrary, in order to permit victims of crimes associated with the terrorist acts of September 11, 2001, to watch trial proceedings in the criminal case against Zacarias Moussaoui, the trial court in that case shall order, subject to paragraph (3) and subsection (b), closed circuit televising of the trial proceedings to convenient locations the trial court determines are reasonably necessary, for viewing by those victims.

(2)(A) As used in this section and subject to subparagraph (B), the term ''victims of crimes associated with the terrorist acts of September 11, 2001'' means individuals who—

(i) suffered direct physical harm as a result of the terrorist acts that occurred in New York, Pennsylvania and Virginia on September 11, 2001 (hereafter in this section ''terrorist acts'') and were present at the scene of the terrorist acts when they occurred, or immediately thereafter; or

(ii) are the spouse, legal guardian, parent, child, brother, or sister of, or who as determined by the court have a relationship of

similar significance to, an individual described in subparagraph (A)(i), if the latter individual is under 18 years of age, incompetent, incapacitated, has a serious injury, or disability that requires assistance of another person for mobility, or is deceased.

(B) The term defined in paragraph (A) shall not apply to an individual who participated or conspired in one or more of the terrorist acts.

(3) Nothing in this section shall be construed to eliminate or limit the district court's discretion to control the manner, circumstances, or availability of the broadcast where necessary to control the courtroom or protect the integrity of the trial proceedings or the safety of the trial participants. The district court's exercise of such discretion shall be entitled to substantial deference.

(b) Except as provided in subsection (a), the terms and restrictions of section 235(b), (c), (d) and (e) of the Antiterrorism and Effective Death Penalty Act of 1996 (42 U.S.C. 10608(b), (c), (d), and (e)), shall apply to the televising of trial proceedings under this section.

SEC. 204. For purposes of section 201(a) of the Federal Property and Administrative Services Act of 1949 (relating to Federal sources of supply, including lodging providers, airlines and other transportation providers), the Eisenhower Exchange Fellowship Program shall be deemed an executive agency for the purposes of carrying out the provisions of 20 U.S.C. 5201, and the employees of and participants in the Eisenhower Exchange Fellowship Program shall be eligible to have access to such sources of supply on the same basis as employees of an executive agency have such access.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $206,000,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $226,000,000, to remain available for obligation until September 30, 2003: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $119,000,000 shall be available only to the extent that an official budget request for $119,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $53,750,000, to remain available for obligation until September 30, 2003: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $17,250,000 shall be available only to the extent that an official budget request for $17,250,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $60,500,000, to remain available for obligation until September 30, 2003: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $19,500,000 shall be available only to the extent that an official budget request for $19,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $751,975,000, to remain available for obligation until September 30, 2003, of which $420,000,000 may be used, notwithstanding any other provision of law, for payments to Pakistan, Jordan, and other key cooperating nations for logistical and military support provided to United States military operations in connection with the Global War on Terrorism: *Provided*, That such payments may be made in such amounts as the Secretary may determine, in accordance with standard accounting practices and procedures, in consultation with the Director of the Office of Management and Budget and 15 days following notification to the appropriate Congressional committees: *Provided further*, That amounts for such payments shall be in addition to any other funds that may be available for such purpose: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $12,975,000 shall be available only to the extent that an official budget request for $12,975,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEFENSE EMERGENCY RESPONSE FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Defense Emergency Response Fund'', $12,693,972,000, to remain available for obligation until September 30, 2003, of which $77,900,000 shall be available for enhancements to North American Air Defense Command capabilities: *Provided*, That the Secretary of Defense may transfer the funds provided in this paragraph only to appropriations for military personnel; operation and maintenance; procurement; the Defense Health Program; and working capital funds: *Provided further*, That notwithstanding the preceding proviso, $100,000,000 of the funds provided under this heading are available for transfer to any other appropriations accounts of the Department of Defense, for certain classified activities, and notwithstanding any other provision of law, such funds may be obligated to carry out projects not otherwise authorized by law: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $1,393,972,000 shall be available only to the extent that an official budget request for $1,393,972,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 23, line 15, strike ''$1,393,972,000'' and insert $603,972,000'' and on line 17 strike ''$1,393,972,000'' and insert ''$603,972,000''.

The CHAIRMAN. Does the gentleman from Arizona seek recognition?

Mr. KOLBE. Mr. Chairman, just simply to say that the majority is prepared to accept this amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes on his amendment.

Mr. OBEY. Mr. Chairman, I thank the gentleman.

Mr. Chairman, what this amendment does is to take away the President's line item veto authority of the money that this bill contains to fund full mobilization for the Guard and Reserve.

As I indicated earlier, we had been told that one of the things that held up the administration's request for a supplemental was the argument between OMB and DOD about whether or not full funding should be provided for the mobilization costs associated with Guard and Reserve forces after September 11. DOD lost the argument, and that meant that they did not get the money which would require 20 percent demobilization. That comes despite the fact that the Secretary of Defense on May 13 sent a memorandum to his senior staff reading as follows:

''We have had stop-loss in place for some months preventing people on active duty from leaving the service. In addition, we are extending the assignment of thousands and thousands of Guard and Reserves who have been called away from homes and normal employment to serve on active duty.

□ 1630

The entire force is facing the adverse results of the high pace OPTEMPO and PERSTEMPO.''

We are past the point where the Department can, without an unbelievably compelling reason, make additional commitments. Yet if OMB were to be listened to, we would not have all of the funds necessary in this bill to provide for the continued use of Guard and Reserve forces in the post-September 11 activities that they are now engaged in.

Again, we have heard a lot of talk on this floor today about the need to support our troops. Well, this is a concrete way we can do it. This makes certain that every dime that this bill contains will actually be provided for those forces. I think it is the responsible thing to do, given the fact that we have been given fresh warnings that a reconstituted al Qaeda force is planning something even worse than they planned on September 11.

There is good reason to keep these forces active, given the strain that we have on regular forces, and I appreciate the fact that the gentleman has accepted the amendment on behalf of the committee and would support a vote.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thoroughly support this amendment, and I fully support the war against terrorism. I support the bill as reported from the Committee on Appropriations, and I rise to comment on one of the important deficiencies in this bill: funding for our National Guard and our Reserve personnel.

Since September 11, some 83,000 National Guardsmen and Reservists have been called to active duty to support the war on terrorism. These are citizen soldiers, every bit as important as the regular active duty personnel, and these servicemembers are serving around the globe in Afghanistan, Bosnia, Kosovo, Korea and elsewhere. They are helping to prosecute the war against terrorism. We have a duty to fully support them.

Unfortunately, this bill does not do that. The supplemental requested by the administration includes only $4.1 billion for military personnel modernization and readiness. Because of the size of the National Guard and Reserve call-up, the duration of that call-up, and the use of stop-loss authorities to keep personnel on active duty once they have been mobilized, the bill on this personnel call-up comes to $1.8 billion above the $4.1 billion requested by the administration.

I commend the Committee on Appropriations for partially addressing the funding shortfall. The bill includes an additional $790 million. That still leaves about $1 billion that the Department of Defense will have to absorb in order to pay for those already incurred costs.

I do not know who is to blame, OMB or the Defense Department, but the failure to pay this bill will force unwise deactivation of personnel and harkens back to the days when the National Guard and Reserve were second-class citizens. We cannot and we must not let this happen.

Secretary Rumsfeld and President Bush have said they will do whatever it takes to pay for the war on terrorism. I only wish the budget reality matched that rhetoric.

Our military personnel, National Guard, Reserves, active duty, are being stretched thin with missions around the globe. We have an obligation to provide the funding to make sure they can do the jobs we ask them to do. While I will vote for the bill, I hope we will be able to fully fund these must-pay expenses in conference so that the Department of Defense does not have to compromise other important programs for this war on terrorism.

Let me add, this debate is about the future of Social Security, as many have noted; but it is more than that. We are at war. It is not a war we sought; it is a war that was forced upon us. All of us agree that we need to defeat the terrorists who attacked us, most recently on September 11, and that the antiterrorism and homeland security funding in this supplemental appropriations bill is needed.

In prior wars, we have mobilized and sacrificed to defend freedom and defeat tyranny. I remember the day after Pearl Harbor. I was a boy. Thousands lined up at recruiting offices. Eventually, more than 15 million Americans served in uniform. Millions more worked in defense plants. There was rationing of critical materials needed for the war effort.

To win this war, we have asked a relatively small number of Americans to sacrifice, to endure hardship, or even to die in defense of our freedom. There is no draft; there is no rationing. In fact, the administration has even opposed recruiting more troops to ease the burden on those in the field, and Americans have been urged to live normally and spend more money to stimulate the economy.

So this debate is about a moral question: Who do we ask to sacrifice in time of shared national peril? At least in the War Between the States, the wealthy had to buy their way out of serving. In the War Against Terrorism, the majority proposes to pay the wealthy through a tax cut and send the bill for the war to our grandchildren.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $79,200,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $22,800,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $262,000,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $2,500,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $3,500,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $129,500,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $36,500,000 shall be available only to the extent that an official budget request for $36,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $115,000,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $735,340,000, to remain available for obligation until September 30, 2004: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $104,425,000, to remain available for obligation until September 30, 2004: *Provided*, That funds may be used to purchase vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles, but

not to exceed $175,000 per vehicle: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That $4,925,000 shall be available only to the extent that an official budget request for $4,925,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 27, line 1, strike the colon and all thereafter up to the period on page 27, line 11.

Mr. OBEY. Mr. Chairman, this is simply a technical correction to do the same thing for Intelligence that we just did for the Guard and Reserve.

Mr. KOLBE. Mr. Chairman, the majority has no objection to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $8,200,000, to remain available for obligation until September 30, 2003: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. ROEMER. Mr. Chairman, I move to strike the last word.

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

Mr. ROEMER. Mr. Chairman, as we get close to 5 o'clock and the dinner hour all across the east coast and back in my home State of Indiana, I want to talk about where we are overall on this piece of legislation.

If this legislation were a bill to support our troops, our brave and courageous men and women overseas, fighting terrorism, it would pass unanimously, right now. If this bill were simply a bill to protect our homeland from terrorists, it would pass right now, unanimously. Instead, we have a piece of legislation with an accompanying rule that denies the minority their rights and thwarts the majority of their principles.

Over the past I have talked at length about the Committee on Rules denying the minority party, the Democrats in this case, denying the minority party the ability on the defense authorization bill, denying the minority party on the Welfare Reform Act our opportunities to change and amend and modify legislation. That is wrong in a lawmaking body.

But today we have gone even a step further than denying the minority their precious rights of participating in this great system. We now have a rule that is tucked in and hidden into this bill that is not just about terrorism or homeland security, it is about the majority party, the Republicans borrowing $750 billion of the taxpayers' money and not wanting to have a vote on it; not wanting to discuss it; not wanting, as Secretary O'Neill is advocating, to talk about the obligations and the faith of the government when we borrow money. That has been denied. That has been hidden.

As the father of four children, we often play games like kick the can. The Republicans, if they have kicked the can down the road on this one, that would be one thing; but they have played hide and seek. Hide and seek. Instead of letting Members vote the way they should vote on a difficult issue in the light of day in bringing this debt ceiling bill up, they have played hide and seek, and they have tucked it away in the bill and given everybody cover and ducked the debate.

They have also not only denied our minority party the right to debate that, they have thwarted the majority party on their principles. They have tucked into this bill, not to fight terrorism, not to protect our homeland security, not to help our troops win the war on terrorism, a trade provision that changes a law that this body passed by a vote of 234 to 163. This body, with the majority, voted on the Caribbean Basin Initiative to send certain products down there for dying. Now we have changed that with a little provision in the rule that is tucked into this bill to help pass another bill to help reward a Member of Congress. That has nothing to do with fighting terrorism, nothing to do with protecting the homeland.

That is what Democrats have a problem with today. We stand in this great Chamber and we look around this Chamber and we have great lawmakers here: Jefferson, who wrote the Declaration of Independence; Mason, who wrote the Bill of Rights; Moses, who thundered down the Ten Commandments from Mount Sinai. Yet, in this great body, we cannot debate these simple issues. And some people make this an issue of patriotism.

If this was defending our homeland, it would be a unanimous vote. If this was helping our troops overseas, it would be a unanimous vote. But, in fact, it is more complicated than that. Tucking provisions in bills, hiding amendments, providing no opportunity for the minority their rights, thwarting the majority their principles.

Mr. Chairman, I would hope that in the future, we will have rules and bills that allow the great justice and freedom that we are fighting for overseas to take place in this great deliberative body.

□ 1645

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today because of my concern. I want to first of all compliment the gentleman from Florida (Mr. YOUNG) and the committee for adding $750 million on this issue of mobilization of the Guard and Reserve. I want to commend my friend, the gentleman from Missouri (Mr. SKELTON), for his earlier statement.

As of yesterday, May 22, a total of 81,403 Guard and Reserve personnel were currently called up on active duty. The President's request for Guard and Reserve mobilization funding in this supplemental was so inadequate that DOD has begun planning to demobilize 14,500 Guard and Reserve personnel.

This funding reduction was imposed by OMB. It was not requested by the Department of Defense. In fact, Secretary of Defense Rumsfeld on March 13 issued a memorandum which reads in part:

> The entire force is facing the adverse results of high-paced OPTEMPO and PERSTEMPO. We are extending the assignment of thousands and thousands of Guard and Reserves who have been called away from homes and normal employment to serve on active duty. And finally, we are past the point where the Department can, without an unbelievably compelling reason, make additional commitments.

Despite the stresses Secretary of Defense Rumsfeld described so eloquently which are on the Armed Forces today, OMB would have us demobilize 14,500 guardsmen, increasing exponentially the burden on the active duty force.

The Committee on Appropriations, as I mentioned, added $790 million to try and avert this disastrous demobilization. I understand the amendment of the gentleman from Wisconsin (Mr. OBEY) was accepted earlier.

I just raise this because when we look at a whole series of items in this supplemental and we see that OMB has intervened to reduce the funding for the Department of Energy, for the Department of Transportation, I mean, here are people coming in with their best estimates of what is needed to do this job, and the money is not winding up in the budget. This is after the President has pledged to all of us and to the American people that the money will not be an obstacle for Homeland Security.

Obviously, we have to be concerned about unnecessary or unwise spending. But in my mind, if we are talking about protecting our forces, if we are talking about having an adequate military force, and the Department of Defense is telling us that they may have to add to the active duty force, if we are going to have to add to the active duty force, why are we in the midst of a demobilization of our Guard and Reserve forces when they are doing an outstanding job?

I just think this is another example of this budget being not adequate to

deal with this problem. I worry about my good friend, Tom Ridge, who I think is trying to do a good job. He is hampered by not having an agency around him. I think that the legislation introduced by the gentleman from Texas (Mr. THORNBERRY) and others which creates a new, independent agency is also essential here. We also have to support the Coast Guard.

So I rise today in concern that we are not doing enough here on homeland security. We have gone through a disastrous attack on September 11. I hope it does not take another disastrous attack on the country, which many are today warning us of, before we get serious about creating an agency, about supporting the Guard and Reserve, and about doing what is necessary to make all of this work for our country.

We have a lot of catching up to do, because we have not focused on homeland security for years because we thought we were completely secure. Where we have done a great job in many other areas and have CINCs all around the world, we are in the midst of creating a CINC for the United States and for Canada and Alaska, the Northern Command.

I just want to join my colleagues here in raising these issues. The gentleman from Missouri (Mr. SKELTON) has talked about this. The Guard and Reserve play an incredibly important role in our country, and they are needed, I think, today. I just hate to see OMB continuing to intervene and somehow getting the support of the administration to undercut the decisions that Mr. Rumsfeld and the Department want to make.

We saw this last year on the supplemental, we saw it on the overall request for the 2003 budget. I just hope somebody down at the White House will bring them under control and support what the Department of Defense is asking for.

Mr. BENTSEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the debate that we have been having the last day and a half is not about the troops or the commitment of this body to the war on terrorism. I think that is pretty clear, that every Member supports the troops, and that every Member wants to make sure that our troops have everything they need in the field in order to do the job that we have asked them to do for the American people.

But I think, rather, that this debate is about our commitment to being honest with the American people. The Republicans, unfortunately, want to cloud the debate on the issue of the national debt and the budget by hiding behind the war. I think that is a shame.

The Democrats do not seek to forestall the war effort. We simply think that the American people are entitled to the same open and honest debate about the future of our Nation's fiscal policy: How we will save Social Security; how we will pay for a prescription drug program that both parties have said they want under Medicare; how we will pay down the national debt, instead of adding to the national debt, as the majority seeks to do through the sleight-of-hand in the rule for consideration of this bill.

Mr. Chairman, we have seen Members of the majority come down to the floor and admit that, yes, we need to raise the debt limit, and yes, the procedure for considering this bill will allow for that, possibly by as much as three-quarters of a trillion dollars. If that is so, then why not bring a bill down separately to raise the debt limit? Bring it down to the floor of the House and let us debate it out in the open in front of the American people, so we can tell them how we intend to pay off that debt and how we intend to balance the budget.

Ironically, it is the Republicans who do not want to do that. They want the American people to grant them an extension of credit of another $750 billion without any discussion of repayment, without any discussion of restoring the fiscal responsibility, and thus the creditworthiness of the United States, in order to pay for that.

Is it not ironic, Mr. Chairman, that the same majority 8 years ago, when I was a freshman in this body, shut down the government, nearly caused a default on the Nation's debt, and threw the economy into chaos until the President would sit down with them and negotiate with Congress on a plan to balance the budget by 2002?

In fact, back in November of 1995, having shut down the government and failing to lift the debt limit, the Republicans put forth a proposal to allow for only a 1-month debt limit extension in order to bring the President to the table. Now they want $750 billion and far more than a month, far more than what is necessary to give the troops what they need in the field today, tomorrow, a month from now, a year from now, and more than a year from now.

Today, with the Bush administration seeking three-quarters of $1 trillion more in debt, the Republicans want a blank check with no explanation, no questions, no plans on how to balance the budget; none of that. How ironic that 7 years ago it was the same Republican majority that threatened default. Yet, now, having wanted to balance the budget by 2002, they have driven us back into deficits by 2002.

Instead of having the debate that we had a year ago over how much debt we could pay down, they want to raise the debt, but they do not want to talk about it anymore. They do not want to sit down with the White House anymore. They do not want to explain to the American people anymore how we are going to pay for increasing the public debt. That is wrong, and that is what we are upset about.

Bring the supplemental without the debt limit extension in it and we will vote it out, and we can be gone in half an hour. Bring the debt limit extension down as a separate piece of legislation, so we can ask Members and we can ask the President the same questions they wanted to ask the prior President about how we are going to balance the budget again, and how we are going to pay down this debt, and how we are going to fix Social Security and provide for prescription drugs. That is all we want. In a democracy, that is what the American people ought to have.

So, Mr. Chairman, that is what is the problem with this bill. We are tired of seeing the red ink. We are tired of having excuses, and we are tired of seeing our colleagues on the other side with really no answers hide behind a war effort that all of us and all the American people support.

I would hope that we could resolve this impasse by stripping out the debt limit increase part of this bill, bringing it back as a separate bill, and let us get on with our business of providing the troops with what they need and providing the war effort and the American people with what they want. Let us get on with our business.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

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

Mr. ANDREWS. Mr. Chairman, there is no division in this House, or I believe in this country today, over the question of whether we want to fully and vigorously support the war on terrorism. I join what I would believe to be a near unanimous or unanimous body in this House in favor of providing the funds to get that done.

There is a division within this House over the question of accountability. The lack of accountability is one of the real sad phenomena in American culture right now. It is even more sad that what we are doing in the House today is a continuation of that culture that says that it is okay not to be accountable.

The great political scandals of our time at State and Federal and local levels for both Republicans and Democrats are usually about the failure of elected officials to be held accountable.

We had a debate on this House floor within the last 2 weeks about holding welfare recipients accountable when they receive public funds, as I believe we should. There has been discussion in every corner of America about the lack of accountability of the executives of the Enron Corporation seemingly being able to take vast amounts of money from their shareholders, from their employees, from their pension funds, but not be held accountable.

The division between us today is about accountability on the question of raising the national debt, on the question of borrowing $750 billion to run the government.

Mr. Chairman, I readily accept the proposition that there are different views as to whether or not we should do that. There are different views as to

how much we should borrow. There are different views as to how we should pay for the way that we run the government.

That is what we are here to do, is to debate those different views. But that is not what divides us today. What divides us today is an unwillingness of the majority to be accountable at all on this question, to put this question up for a vote.

Mr. Chairman, all across America today, Americans are voting on questions that come before community groups. Parent-teacher associations are voting this afternoon on whether to have a car wash or a cookie sale to raise money for the school library. Youth soccer leagues and civic groups and unions are going to vote tonight as to whether or not to spend their money to improve their association a certain way, or to elect someone to lead it. City councils and State legislatures are voting on questions of how to change their law and how to invest their resources.

Voting is what we do in governments and in community organizations around America. What is wrong with what is going on here today is we are not voting. The Members of the majority are refusing to be held accountable for a decision that they made in 2001.

In 2001, the majority rolled the dice on the U.S. economy and we all lost. In 2001, we were faced with the prospect of endless surpluses. The majority leader of the House came to this floor in March of 2001, during the debate over the tax cut, and I quote him as saying, ''Over the next 10 years, taxpayers will be overcharged by a staggering $5.6 trillion. Even after paying down the payable debt and funding all our priorities, Washington will still be awash in cash surpluses.'' So said the majority leader in March of 2001.

Mr. Chairman, with all due respect, he was wrong. Today we are not awash in a cash surplus, we are borrowing money to run the Federal Government. The majority does not want to deal with the consequences of their mistake. They do not want their Members to go home and say when we made the decision to drain the Federal Treasury of $2 trillion in March of 2001, and we said there would be money to pay for all these other expenses, and we would be awash in cash surpluses, we dropped the ball. Now, as a result of it, we have to borrow money to run the government.

That would be the accountable thing to do. That is what the majority refuses to do. We are not asking the majority to adopt our view of what the budget should be. We are not asking the majority to cut spending or raise taxes or to come up with some formula we would come up with.

□ 1700

We are asking the majority, we are demanding that the majority be held accountable for their decisions the way city councils and unions and boards of directors are, hold them accountable.

Ms. DEGETTE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am frankly saddened by the tone of this debate. The Republicans say that they are in charge here. They have the majority and they have a duty to pass the military supplemental to continue the war efforts in Afghanistan and against al Qaeda and other terrorist groups. We agree, we do have a responsibility to pass the supplemental; and the thing I am sad about is the majority knows we agree with it. We know we have to pass this supplemental, but what we object to is all of the other things that are tacked onto it because the majority does not have the courage to deal with them head-on, independently.

As the majority party, the Republicans also bear the responsibility for the health of our economy. And frankly, that is why the Republican majority claims that it passed last year the tax cuts which primarily benefit the wealthy. Well, that is fine. They thought that would help the economy. Guess what? They thought wrong. We did have some intervening events. We had a recession. We had the terrorist attacks of September 11, and the need for relief efforts and bioterrorism efforts in this country and we have the war against terrorism.

At that point, to exert leadership, what the majority party should do is say, the combination of our tax cuts for the wealthy and these crises have left us in a position where we have the largest 1-year increase in deficit spending in our Nation's history. But do they do that? No. Instead they shirk their duties of leadership, and they try to sneak language into this very important relief bill to increase the debt ceiling and to allow us to go even deeper in debt instead of working with the majority and the minority to find a way that we can readjust our budget so that we can deal with the very real economic issues.

Then the majority demagogs this issue by blaming it on the minority party by saying we are unpatriotic because we object to just slipping this increase of the debt ceiling into a bill that should pass and should pass unanimously.

I have got to say I, for one, am sick to death of being called unpatriotic. Is it unpatriotic to say that we should face our economic responsibilities as a Congress instead of shrinking into greater and greater debt? Is it unpatriotic to say that we should protect Social Security for the grandparents of the men and women who are fighting overseas against terrorism? I do not think so. Is it unpatriotic to want to deal with our changed economic circumstances as a result of the tax cuts, the recession and the terrorist attacks? I do not think it is unpatriotic. In fact, I think it is the height of patriotism, and that is why I object to this tactic.

Here is why this is such an important issue. As I said, we just had the largest 1-year plunge in our national deficit spending. If we look at this chart, what it shows, we had some deficit spending throughout the 1970s. And when Ronald Reagan's tax cut went in in 1981, we were plunged even deeper into deficit spending which culminated in 1991. Finally, Congress had the guts to do something about it, and they passed legislation to make our economy strong.

As you can see in 2000, for the first time we were actually running surpluses. But once that tax cut for the wealthy was passed, and everything else happened, this year we have been plunged into the largest deficit spending in our Nation's history.

What you do not see on this chart is 2 years out. This goes through 2006. In 2008 the baby boomers will start to retire and when the baby boomers start to retire, the grandparents of our fighting men and women, we will have raided their Social Security and Medicare trust funds, and we will have an economic crisis in this country like you will not believe.

So here is what I think we should do. Let us strip the provision for the debt ceiling out of this bill. Let us pass this bill immediately. Let us pass this bill right now, and then let us come back and let us sit down and have an economic summit. Let us talk about what we can do about these tax cuts for the wealthy. Let us talk about how we are going to pay for a prescription drug benefit so our seniors are not having to choose between paying rent and paying for their medicines. Let us figure out how we are going to fund our economy.

In my personal household, if I went home and said to my husband, I know we have had some economic hard times lately; our roof has been leaking and the kids are sick, so I have decided to go to Saks Fifth Avenue and buy a new wardrobe, my husband would not be too happy. And the Nation should not be happy with this, with what this Congress is doing either.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think I need to clarify something here. I have heard a number of speakers say that we should not be considered unpatriotic because we have a difference of opinion here. I do not think anybody on my side of the aisle suggested that anybody in this House is unpatriotic. To the contrary, I appreciate all of the Members who came together with us after September 11 to provide the supplemental appropriations bill that the President used to get the war started. We appreciate that. We appreciate the way that we work together, and I know that we are going to continue to work together for what is in the best interest of America, what is in the best interest of our troops that are defending America, and what is in the best interest of those who are seeking out terrorism wherever it is in the interest of America. But what is happening here is there are those who are trying to change the direction of what this bill really is all about.

Now, this bill is about providing a defense emergency supplemental appropriations bill. That is the basic bill that we are talking about. And we need to get that money available quickly. Because of the war, the military services have used up money that they would use normally in their fourth quarter. We need to replace that money quickly. We need to replace the missiles and bombs that have been used. We need to replace the airplanes and helicopters that are worn out. We need to do all of these things because we are at war.

I want to say something else, Mr. Chairman. For those who are not old enough to remember Pearl Harbor, that was World War II for us, that was the war that we were fighting because we were attacked. But now count all the other wars after World War II, whether it was Korea, which was next; whether we are talking about Viet Nam, which was a terrible tragic experience for many of our people, especially the military; whether it was Granada; whether it was Panama; whether it was Haiti, Somalia, Rwanda, wherever it might be up to and including Desert Storm, we were fighting somebody else's war. Listen to that. We were fighting somebody else's war.

Today for the first time since World War II we are fighting our war. We were attacked. America was attacked. Our Pentagon, the headquarters of our national defense was attacked. The World Trade Center, the center of our economy was attacked. Thousands of our American people lost their lives in a sneaky terrorist attack. That is what this bill is about. And the attempts to change it into something else just do not fly. This is a national defense emergency bill and we need to get to it. We need to focus on what this bill really is about and how we need to respond quickly to get this bill passed and get it to the President so that, in fact, those funds that have already been spent can be replaced to fight the war and to seek out the terrorists.

MODIFICATION TO AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the Obey amendment that was adopted to the paragraph that spans pages 26 and 27 be modified by the form that I have placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. OBEY:

On page 27, line 1, strike ''the entire amount'' and insert ''$99,500,000''; and

On page 27, line 4, strike the colon and all thereafter up to the period on page 27, line 11.

The CHAIRMAN. Is there objection to modifying the amendment after its adoption?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I only do so to allow time for the gentleman from Wisconsin (Mr. OBEY) to give an explanation of exactly what this request is about.

Mr. OBEY. Mr. Chairman, if the gentleman will yield, I appreciate the gentleman doing that.

Mr. Chairman, this is simply a technical fix to the amendment on Intelligence, which was passed just a few moments ago and accepted by the committee.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The CHAIRMAN. Is there objection to adopting the amendment in the modified form?

There was no objection.

The CHAIRMAN. The amendment is readopted in the modified form.

Mrs. THURMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, to the gentleman of Florida (Mr. YOUNG) I would say what he talked about sums up the beginning part of my statement in talking about the fact that we will commemorate Memorial Day this weekend, and the day when we come together to share a special salute to all of those who have paid the ultimate price for our country and to offer prayers of comfort to the family members left behind.

I think we would all agree this Memorial Day will be very different from the last. September 11 changed everything. And since that terrible day, we have all been forced to acknowledge for the first time since Pearl Harbor that the cruelties of war are closer to home than most of us have ever imagined. But I think we would all agree, as well, we will continue to fight terrorism head on, wherever it lives and wherever the perpetrators live and conspire to hurt innocent people, because we have no choice.

It is the only way to preserve our way of life, our freedoms and our liberties. It is the only way to truly honor the thousands who lost their lives on September 11 and the men and women who are currently serving in Afghanistan under very difficult conditions. This Memorial Day is for them.

I am reminded of a famous statement made by Franklin Delano Roosevelt, who once said: ''We too born to freedom are willing to fight to maintain freedom. We and all others who believe as deeply as we do, would rather die on our feet than live on our knees.''

These are the words I will be speaking on Memorial Day. The American people are intelligent. They know we face many problems as we try to combat terrorism. We are prepared to bear their fair share of the burden. However, this bill does hide one of those burdens, a necessary, but politically unpopular, increase in the debt ceiling. The majority fears, I think, an honest debate on why the debt ceiling must be raised and what impact that action will have on Social Security and Medicare trust funds. So they hid it in an important appropriations bill and hope that people will not learn of it until after it becomes law.

Today we face a fiscal crisis. The government may not be able to pay its bills unless it has the authority to borrow money. A year ago we had projected surpluses. Now we have projected deficits. How did we get to this point? A response to terrorism? Yes. An economic slump that reduced tax receipts? Yes. And especially an ill advised tax cut last year which wiped out our surplus. To keep our government operating, Treasury had to borrow from Federal retirement accounts twice this year. Now the majority will increase the debt ceiling so it can continue to borrow from our Social Security and Medicare trust funds.

On October 24, 2001, the House first debated a tax bill that could have helped pay for this war on terrorism, and I stood here and urged this Congress to act responsibly. For the benefit of my colleagues who were not present at the time, let me repeat one thing. I want to quote from 1917 when Congress was considering how to pay for World War I, Ways and Means Chairman Claude Kitchen said, and I quote, ''Your children and mine had nothing to do with bringing on this war. It would be unjust and cruel and cowardly to shift upon them the burden.''

Our leaders in World War I and World War II knew that we had to pay for those wars and we could not risk our economic security. Further raising the national debt in the long term makes us vulnerable, which is exactly what the terrorists want, and we cannot let that happen. Now is our time to step up to the plate and prove that we too can be a great generation. Rather than standing tall in the face of the enemy, in this body, we slink away from its duties.

□ 1715

The majority lacks the backbone to pay for the war honestly. Instead, we are passing on the burden to those who are fighting, to those who are fighting the war and to their children. They have to pay more for interest on the debt in the future.

Few of us oppose the objectives in this bill. Quite frankly, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) and the appropriations people and my colleagues have done good work. They have addressed defense and homeland security and veterans' health, and I do not have but a few problems with the specifics, but I could be persuaded to support it if the majority leadership had allowed an open debate on the debt and raids of the Social Security and Medicare trust funds.

Please do not accuse anybody of being weak on terrorism. Do not accuse anybody of not supporting our valiant forces abroad. I support our troops and families. Unlike some here, I also supported the troops when they responded

in 1999 to another commander in chief's directive, April 28, rollcall 103. Some of my colleagues ought to check that. My support for our troops does not depend upon who send sits in the Oval Office, and we need to be honest with the military forces.

I am disappointed and I hope that we can get this majority to reconsider its actions.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word.

I will not consume the entire 5 minutes. I know the committee would like to resume its work. Indeed, I came down here earlier to speak and the committee was taking action so I left, went back to my office, and I saw again a lot of what I would describe as political rhetoric.

One of the reasons why I do not buy anything you all say is where is your budget? Where is your budget? Why did not you produce a budget 2 months ago, 3 months ago? Where is your budget? You do not have a budget. How are you going to pay for the war? The troops are in the field. We have raided all of the accounts. We have got to replenish those accounts.

That is what the gentleman from Florida is trying to do in this supplemental. He is trying to put money back in for ammunition. They are out in the field and they have no weapons. They have no ability to continue to fight. We are trying to give the troops what they want.

We put all this in our budget. Where is your budget, I ask you? And then you come to this floor over and over and say you want a straight up-and-down vote on the debt ceiling. Are you saying you will vote for that? I want to ask you all that question. Can I interpret that to mean, if we give you a straight up-and-down vote, you will vote for an increase in the debt ceiling? That is baloney.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. No, I will not yield.

Ms. PELOSI. You were asking a question. You were challenging.

Mr. WELDON of Florida. You guys have been talking for 8 hours straight.

The CHAIRMAN. All Members will suspend.

Mr. WELDON of Florida. Eight hours straight you have been talking.

The CHAIRMAN. All Members will suspend.

Mr. WELDON of Florida. Now I have another question.

The CHAIRMAN. All Members will suspend. The Chair would like to remind all Members to address their remarks to the Chair.

The Chair would further like to remind all Members that once a Member has indicated he or she does not intend to yield, Members should not continue to interrupt.

The time is controlled by the gentleman from Florida. He may proceed.

Mr. WELDON of Florida. Mr. Chairman, I would pose another question to my distinguished colleagues on the other side of the aisle.

The Social Security trust fund, they keep bringing that issue up. Are they trying to say to our troops in the field they consider it more important that we do not raise the debt ceiling, that we do not use the Social Security surplus moneys than put the ammunition in their guns, that we give them the fuel that they need?

We all know what is going on.

Ms. PELOSI. Mr. Chairman, will the gentleman yield so I can answer the gentleman's question?

Mr. WELDON of Florida. You can get your own time.

We all know that under Lyndon Johnson we went under a unified budget. The gentleman from Iowa got up earlier and talked about how he was not here. I was not here either, but the reason I am here, the reason I left my medical practice is year after year, $200 billion being borrowed after you raided the Social Security trust fund. We all know we have a unified budget. We all know that.

I will tell you what I think this is all about. I think this is all about wanting to spend more money. That is the way I interpret it.

Mr. PALLONE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to respond to the gentleman from Florida but in my own way, if I could, during my 5 minutes.

I just wanted to say I have been here for 14 years. I came in 1988, and before that I was in the State legislature and I was a city councilman, and I was actually shocked when I came down here to see how much deficit spending went on. When we were in the city council, we were in the State legislature, we could not do deficit spending. We had to have a balanced budget every year. That is the way we operate.

And I want to say I was almost, I was actually proud of the fact that in those first 6 or 8 years that I was here, that I would see Republican Members of the House, some Democrats, too, but a lot of Republicans who would come down on the floor almost every night during special orders, during one-minutes in the morning and talk about how they had a problem with the deficit and how deficit spending was a bad thing for the country. And I remember some Members had a digital clock that I know would talk about how the deficit kept rising every day, billions of dollars, trillions of dollars. I do not see that anymore on the Republican side of the aisle. I do not see my Republican colleagues coming down here and worrying about the fact that we are $100 billion indebted, now maybe as much as $300 billion in debt this fiscal year.

All of the sudden, the concern on the part of the Republican party for the budget and the deficit and fiscal responsibility has almost disappeared from the floor of the House of Representatives, and I cannot believe how irresponsible you have been in the way you have proceeded.

The gentleman from Florida talked about a budget. If the gentleman listened to what the gentleman from Missouri (Mr. GEPHARDT) said, he said we want to sit down with my colleagues. We know that the situation has changed because of the war against terrorism. We are all very patriotic. I am not going to get into that because there is not anybody here who would not be out there serving their country or helping their country. We are all patriotic. That is not the issue.

The fact of the matter is that the Republican leadership in this House is no longer listening to the concern about the deficit, and where we are going with deficit spending. The Democrats are saying one simple thing here today. You put this tax cut into effect, and that is a big part of the reason why now we are going into a deficit, and it is not acceptable to us.

It is not acceptable to the American people to keep spending and running up this credit card debt and something has got to be done about it, and you cannot just come here in the last minute and sneak in this language about the debt ceiling and act as if it is not there. It is there and the reason it is there is because you realized that in order to continue this deficit spending you had to pass some resolution or some action that raises the deficit, raises the debt, raises the amount of credit card debt, so to speak.

So all we are saying is sit down with us, talk to us about the budget, acknowledge that the budget that you presented a few months ago is not realistic anymore because of the increasing amount of debt, and also acknowledge that if you continue along this path of deficit spending that you are going to dip into the Social Security trust fund, that you are going to dip into Medicare. We are not going to be able to do the things we want to do with prescription drugs, that we are not going to able to do the education programs that the President talks about are so important, none of these things are going to be possible, rather than sit here and talk about who is patriotic. There is not anybody here who is not patriotic. There is not a soul on the floor of this House of Representatives, man or woman, who would not be willing to vote for this bill and for the funding for the war effort.

That is not the issue. The issue is the fact that the Republican leadership has reneged and forgotten its responsibility with regard to the Nation's finances, and we cannot keep running up this credit card debt, because if we do, we are not going to be able to fund Social Security, we are not going to be able to fund Medicare. We are not going to be able to do the educational programs that the President is so proud of. He is proud of it, but where is the money? It is not going to be there.

So let us have the opportunity to basically go back to the drawing board. Bring back a clean bill. Forget about this sneaky language on the debt ceiling. Let us have an up-or-down vote.

We are talking about the debt ceiling. Do not crowd it out with all the talk of the war effort. That is not the issue. We are all willing to spend the money for the war. That is not the issue.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I represent over 40,000 Army soldiers at Fort Hood, the largest Army installation in our country. I care deeply, as do all members of this House, about supporting our troops, be they at home, serving our Nation, or be they abroad, or be they today in Afghanistan, and that is exactly why I am so offended by this rule and this process and what has happened to this bill.

Mr. Chairman, for those who have been confused by this debate, let me simply list what has happened.

Fact number one. Under the able leadership of the gentleman from Florida (Mr. YOUNG), the Committee on Appropriations, on which I sit, passed out quickly a bipartisan bill to fund the war against terrorism and provide for essential emergency homeland defense funding.

Then on Tuesday night of this week, the Committee on Rules, directed by the leadership of this House, took a bipartisan bill that was literally flying through this House for the right reasons and turned it into a partisan bill by adding late at night, behind closed doors, amendments that had absolutely nothing to do with fighting our war on terrorism.

Let us look at what is actually in the bill, because I have heard a great deal of discussion about if you want to support our soldiers and troops in the field, vote for this bill. Earlier I offered to yield time. No one took me up on this. I would be glad to reiterate that offer. I will yield time right now if any Member of the Republican majority can explain to me how section 1404 of this bill actually helps fund our war against terrorism.

In case my colleagues do not know what that section says, let me read it: Treatment of certain counties for purposes of reimbursement under the Medicare program. Reclassification of certain Pennsylvania counties, in Lackawanna, Luzerne, Wyoming, Lycoming and Columbia Counties, Pennsylvania, such counties are deemed to be located in the Newburgh, New York-Pennsylvania Metropolitan Statistical area.

I am sure that is very interesting. It may be important to the people of that area. However, can any Member of this House right now use my time to explain what this has to do with funding our troops in Afghanistan? I did not think so.

Well, let us go on in the next paragraph. In Mercer County, Pennsylvania, I am sure there are good people that live in Mercer County, Pennsylvania. This county is now deemed in this bill to be located in Youngston-Warren, Ohio Metropolitan Statistical Area.

Can anybody in this House explain to me how rewriting geographical maps in Pennsylvania has anything whatsoever to do with funding our war on terrorism? Let us go on.

Well, we also do a little geographic rewriting in Orange County, New York in the same section. We make Orange County and Dutchess County, New York, part of the large urban area of New York, New York, for Medicare purposes.

I do not quite understand how this amendment, which was never debated by our Committee on Appropriations, has anything to do with funding our war against terrorism.

I question whether the real goal of funding our war against terrorism perhaps has been undermined by a much less important goal of supporting the reelection of certain Members of this House.

Regarding section 1405, I would be glad to yield time if one Member of this House can tell me how the amendments to the Caribbean Basin Economic Recovery Act, dealing with knit fabrics and woven fabrics, has anything to do with funding our war against terrorism.

I notice, Mr. Chairman, once again nobody in this House has chosen to explain to me what that has to do with homeland defense or war against terrorism. I am not trying to discredit the importance of knit fabrics versus woven fabrics, but I am not really sure we ought to slow down the funding of homeland defense programs and funding our war against terrorism to get into a debate over the Caribbean initiative.

Mr. Chairman, this is politics as usual. The unrelated provision added by the Rules Committee, including a massive $750 billion increase in the national debt ceiling, should be deleted from this bill so we can quickly fulfill our responsibility to provide emergency funding for our war against terrorism and for homeland defense.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, what we do have is $15.7 billion for DOD. That is $1.7 billion over the President's request. If the gentleman is suggesting that supplemental appropriations bills that come to this floor should never be passed if they have anything extraneous, then he is suggesting something that is very unrealistic, and my recommendation is that if the gentleman looks through this, and we have got money, $7.2 billion for ongoing military operational costs, $4.3 billion for personnel costs, $500 million.

Mr. EDWARDS. Absolutely. And reclaiming my time, that is exactly why the bill passed so quickly through the House before these extraneous partisan amendments were added late at night in a secret meeting of the Committee on Rules.

□ 1730

Mr. CUNNINGHAM. Mr. Chairman, some of my colleagues on the other side, the gentleman from Pennsylvania (Mr. MURTHA), the gentleman from Washington (Mr. DICKS), who is standing back there, the gentleman from Missouri (Mr. SKELTON), and I think the majority of the Democrats are just as tough in fighting for the defense of this country as most of us.

I am a veteran, and I want to tell my colleagues something. Using our military as White House waiters, to me, is not patriotic. Putting them in harm's way, our rangers in Somalia, and not giving them the tools that they need, and we saw Black Hawk Down, is not. And I would tell my colleagues on the other side, I feel the same way about our Marines that were left in Lebanon that were hurt. To me, that was not patriotic either, and that was under a Republican administration.

It is not patriotic to me to cut veterans' COLAs and military COLAs for those families that fight for us and have to move all over the country. But yet in 1993, the Democrats controlled the White House, the House, and the Senate, and they did just that.

I heard my colleagues talk about, well, in 1993, we had a program, an economic stimulus package, and not a single Republican voted for it. Absolutely right. Why? Because in that bill they cut military COLAs. They cut veterans COLAs. Talk about Social Security, my colleagues increased the tax on Social Security. That is a fact. And all the leadership that is standing up here today and talking about raiding the Social Security trust fund, when the Democrats had control of both bodies and the White House, they raided every dime out of the Social Security trust fund and had a $300 billion debt, plus increased spending.

We inherited nearly a $5 trillion, a billion dollars a day on just nearly the interest. And has the debt gone up? Absolutely. It is kind of hard to pay off $360 billion every year that accrues, and then interest on that.

Then I heard my colleagues say, well, under their leadership there was a surplus. Not one of President Clinton's economic plans passed this House with a Republican majority. Not one. And matter of fact, we restored the veterans' COLAs. We reinstated the military COLAs. President Clinton's gutting of veterans' health care we put back in. We increased it. And we increased the defense of this country, and I would say with bipartisan support with my colleagues on the committees.

But when we look at or talk about the Social Security trust fund, it took me months to collect, and I have a document that I am going to bring to the floor, it is about that thick, it is every single time the Democrat leadership voted to take and steal every dime out of the Social Security trust fund. So when my colleagues talk about it, be careful, because we will point out every single time the Democrats voted to steal the money out of the Social Security trust fund.

Now, was it bad? Not necessarily. Because our country is at war, and there

are debts to pay. But do not demagogue here for political reasons and say that we are raising the debt to raid the Social Security trust fund when, in fact, my Democrat colleagues stole the money. We came up with a lockbox. The gentleman in the other body, who I cannot mention on the floor, threatened to filibuster for a Social Security lockbox. We had to fight that.

We had to fight welfare reform on this floor with many of my colleagues. And I will say that there are many of the people on the other side of the aisle here that vote consistently against defense bills, that vote against intelligence bills, that bring amendments to the floor to gut military and intelligence every single year. To me, that is not very patriotic, my colleagues.

Our military today, our kids, are hurting. We are trying to make up over a $250 billion deficit that was built up from 127 deployments: Haiti, Somalia, Bosnia. Billions of dollars. Kosovo. We flew 86 percent of the missions in Kosovo. We paid for 90 percent of that bill. That is wrong. Because who ends up paying for that? We were only keeping in 22 percent of our military under President Clinton because they were so abused in our equipment. We can do better. We can pass this bill, and we can fight for our military.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. All Members are reminded not to make improper references to the Senate during floor consideration.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this weekend we will celebrate Memorial Day, a day to honor our Nation's war heroes. This holiday began during the Civil War, my colleagues, when the women, and many of them widows and daughters of those who fought in the Civil War, made a decision to decorate the graves of soldiers from both North and South, regardless of the side on which they fought, to decorate their graves. It was for many, many years, decades, known as Decoration Day. The act of reconciliation between the North and South that these women initiated is something that is carried on in a tradition to this day. Today, we call it Memorial Day, and it is something that we are very, very proud of.

Many young women are in harm's way today as we speak so that the democratic process can flourish in the world, certainly in our country, and to begin to emerge in Afghanistan.

As the senior Democrat on the Permanent Select Committee on Intelligence, I know full well, as I know we all know in the body, Democrat and Republican alike, that we must make the necessary investments to protect Americans in the Armed Forces and to protect our country. I do not think there is any doubt of that, and I do not think anyone questions the wholehearted commitment of every person in this body to do that.

We all agree, Mr. Chairman, that additional resources are needed to meet our Nation's defense and homeland security needs. We all support that, Democrats and Republicans alike. I want to commend the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, on which I am proud to serve, for his great leadership and the manner in which he conducts the work of our committee. And I want to also commend the ranking member, the gentleman from Wisconsin (Mr. OBEY), for working closely with Chairman Young. They both worked to bring this bipartisan product to the floor.

We had hoped that the priorities that were spelled out in the Committee on Appropriations to meet the necessities of force protection, homeland security, and helping to meet the needs of those who suffered as a result of September 11 would not be a matter of any controversy whatsoever. That is why it was so sad to see the leadership of the Republican Party in this House desecrate, desecrate this important piece of legislation which was committed to protecting our forces, protecting our homeland and helping those, as I said, affected by September 11. This is an act of desecration when we should be acting in a manner to honor those who serve us and those who have suffered.

We all support the President in the war on terrorism. We have been united with him, shoulder to shoulder, since September 11 to that end. But we do not support and cannot support the shameful tactics of the Republican majority to prevent debate and limit democracy. Instead of proposing a bill to meet our legitimate needs to fight terrorism in a fiscally responsible way, the Republican majority has sneaked the second largest increase in the debt limit in this Nation's history without a vote on any debate.

I wonder how they thought that they could get away with such a thing, or why they thought it was even appropriate. As the majority party in the House of Representatives, in the Capital of the United States, a model for the rest of the world, why did they think it would be a good idea and okay to sneak the second largest increase in the debt limit in history in a stealth manner, not even to be voted on on the floor, bypassing the democratic process?

And the chairman of the Committee on Ways and Means shed some light on that earlier. He came to this floor and he said, in essence, how can we expect to vote on every single item, every single piece of legislative business? We do not have time. It would be ridiculous to think that we would have the time to vote on every single little item. Well, we think differently about protecting Social Security for America's seniors. We do indeed.

I did not know we thought as differently until I heard it expressed and Social Security trivialized as just another legislative item that we do not really have time to debate or to vote on separately. That was very enlightening. And I think it probably points out the difference between the Democrats and the Republicans.

We think Social Security is important. We will vote to protect it. We would like to do so in a democratic way. And I am so sad and disappointed that the Republican majority would desecrate this important piece of legislation by undermining Social Security to give a tax break to the wealthiest Americans.

Mr. Chairman, the Republicans are hiding this plan from the American people. They are hoping to take the money and run, without letting the public know their intentions.

Make no mistake about it. They are voting today to authorize taking $750 billion out of the Social Security and Medicare trust funds to pay for other programs.

When you review the Republican proposal, you have to wonder: what happened to all the budget deficit hawks on the Republican side? Have they become an endangered species? Indeed, I think they have become extinct.

Today, without telling anyone, those same Republicans are requesting the second largest increase in the debt limit in our Nation's history to continue their raid on Social Security and Medicare.

We must have an up or down vote on their stealth plan to mortgage our children's future.

Mr. SHAW. Mr. Chairman, I move to strike the last word.

Mr. Chairman, so much has been said on this floor about Social Security that I think somebody has to get up and get the record straight.

There have been errors made on both sides, but particularly on the minority side, when they refer to this bill in any way jeopardizing Social Security for our seniors. It is more and more of the same old thing: scare our seniors, scare our seniors.

Let me give an example which I think absolutely shows 100 percent that this particular bill in no way endangers Social Security. To begin with, we hear time and time again on this floor that the Republicans are raiding the Social Security trust fund. Mr. Chairman, there is no money in the Social Security trust fund. There are only Treasury bills.

The way the Social Security System works is the money that comes into Social Security that is not used to pay benefits goes into the general fund, which is called the surplus, and is replaced in the trust fund with Treasury bills. So anyone getting up and making this statement, it is a great statement to make from a political standpoint, but from a factual standpoint it simply is not true. It is not true.

I ask this question of my Democrat friends: In all of the years, the 40-some years they were in charge of this House, and they had deficit spending as far as the eye could see, and I have looked at the chart up there and it shows all the Presidencies that the Democrats keep putting up, during those periods of time, those were Democrat-controlled Congresses. In most of those cases, on both sides, the Senate and the House, those were Democrat.

But no President has ever spent one dime that was not specifically appropriated right here in the House of Representatives. That is a fact.

So when we start talking about the deficits and we start trying to recreate history, let us look at the real facts.

Now, the question comes up, in all of those years did the Democrats raid the Social Security trust fund? No. Did they spend the Social Security surplus? Yes. In part of this are we going to be looking to spend Social Security surplus? Probably so. But that does not in any way endanger Social Security. It simply delays the paying down of the national debt.

Now, when did we finally balance the budget in this House? We balanced the budget after the Republicans took control. That is a simple thing and we cannot rewrite the history. The history is very, very clear.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Washington.

□ 1745

Mr. DICKS. Mr. Chairman, I want to commend the gentleman for getting up and making this statement. I think the rhetoric here has been inaccurate on both sides of the aisle. A gentleman from California on your side of the aisle just got up a few minutes ago and said that Democrats were stealing the money out of the Social Security trust fund when the Democrats controlled the House. The gentleman from Florida, Mr. SHAW has explained this in a way that I think is accurate for the American people. I do not think any of us should be in the business of trying to misinform senior citizens. I do not think it works. I think senior citizens are smart enough to know that it is not accurate. We ought to be honest about how Social Security is funded amongst ourselves and in the debate on the floor. I commend the gentleman for his willingness to correct the record.

Mr. SHAW. I thank the gentleman for those comments. I again would like to repeat what Chairman YOUNG said and I think he said it so eloquently: We are fighting our war. We were attacked.

This is a time of emergency. If we have to spend some of the Social Security surplus, so be it, but we are not spending one dime of the Social Security trust fund. The Social Security trust fund is secure. The FICA taxes are going to be there to pay every benefit through 2017. The retirees and the disabled in this country have the first call on the Social Security money that comes into the trust fund. Let us get an even and balanced argument here. And for God's sake, why does every Member in this House, in this Chamber, not spend a little time and figure out and learn how the Social Security system works in this country and also recognize the fact that we are looking at a $25 trillion deficit in Social Security if we do not move together in a bipartisan way to reform Social Security. My door is open. As soon as we get any cooperation or see any cooperation from the other side of the aisle, or the other side of this Capitol, we will move and we will save Social Security for our kids and our grandkids. That is important. That is key. But right now we have an emergency, we have been attacked, and this country must react and we must react in a bipartisan way.

Mr. PENCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the war supplemental.

Some do not remember history, but we do. The gentlewoman from California, for instance, Mr. Chairman, just stood up and said that Memorial Day began during the Civil War. It certainly did not. It actually was the product of an order issued by General John Logan on May 5, 1868. A minor mistake. One of the Democrat Members who spoke today actually came to the floor and said that Memorial Day was a day established in 1916 where we remember veterans in service of our country. An honest mistake, Mr. Chairman. I would not deign to embarrass a colleague by saying who made the error between Memorial Day and Veterans Day. The truth is that in life, some remember history and others do not.

I think that frames very well the arguments that we have heard on this blue carpet today, Mr. Chairman, because while some on the other side do not remember history, we do. And it is my conviction that the overwhelming majority of the American people who join us today do as well.

They argue, for instance, of great anxiety, even using terms like desecration of this war supplemental bill, suggesting that our efforts to meet all of the obligations of the United States of America with full faith and credit by allowing a discussion in the conference committee about debt limit is a desecration of this bill. The gentlewoman again from California says she has no idea where this approach came from. It used to be called the Gephardt rule, and I know the distinguished minority leader is on the floor at this moment. It was in September of 1979 that the distinguished gentleman from Missouri (Mr. GEPHARDT) developed a rule which allowed the Democrats to increase the debt limit virtually automatically whenever they went into red ink overspending the taxpayers' money. And we are to be denounced and accused of desecration by those who created a rule to do surreptitiously what we choose to do in the light of day?

Some do not remember history, Mr. Chairman, but we do. They argue that we are about the business of overspending in this bill. We hear laments on the floor from Democrat colleagues who are worried that conservatives like me have lost our commitment to fiscal restraint. Mr. Chairman, I am astonished by that comment, because I spent a lot of time on the floor in March of 2002 as one Democrat colleague after another came to the floor to explain how much more money needed to be added to our budget resolution. And our effort to deem that budget, to live within the confines of that budget during this time of war, is now being ridiculed as excessive spending by those who wanted to make that budget much, much larger. Some do not remember history, but we do.

And they argue, of course, as I just heard from the gentleman from Florida and my colleague, they argue that by fulfilling our commitments to the veterans that are in the field, the soldiers in the field that are fighting this war on terrorism, both abroad and at home, that we raid Social Security, when we remember, Mr. Chairman, that it was in the 1960s when a Democrat administration decided to borrow from the Social Security trust fund to finance a war. The only distinction there, Mr. Chairman, is they did not stop for 40 years. Long after the Vietnam War was history, the practice of raiding the Social Security trust fund was the practice of a Democrat Congress. Some do not remember history, but we do.

Mr. Chairman, I would offer to you as we continue this debate and its vitriol that I am a guy that believes it is possible to disagree without being disagreeable, but I believe that it is our obligation to speak honestly and candidly on this floor about the issues that we face. The truth is, Mr. Chairman, that they have no budget, they simply have criticisms of our effort to meet the needs of our soldiers, to meet the needs of homeland security and to move legislation forward that will make our country distinctly safer and bolster the confidence of the American people as we go forward in these uncertain days.

It is of them that I close, Mr. Chairman. You see, I know that the majority of the American people know what Memorial Day is about. They also know what a big tax-and-spend liberal Democrat Congress would be all about if they were in charge. They may not remember history, but the American people do.

Mr. DELAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we do not have the luxury of time today. We do not have the time to divert the vitally needed national security enhancements in this bill by taking a dangerous detour into a thicket of secondary issues that have no direct bearing on our urgent need to secure our country and defeat our enemies. We cannot afford to drag out the relief in this bill to serve an unstated political agenda that seeks advantage at the very expense of swift assistance. The people defending America do not deserve a legislative IOU today. They deserve timely action.

On the eve of Memorial Day, this House should not abdicate our mission by dragging out the urgent relief in this bill for our military, our homeland security and our hard-pressed intelligence agencies. As we all know, we

have taken great strides since September 11 to enhance our ability to detect, defeat and destroy the international terror networks. We have strengthened our homeland security. We have empowered our military commanders to secure victory. And we are moving aggressively to understand all the lessons from the terror attacks. But we also know that our job is far from over.

Our country has serious ongoing liabilities that we address through the relief in this bill. We cover the cost of our operations in Afghanistan and the call-up of Reserve and National Guard troops. We provide almost a half a billion dollars to firm up our coalition. We speed the elimination of unneeded chemical weapons. We supply the spare parts and replace the high tech munitions that our military needs to keep its edge, and we meet pressing needs for our special operations forces.

On the domestic front, we give the FBI the sophisticated technology systems that they need to coordinate and manage the flow of information. Clearly this improvement is urgently needed. We send resources to the INS to identify those people that are breaking the law by illegally overstaying their visas. We secure our airports with over a billion dollars in assistance to help detect bombs hidden in baggage. We provide substantial funding to harden our nuclear weapons facilities. In addition, we help the Secret Service build partnerships with sophisticated high tech firms to uncover terror's electronic footprints. And we also boost our intelligence capacity by sending the CIA and other agencies substantial resources to win the war on terror.

Today, Democrats, who we are asked to believe are motivated by a newfound passion of fiscal restraint, walked out on our work to provide the resources to improve our national security. They retreated from our responsibility to put politics aside when the time comes to strengthen our country. This campaign of jockeying for domestic political advantages while delaying swift action on our need to send these resources is beneath contempt. It is cut from the same shoddy cloth as the shameful campaign to sow doubt about the President's commitment to protecting the American people.

Following decade after decade of deficit spending when they held the majority, the idea that Democrats could now credibly lecture Republicans on the virtues of fiscal discipline just will not hold water. Their counterfeit fiscal discipline could be the most garish and grotesque case of ideological cross-dressing in the history of American politics.

House Republicans brought fiscal discipline back to Washington. We are the ones who balanced the budget. We cut taxes every year that we have been the majority party. We paid down over $450 billion in debt on our children. And despite the war and the recession, we are still committed to holding the line on spending. We are the true party of fiscal discipline.

Under our budget, we are going to pay down another $180 billion on the debt. And once our economy gains a head of steam, we will pay down much more than that. If Democrats were truly concerned about fiscal discipline, why were they AWOL in March when House Republicans passed our budget by ourselves? They could not even offer a budget, because they did not want to divulge the taxes they are planning to raise or the security spending they are likely to slash.

In time of war, we cannot dawdle around in carrying out our constitutional obligations. This bill carries critical resources to defeat the enemies of freedom and we ought to put them to work today. Anyone who leaves town wondering how deep the Democrats' commitment to fiscal discipline actually runs should consider one salient fact: The House passed the President's budget over 2 months ago, but the Senate has not acted yet. They have not passed a budget.

Pass this bill and let us go home.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have just heard the most bizarre rewriting of fiscal history that I have heard on that side of the aisle in at least the last 5 minutes. Let me try to bring us back to reality and recite what the true record of fiscal discipline has been over the past 25 years.

Up until Ronald Reagan walked into the White House, we never had a deficit larger than $73 billion. Then Ronald Reagan introduced in the Congress the David Stockman wonder bus budget and somehow we were supposed to be able to double military spending, cut taxes by huge amounts, especially for those at the top end of the scale, and we were told that would finally produce balanced budgets. Instead, the deficits quadrupled. The national debt rose from less than $1 trillion to over $3 trillion. So much for Republican fiscal discipline in the 1980s.

We then had an initial effort by the father of the existing President to try to get those deficits under control. He took the first needed steps in order to reduce the rate of increase of the Federal deficit. I congratulate him for his efforts. But that only got us to the point where the size of the deficits were slowing in their rate of increase. It did not turn them downward.

So then Bill Clinton was elected and he proposed a series of economic and fiscal measures to the Congress and over time, over a period of 8 months, we were able to put together the votes to enact that package.

□ 1800

We did so without the vote of a single Republican in either House. Not a single Republican Senator or House Member voted for that package. We were told by Mr. Gingrich, your Speaker, we were told by the gentleman from Texas (Mr. ARMEY), your floor leader, that it would lead to a massive recession and job loss. Instead, just the opposite. We had the longest period of sustained prosperity in the post-war period in this country.

But it cost us, because we had to do unpopular things, and because of that we were attacked by your side, unmercifully so, and we lost our majority. But in the process of losing our majority in this House we were able to put this country back on a sound financial footing, and not a single Democrat on this side regrets that.

Mr. Clinton was succeeded by Mr. Bush, and within 1 year you blew it. You imposed tax cuts that over the next 20 years are going to result in $7 trillion of lost revenue to the Federal Treasury. Then you wonder why we are not going to have enough money in the till to pay down the debt so we can prepare ourselves for the day when the baby-boomers retire and we are going to need to shell out huge amounts under Social Security.

So now, after you did that and after you committed us to massive future tax cuts, you now see that we are facing potentially $300 billion deficits again, and at least half of those deficits are caused by your tax action. So now you come in here and try to sneak through the place a fancy two-stepper, which will enable you to raise the national debt, raise the national credit card limit, by $750 billion, so you can continue to pay off your rich friends with their tax cuts.

That is what this fight is all about. We are resisting that because we care about the future of this country and we are dedicated to fiscal responsibility. No Democrat after the 1980s under Ronald Reagan, the free-lunch-era, no Democrat in either House has to take any lectures from the Republican Party leadership, most especially the gentleman who just talked, about fiscal responsibility. That gentleman himself added an amendment to the bill which added $200 million to the cost of the bill.

So I would say: End of history rewrite! Bring us back to reality. You know what the truth is. Every person in this Chamber does.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not use the 5 minutes. I have listened for the last day, day and a half, to the arguments on this floor, the finger-pointing and the charges that have gone back and forth. ''They are more fiscally irresponsible.'' ''No, they started before.'' ''They want to raise the debt ceiling.'' ''They did it before.''

We have raided the trust fund, and they did it before that. It is back and forth with these charges. None of this has been very productive to the legislation that is before us tonight. None of it is productive at all.

We all acknowledge that this Nation is at war against terrorism, and we all acknowledge this supplemental appropriation is needed. We all acknowledge

that our troops in the field need to have this done.

Mr. Chairman, there are a number of substantive and real amendments to be considered to this bill that are relevant to the war on terrorism, that are relevant to American foreign policy, and I would just say to my colleagues, I would urge my colleagues on both sides of the aisle, I would hope we could allow this debate to move forward, that we could allow the Clerk to read.

We had started, made a good and honest effort a few minutes ago, to get a start on that. I would hope that we could move forward, begin to read and consider some of the amendments for which there is a legitimate reason for us to debate and consider these amendments that are part of this bill. I say that with all due respect to my good friend on the other side and all of my friends on both sides of the aisle who have very deep feelings about this legislation and the things that were added to it.

I am part of a very tiny minority on this side of the aisle that did not support the rule yesterday. But this is where we are at. This is the bill we have got. It is an important bill, and there are important amendments, and I just hope that this body can now proceed with actually considering some of these so that the American people and our American soldiers, men and women in uniform, will know that we are dealing with the business at hand that affects them in fighting this war on terrorism.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I agree with the gentleman, and I am perfectly willing to ask people on my side of the aisle to withhold their comments so that we can get to additional amendments, if the same thing would happen on that side.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I am making that plea to people on my side of the aisle as well, that we do that and move forward here, I hope, with reading the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $99,800,000, to remain available for obligation until September 30, 2003: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That $39,000,000 shall be available only to the extent that an official budget request for $39,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $72,000,000, to remain available for obligation until September 30, 2003: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That $20,000,000 shall be available only to the extent that an official budget request for $20,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. (a) The appropriation under the heading ''Research, Development, Test and Evaluation, Navy'' in the Department of Defense Appropriations Act, 2002 (Public Law 107–117) is amended by adding the following proviso immediately after ''September 30, 2003'': '': *Provided,* That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operations Forces''. (b) The amendment made by subsection (a) shall be effective as if enacted as part of the Department of Defense Appropriations Act, 2002.

(INCLUDING TRANSFER OF FUNDS)

SEC. 302. During the current fiscal year, amounts in or credited to the Defense Cooperation Account under 10 U.S.C. 2608(b) shall be available for transfer, obligation and expenditure, consistent with the purposes for which such amounts were contributed and accepted, by the Secretary of Defense to such appropriations or funds of the Department of Defense as the Secretary shall determine, to be merged with and to be available for the same purposes and the same time period as the appropriation or fund to which transferred: *Provided,* That the Secretary shall provide written notification to the congressional defense committees 30 days prior to such transfer: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the Secretary of Defense shall report to the Congress quarterly all transfers made pursuant to this authority.

SEC. 303. During fiscal year 2002, the President may continue to provide assistance to Russia under cooperative threat reduction programs and under title V of the Freedom Support Act (Public Law 102–511; 106 Stat. 3338) without regard to the certification requirements in section 1203(d) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952 (d)) and section 502 of the Freedom Support Act (22 U.S.C. 5852) if the President submits to the Speaker of the House of Representatives and the President pro tempore of the Senate a certification that providing such assistance is vital to the national security interests of the United States.

SEC. 304. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414): *Provided,* That any funds appropriated or transferred to the Central Intelligence Agency for agent operations or covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2003.

SEC. 305. Section 8005 of the Department of Defense Appropriations Act, 2002 (division A of Public Law 107–117; 115 Stat. 2247), is amended by striking ''May 1, 2002'' before the period at the end and inserting ''June 15, 2002''.

SEC. 306. (a) Funds appropriated to the Department of Defense for fiscal year 2002 for operation and maintenance under the heading ''Chemical Agents and Munitions Destruction, Army'', may be used to pay for additional costs of international inspectors from the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, pursuant to Articles IV and V of the Chemical Weapons Convention, for inspections and monitoring of Department of Defense sites and commercial sites that perform services under contract to the Department of Defense, resulting from the Department of Defense's program to accelerate its chemical demilitarization schedule.

(b) Expenses which may be paid under subsection (a) include—

(1) salary costs for performance of inspection and monitoring duties;

(2) travel, including travel to and from the point of entry into the United States and internal United States travel;

(3) per diem, not to exceed United Nations rates and in compliance with United Nations conditions for per diem for that organization; and

(4) expenses for operation and maintenance of inspection and monitoring equipment.

SEC. 307. (a) In fiscal year 2002, funds available to the Department of Defense for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations.

AMENDMENT NO. 2 OFFERED BY MR. MCGOVERN

Mr. McGOVERN. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered at this time..

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. McGOVERN:

In section 307 (relating to Department of Defense assistance to Colombia), strike ''to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and''.

In section 601 (relating to Department of State assistance to Colombia), strike ''to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and''.

The CHAIRMAN. Is there objection to considering the amendment at this point in the bill?

Mr. KOLBE. Mr. Chairman, I reserve the right to make a point of order against this amendment.

The CHAIRMAN. The gentleman from Arizona reserves a point of order.

Mr. KOLBE. Mr. Chairman, I will not make a point of order against the

amendment. I simply want to say while I oppose the substance of the amendment and a point of order could be made because it considers 2 separate provisions, I will not object to that so that we can have the debate at this time on the entire issue, a very important issue, and that is the issue of the war on terrorism in Colombia and our Plan Colombia down there.

So I withdraw my reservation, and I am pleased to proceed with the debate.

The CHAIRMAN. Is there objection to the amendment being considered at this point in the bill.

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes on his amendment.

Mr. MCGOVERN. Mr. Chairman, I rise today to discuss a critical issue of American foreign policy. Tucked quietly into this supplemental is language that will significantly increase United States involvement in the civil war in Colombia. Along with the gentleman from Missouri (Mr. SKELTON), I am offering an amendment to strike that troubling and dangerous language and restore some common sense to our Colombia policy.

The supplemental bill expands our role in Colombia beyond counternarcotics and into counterterrorism. The problem is that in Colombia, counterterrorism means counter-insurgency.

In short, Mr. Chairman, if the Colombia language in the supplemental survives, the United States will be plunging head first into a grinding, violent and deepening civil war that has plagued Colombia for nearly 4 decades. This House should think long and hard before it gives a green light to such a momentous shift in our policy.

For the past several years, the U.S. has invested billions of dollars into counternarcotics efforts in Colombia. It is difficult to argue that our investment has paid any dividends. Indeed, since the inception of Plan Colombia, coca production in that country has actually increased by 25 percent.

Now, having said that, our amendment will not affect our funding for counternarcotics. In addition, our amendment protects language in the supplemental that allows U.S. resources to be used for humanitarian assistance, including rescue operations.

Two weeks ago, this House unwisely voted to grant the Secretary of Defense the ability to waive the cap on the number of U.S. military personnel in Colombia. When you add it all up, increased U.S. troops plus increased involvement in the civil war equals bad policy. But that is the door that this bill will open.

The majority of U.S. aid to Colombia goes to the Colombian military, a military with an abysmal human rights record, a military that continues to maintain ties to paramilitary groups that are listed on the State Department terrorist list. I do not believe that American taxpayer dollars should be used to fund an institution like that, and I certainly do not believe that we should expand American resources beyond fighting drugs and into fighting guerrillas.

Mr. Chairman, I am also deeply troubled by the timing of this Colombia language. On Sunday, Colombians will go to the polls to elect a new president. Polls show that the winner of that election will be Alvaro Uribe. Mr. Uribe has based his campaign on a promise to expand the civil war, and there are widespread indications that the violent right-wing paramilitaries that are responsible for so many of the human rights abuses in Colombia are actually supporting the Uribe campaign.

Now, I believe it would be a huge mistake to pledge additional U.S. troops and resources to the Colombian government before we see what the Uribe government will look like. Indeed, if Colombia decides to increase its own investment in fighting its civil war, it would be a dramatic shift. Right now Colombia spends less than 2 percent of its GDP on the war effort. People with high school diplomas are exempted from serving in combat roles, leaving the dirty work to the poor and uneducated. Our troops and our resources are simply too precious to be used as proxies in Colombia's civil war. If American personnel are not targets now because of our counternarcotic efforts, you will be sure they will be targets when we pick sides against the guerilla force of over 20,000 well-armed fighters.

Mr. Chairman, we all support the efforts to combat the kind of global terrorism that threatens our interests and people. We all support the campaign to dismantle al Qaeda. But Colombia is not Afghanistan. It is the site of a terrible, terrible civil war. Kidnapping and other homegrown acts of terrorism have been part of this war since the very beginning and used by all sides. There is no new war on terrorism to be waged in Colombia, there is only more of the same.

Mr. Chairman, what is our plan? How many U.S. troops? How much money? What is the end game? Colombia is a huge country, three times the size of Montana, 53 times the size of El Salvador. It is a hideously complex place with widespread poverty and social unrest.

Mr. Chairman, this is a defining moment. Getting directly involved in Colombia's civil war is a mistake, plain and simple. Let us demonstrate the good sense to think long and hard before we plunge ahead.

I urge my colleagues to vote for the McGovern-Skelton amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in strong opposition to this amendment. Let me begin by saying what the amendment does. It strikes 2 provisions, and the reason we agreed to the unanimous consent is because it strikes one section dealing with the Defense Department and one much later dealing with the State Department, so a point of order could have been made against this amendment. The McGovern amendment strikes the same language both in Defense and in the State Department chapters that permits the administration to allow U.S. assistance for Colombia to be used in a war against terrorism, not just simply against narcotrafficking.

Mr. Chairman, let me begin by observing that this amendment does undermine a bipartisan compromise that this committee worked very hard to obtain regarding broadened authority for U.S. assistance in Colombia. Similar language with a good deal more conditions is also contained in the Senate bill, so this amendment would negate not only a bipartisan, but a bicameral agreement that has been reached.

The amendment would preclude the U.S. from supporting Colombia's counterterrorism efforts. When the Clinton administration began to seek support for Plan Colombia from Congress about 3 years ago, 1 argument was that the revenues from the narcotics industry were increasing the ability of the FARC, the ELN and the AUC, the guerrilla groups and the terrorist groups that operate in Colombia, to destabilize Colombia.

Now, 3 years later, with Plan Colombia under way, the groups are, unfortunately, stronger than ever, eradication has not kept up with new plantings, and Colombia is facing a more unstable future than it was before. It is time for a change in American policy.

The existing authorities to spend U.S. assistance are narrowly written, too narrowly written, to allow U.S. assets and U.S. trained forces only to be used in counternarcotics activities. I have been to Colombia twice since Plan Colombia was approved, and to me it is patently obvious that we are operating with restrictions that are much too narrow.

□ 1815

The lines between counternarcotics and counterterrorism are not clear anymore; I do not think they ever were. They are certainly not clear today. In today's environment, with terrorists attacking the U.S. and U.S. citizens abroad, this imaginary line between counternarcotics and counterterrorism ought not to be maintained.

With many of my colleagues, I tried to convince the administration a few months ago that by not approaching Congress to clarify the authorities under which the U.S. would provide assistance, they would jeopardize congressional support for U.S. assistance to Colombia. This came after the Colombian Government, President Pastrana, had announced that they were abandoning their plans to try to achieve peace because the many attempts to negotiate with the guerillas

had come to naught, and they were going to pursue a military response. And I urged this administration, that if they were going to change U.S. policy, they should come and seek that approval from Congress, and that is exactly what they have done. This is a counterterrorism supplemental, and I commend the administration for requesting in the supplemental the language that we have in it today to allow counternarcotics assets to be used to fight terrorism.

Starting with the President's request, the committee arrived at a bipartisan compromise. And let me tell my colleagues a couple of things it does not do. The bill language does not extend through 2003, which was requested by the President. We are going to get into a markup of the 2003 appropriations bills in not too many weeks, so we decided to address 2003 in the fiscal year 2003, as I think we ought to. We have included report language that states our intent to use this bipartisan approach in the fiscal year 2003 bill, so we are making clear we probably will do so; and we can have this debate again in a few months if we need to have it, and that debate will take place after the elections and perhaps even after the inauguration of the new President. We want to see what the new Colombian administration will do after it is inaugurated in August.

Further, the committee deletes the broad ''notwithstanding any other provision of law'' provision, which was requested by the President. It was the conclusion by the committee that the authority is simply not needed by the Department of State at this time, given the existing authorities within the international narcotics and law enforcement account. And all existing human rights provisions, the caps on U.S. personnel in Colombia and the prohibitions on visas to individuals with terrorist links, are maintained.

With these conditions in place, with no large increase in the resources requested or provided to the Colombian military, this change in policy is not a major expansion of the U.S. role in Colombia's civil strife. It is a realistic approach to the situation in Colombia to combat terrorists using existing assets.

The Subcommittee on Foreign Operations had a hearing on U.S. assistance for Colombia in March. At that hearing the Under Secretary of State said on the record that the broader use of authorities would primarily make available U.S.-owned helicopters for counterterrorism purposes.

Mr. Chairman, I urge this body to retain the compromise language that is in this bill that has been reached on both sides of the aisle and on both sides of the Capitol building.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the McGovern-Skelton amendment. I am surprised that the gentleman from Arizona omitted a bit of history, because American troops were sent initially to Colombia and a line was drawn and it was drawn to provide training in anti-drug activities only. This is a major step. This is a Gulf of Tonkin amendment that is in the bill that we seek to strike.

Now, Mr. Chairman, I speak today having recalled on so many occasions within the Committee on Armed Services and here on the floor, pointing out the fact that our troops are stretched, they are strained, their families are paying a severe sacrifice on their loved ones being gone so much, and that we have to increase the number of troops that we have. So with that in mind, I think that what is in the bill needs to be stricken. The implication is clear, that American servicemembers would become engaged in a broadened United States military effort in Colombia.

My concerns with the bill are several. Expanded American military activities will embroil us in a civil war that has been raging for 40 years. This is no small thing, as the gentleman from Arizona pointed out. This is a major policy change. We could find ourselves engulfed in a morass that would eat up American soldiers like we have not seen in years.

Second, and perhaps the most important, is that our military personnel are performing more overseas missions today than ever. In just the past several months, our forces have been deployed to the Philippines, to Yemen, to Georgia, in addition to the major operations in Afghanistan, Bosnia and Kosovo, not to mention Korea, not to mention the young men and women aboard ships on the seas. If the administration follows through with its plans to invade Iraq, invade Iraq, we simply will not have enough people to perform the missions, at least not to perform them very well.

So we should carefully weigh the consequences before undertaking expanding missions in places like Colombia. The administration has simply not made the case for this expansion of our role. It is well known that the Colombian law allows wealthy and educated youth to avoid military combat. Their own sons are not sent out to fight the insurgence, but American sons can do it. I do not think that is a good policy for the United States of America.

Mr. Chairman, expanding the drug program in Colombia to include terrorist activities is inviting war in Colombia. It runs the risk of embroiling us in an intractable civil war at a time when our military is stretched already. A vote for this amendment is the right policy for Colombia.

The bill says that the Department of Defense funds can be used for a unified campaign. That is a magic phrase. That means, as I interpret it, that it is a license to change the rules of engagement for our troops that allows them to engage in combat or war. If this bill is adopted without this amendment, we could be embroiled in a no-kidding shooting war; and we will know that this is a Gulf of Tonkin effort that we have passed, unless this amendment prevails.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PAUL. Mr. Chairman, I rise in strong support of this amendment, and I compliment the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Missouri (Mr. SKELTON) for bringing this to us. There has been a lot of discussion in the last 2 days, a lot about the deficit; and it strikes me as a bit of an irony, especially because it comes from many, and I have to say on both sides of the aisle, that do a lot to raise the national debt and the spending, and yet the debate went on and on. For some reason, I think there has been a lot of politics in the debate.

The interesting thing about what is going on right now, there is no politics in this. This is about war, and this is important, and this is about policy. It is said that we would like to get things like this through without a full discussion; but this, to me, is a key issue. This amendment is about whether or not we will change our policy in central America and, specifically, in Colombia.

Mr. Chairman, a year or so ago we appropriated $1.6 billion, and we went into Colombia with the intent of reducing drug usage. Instead it is up 25 percent. Drug usage is going up! They sprayed 210,000 acres, and now there are 53,000 more acres than ever before. It reminds me of Afghanistan. We have been in Afghanistan for less than a year and drug production is going up! I just wonder about the effectiveness of our drug program in Colombia.

But the theory is that we will be more effective if we change the policy. Pastrana tried to negotiate a peace and we were going too deal with the drugs, and we were going to have peace after 40 years of a civil war. Now Uribi is likely to become President and the approach is to different. He said, no more negotiations. We will be fighting and we want American help, and we want a change in policy, and we do not want spraying fields; we want helicopters to fight a war. That is what we are dealing with here. We should not let this go by without a full discussion and a full understanding, because in reality, there is no authority to support a military operation in Colombia.

What we are doing is we are appropriating for something for the administration to do without a proper authority. He has no authority to get involved in the civil war down there. We cannot imply that the issue of war is granted through the appropriation process. It is not the way the system works. The constitutional system works with granting explicit authority to wage war. The President has no authority, and now he wants the money; and we are ready to capitulate. Let me tell my colleagues, if we care about national defense, we must reconsider this.

This dilutes our national defense, it dilutes our forces, exposes our troops, takes away our weapons, increases the expenditures. If we ignore this issue I guess we can go back to demagoging the national debt limit.

So I would say, please, take a close look at this. We do not need to be expanding our role in Colombia. The drug war down there has not worked, and I do not expect this military war that we are about to wage to work either. We need to talk about national defense, and this does not help our national defense. I fear this. I feel less secure when we go into areas like this, because believe me, this is the way that we get troops in later on. We already have advisory forces in Colombia. Does anybody remember about advisors and then eventually having military follow in other times in our history. Yes, this is a very risky change in policy. This is not just a minor little increase in appropriation.

So I would ask, once again, where is the authority? Where does the authority exists for our President to go down and expand a war in Colombia when it has nothing to do with our national defense or our security? It has more to do with oil than our national security, and we know it. There is a pipeline down there that everybody complains that it is not well protected. It is even designated in legislation, and we deal with this at times. So I would say think about the real reasons behind us going down there.

It just happens that we have spread ourselves around the world; we are now in nine countries of the 15 countries that used to be part of the Soviet Union. And every country has something to do with oil. The Caspian Sea, Georgia, and why are we in the Persian Gulf? We are in the Persian Gulf to protect ''our'' oil. Why are we involved with making and interfering with the democratically elected leader of Venezuela? I thought we were for democracy, and yet the reports are that we may well have participated in the attempt to have a democratically elected official in Venezuela removed. I think there is a little bit of oil in Venezuela as well. Could that have been the reason.

So I would say, once again, please take a look at this amendment. This amendment is a ''yes'' vote, and I urge my colleagues to support it.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Committee on Rules and good friend, as well as the amendment of the gentleman from Missouri (Mr. SKELTON), my mentor and good friend on military matters.

I do not think anyone is insincere in this House of Representatives about wanting to be involved in doing what is right to protect our country and to maintain the President's vision with reference to the war on terrorism.

□ 1830

All of us are for the same set of circumstances. But my colleagues on the Republican side do not want spending in certain areas in America.

I harken back one night to one of the finest speeches ever made in the House of Representatives by John Kasich in a run-up to a budget. When John finished, I walked up to him and complimented him. I said to him, you know, John, the difference between you and I, and we were only going to spend $1 trillion or $3 trillion at that time, the difference is he wants to spend the money on what he wants to spend it on, and I want to spend it on what I want to spend it on.

I do not think anything has changed very much on that, from that time or any other time. They have the power to do Plan Colombia, but they do not want to spend; they want to cut programs in this country that I consider to be critical.

Some Members do not even have a clue about what is going on in Colombia. Certainly, the gentleman from Massachusetts (Mr. MCGOVERN) does, the gentleman from Massachusetts (Mr. DELAHUNT) does, the gentleman from North Carolina (Mr. BALLENGER) does, and the gentleman from Arizona (Mr. KOLBE) does, but most of the Members in this House, half of them cannot even point out where Colombia is.

Yet, we are going to stand up here and go forward and get ourselves involved in something that could help lead this country to the black oblivion of ignominious defeat. We never won a war on terrorism or on counter-narcotics. We have spent countless dollars in South America and elsewhere around the world that did not bring us to fruition with reference to our wishes.

While we are here doing this debate this evening, the Middle East is raging; India and Pakistan are poised to go to war with each other; Indonesia and Malaysia, and I harken to tell my friends that if Indonesia implodes, we will have eight Afghanistans on our hands; famine and war is all over Africa.

I have been in this body when nobody cared about genocide occurring on the African continent, and yet we come here prepared to involve American troops in our hemisphere, knowing full well that it may lead to further difficulties.

Mr. Chairman, I have been sitting in my office or here on the floor listening to this debate all day. Frankly, I am astonished by the rhetoric and blatant hypocrisy that have come out of the mouths of some of our colleagues here.

As a Democrat, all Democrats over here have been called unpatriotic, undemocratic, irresponsible, and un-American. I heard all of that from the other side. To my friends on the other side of the aisle, all of us and I certainly take offense to those unpatriotic, undemocratic, irresponsible, and un-American comments. Nobody in this House has any lock on patriotism. There are 535 patriots and 5 persons from other areas in this country of ours that serve this country in the best manner that they can. We disserve ourselves when we allude to others being unpatriotic.

I sat in the Committee on Rules Tuesday night and listened to Republicans' plans to increase the debt limit. I think that there should be some measure of increase.

At the time, I figured that the majority just did not get it. Today, I am certain that the majority not only does not get it, but they cannot sell it. They did not sell it to their own members, and they are certainly not going to be able to sell it to the American people.

So the Republican leadership has done what it does best: Rule with an iron fist. Never mind about who did it before them, they are doing it now. The leadership attached controversial and extraneous provisions to a widely supported bipartisan bill, and when the Republican leadership realized they did not have the necessary votes, it reminded its caucus that the bill is blanketed under the highly political title of a wartime emergency supplemental. I guess, Mr. Chairman, old habits are just too hard to break.

Like Americans all over this Nation and Members in this House, I strongly support the expenditure of supplemental funds.

The CHAIRMAN pro tempore (Mr. SIMPSON). The time of the gentleman from Florida (Mr. HASTINGS) has expired.

Mr. HASTINGS of Florida. Mr. Chairman, I ask unanimous consent that I be allowed to proceed for 1 additional minute.

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

Mr. SOUDER. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. BALLENGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. BALLENGER. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I just want to say to the gentleman from Florida (Mr. HASTINGS) that no one has suggested tonight that Members of this body are not patriotic. This is a healthy debate, and this is a good debate. It is one that we need to have.

I want to say in response to one point made by my good friend, the gentleman from Missouri (Mr. SKELTON). I think it is a red herring to compare the language in this bill to the Gulf of Tonkin. We are talking about keeping the same number of troops, not expanding the number of troops, and not expanding their authority.

To suggest that we can make a distinction between a shot that is fired from a drug trafficker or a terrorist is

ridiculous. When a helicopter takes off and goes into a firefight, how can they determine whether the bullet coming at them is from a drug trafficker or a counterterrorist? That is all we are acknowledging here is that we cannot make that distinction.

Mr. BALLENGER. I thank the gentleman.

First of all, Mr. Chairman, I would like to say that I have been to Colombia many times. I would also like to say that no additional troops to the 400 that we have there at the present time, and it is capped at 400, have been asked for or will be asked for by the Colombian government.

But I rise in opposition to the amendment being offered by the gentleman from Massachusetts which removes the freedom of the Colombian government to use our aid and makes them fight with 2 hands tied behind them. Colombia today is a nation under siege by 3 terrorist organizations. Two of these terrorist organizations, the FARC and ELN, have kidnapped over 50 Americans and murdered at least 10. The third, the United Self-Defense Forces of Colombia, is a vicious, violent terrorist organization that indiscriminately murders Colombians.

All three of these terrorist groups have been designated by the Secretary of State as foreign terrorist organizations because it has been determined that they are a threat to our Nation's security. Terrorism in Colombia is financed by illegal trafficking in narcotics that kills up to 40,000 of our young people in the United States each year.

The largest terrorist organization in Colombia, the FARC, has in essence declared war on the Colombian people. This group is attacking Colombia's democratic institutions. The FARC is holding a presidential candidate, Colombia legislators, and local elected officials as hostages. They also attack police stations and kill innocent people.

The Colombian government is continuing its efforts to negotiate a peace agreement with ELN, and we should support those efforts. No one has done more than President Andres Pastrana, however, to hold that door open to a negotiated political agreement with the FARC. His perseverance and forbearance have made one thing clear: It is the FARC's willful disregard of the rule of law and human rights that led President Pastrana to make the decision to end the FARC's safe haven and send in Colombia's security forces to reestablish legitimate government.

On March 6, this body passed a bipartisan resolution expressing the sense of the House that ''The President, without undue delay, should transmit to Congress for its consideration proposed legislation, consistent with United States law regarding protection of human rights, to assist the government of Colombia to protect its democracy from United States-designated foreign terrorist organizations and the scourge of illicit narcotics.''

The Bush administration responded to this invitation and included such a proposition, so it is in this bill. The Committee on International Relations and the Committee on Appropriations have both held hearings in which the administration discussed its proposal.

The language that the gentleman from Massachusetts is seeking to strike is itself the product of a bipartisan compromise. We must help the people of Colombia in their darkest hour. Colombia is a democracy and an ally of the United States. It is under attack by terrorist organizations funded by illegal drugs.

Colombia is not asking us to send troops. The democratically-elected government of Colombia is asking that we make it possible for us to help them defend their democracy from these terrorists. The restrictions on the use of aid should be removed.

I urge my colleagues to join me in opposing the amendments being offered by the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as my friend, chairman of the Subcommittee on the Western Hemisphere of the Committee on International Relations indicated, we have traveled together frequently to Colombia, so I am all too familiar with the incredible violence that has plagued Colombia for far too long.

I acknowledge we must accept a certain responsibility, for it is our insatiable demand for cocaine and for heroin that has exacerbated that violence and brought it to a new horrific level.

Assistance and support for Colombia is part of our responsibility, but it is extremely important that we be clear about what kind of assistance we should offer and what we should expect from the Colombians. I believe that what we have been doing recently lacks that clarity.

The U.S. policy is undergoing a sea change in such an incremental fashion so as to be unnoticeable. That, I submit, is unfortunate and very risky. During debate on the original Plan Colombia, which I supported, I rejected the argument that our involvement in Colombia could lead us to a Vietnam-like quagmire, in part because there were clear and bright lines in Plan Colombia as to the limits of our support.

But now we are beginning to blur those lines, Mr. Chairman. We are removing those conditions and restrictions contained in Plan Colombia on a piecemeal basis. We are on the verge of making commitments that quantitatively and qualitatively substantially change our role in Colombia.

There have been recommendations that we increase military assistance and enlarge our direct counterterrorism role in Colombia, and I underscore ''direct'' role in Colombia, all this without a thoughtful and extensive debate that carefully weighs the implications of such a fundamental shift in American policy.

For example, 2 weeks ago, Plan Colombia contained an explicit ceiling, 500, on the number of U.S. military personnel permitted to enter Colombia. On May 10, this House passed a defense authorization bill that would essentially allow the Pentagon to introduce an unlimited number of American troops into that brutal conflict without any consent or notice to Congress.

Today, the supplemental contains $6 million to protect a single oil pipeline in Colombia. But let us be clear: It really is simply a downpayment, because it is estimated that the full cost to the American taxpayer to protect that one pipeline is $98 million, and I believe that those additional monies will be included in the regular course of the appropriation bills we have to consider.

How much will the next pipeline cost the American taxpayers? One can imagine American taxpayer dollars being utilized to protect all sorts of infrastructure projects in Colombia: bridges, aqueducts. The United States ambassador in Bogota indicated that there are more than 300 strategic infrastructures in Colombia that need protection.

Now we are also considering whether to eliminate the restrictions that limit our current assistance to counternarcotics purposes. As others have said, make no mistake, not only will this result in an increased involvement by American forces in an expanding conflict, but it will be interpreted in Colombia as a willingness on the part of the United States to become directly engaged in actual conflict. That will be the interpretation that the Colombian people will make on their own. Now, do we really want that? Do we really want to chart this course without more debate?

I urge adoption of the amendment.

The CHAIRMAN pro tempore. The time of the gentleman from Massachusetts (Mr. DELAHUNT) has expired.

Mr. DELAHUNT. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 1 additional minute.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. SOUDER. I object, reluctantly. I think we should stick to the 5-minute rule.

The CHAIRMAN. Objection is heard.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the comments of my friend, the gentleman from Massachusetts (Mr. DELAHUNT). We have traveled to Colombia together. We have some agreements and some disagreements.

I think it is important that if each one of us got up and extended our remarks, we will not be following House order. It is not from any objection to the comments of the gentleman from Florida (Mr. HASTINGS) or the gentleman from Massachusetts (Mr.

DELAHUNT), though I may not agree. I assume that I will stick to my 5 minutes as well; if not voluntarily, then forcibly.

I think the first fundamental question here is do we have a compelling national interest. When we look at an issue like this, if we do not have a compelling national interest in Colombia, where would we have a compelling national interest?

Clearly, it is in our hemisphere, Colombia; clearly, the drugs on our streets that are resulting in deaths from cocaine and heroin in Fort Wayne, Indiana, in Massachusetts, in Florida, and North Carolina, throughout our Nation, are predominantly coming from Colombia.

□ 1845

Clearly we have a threat to the democracy in Colombia. As even the past speaker acknowledged, it is certainly exacerbated by our drugs, and we must accept responsibility. If it were not for our drug habit, quite probably Colombia could handle their problems.

Fourth, we clearly have a terrorist threat as the international terrorist groups interconnect and as the drug money provides support for terrorist groups around the world, not only within their country but in international networks. We have a terrorist threat. Clearly we have a trade threat. In fact, if the pipeline in Colombia collapses, Colombia has less ability with which to defend itself, not because they could not have protected their pipeline themselves, but if it is our cocaine and heroine money that threatens their pipeline, clearly that has complicated their ability to protect themselves and we have multiple products that are critical to trade with Colombia, and it has been one of the more stable countries historically in South America, both democratically and economically.

Clearly there is a threat and a potential threat to the Panama Canal, where now that we have turned it over to the Panamanians which, remember, was cut out of Colombia, and as we have seen the drug traffickers move into the Darien Peninsula and put many of their facilities in Panama, we have a direct threat to potentially cutting off our trade ability if the drug cartels get more control over Panama.

Clearly we have an energy threat. Colombia is either our seventh or eighth largest supplier of oil. Our economy depends on that. We already have instability in the Middle East. We have more compelling reasons to be involved in Colombia than almost anywhere else in the world.

Direct on our streets 16,000 deaths minimum last year because of illegal narcotics compared to the other categories of direct threat to the United States. They all pale in this area. So we have a bill before us today that reflects the truth, which we all have acknowledged and we realize was developing, that is, that there was a revolutionary movement that was, you can argue what their predominant roles were, but it was the FARC and other groups there, they were at one time revolutionary. As they progressed and as they funded themselves, they increasingly started to provide narcotics protection. So did the paramilitaries that were initially designed to protect the people from other revolutionary groups to provide protection to individuals and families and businessmen. As they evolved, they started to look for drug money for protection.

So we have seen the paramilitary groups, we have seen the FARC and other groups basically move to protection for drug cartels and increasingly as we saw in the DMZ to actually protecting the people who were growing it, distributing it and processing it.

So what we are recognizing, increasingly that we just cannot fight narcotics, we have to also be able to fight the terrorist efforts in Colombia if we are going to have an effect on narcotics, if we are going to have an effect on protecting the democracy, if we are going to have an effect on protecting the trade, the Panama Canal, the oil pipelines, and most importantly the people in my neighborhoods who are being attacked by drugs.

This amendment, if it passed, would in effect start the repeal of our ability to help protect American citizens from illegal narcotics and our ability to help our friends in Colombia who have stood with us.

This is not Vietnam. This is not us going in to fight. This is whether we are going to adequately equip them and train them to fight their own battle, a battle they would not be having in Colombia were it not for our drug habits in the United States. They have some drug usage in Colombia, but Western Europe and the United States are the primary places that have funded these terrorist groups.

When they see these different people who are undermining the democracy in terrorizing the communities, they do not say, we are the drug division. We are the terrorist division. They cannot poll each one.

We have worked hard with the government in Colombia, and we will continue in the Subcommittee on Criminal Justice, Drug Policy and Human Resources and the other committees of this Congress, to make sure that they follow human rights, that they follow human rights policies, that we monitor to make sure that they are doing the best they can, that as we work through trying to make sure that these groups follow the human rights and they get vetted units and they make sure that they are fighting both their battle and our battle, if they are successful, it is not just for the people of Colombia, it is for the people of Indiana. It is very important that we continue to support them and acknowledge what is going on on the ground, or we will lose Colombia and this Congress will have sat there and put our kids more at risk and our families at risk if we do not defeat this amendment.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. SERRANO. Mr. Chairman, let me first comment on the gentleman's comments, the last speaker. We have spent close to $1.5 billion in fighting drugs, and coca production is up by over 25 percent. Even in what we are supposed to be doing, we are not succeeding the way we should.

Secondly, I would like to and I am not being sarcastic here, I would like to commend those in the administration who have decided now that every time we are going to get involved somewhere it is to fight terrorism. And so how can you argue against fighting terrorism?

Well, Colombia is not about terrorism. Terrorism is my city. I understand it was the people who attacked the Twin Towers, who attacked the Pentagon, and they wanted to attack the White House. Yes, there are terrorists groups throughout the Nation, throughout the world.

We participate wholeheartedly behind President Bush and this Congress and the Senate in fighting that war. But this is a civil war. It has been going on for over 35 years. And history should tell us that every time we get involved in a civil war, we come out in a very bad situation.

I was thinking as I was listening to the speakers prior to me that there must have been folks, historical figures in this House, who sat here and debated this right before we escalated our involvement in Vietnam. And at that time they were probably questioned too, after all, were they unpatriotic in their desire not to fight Communism at that point, the same way some of us may not be patriotic in our desire not to fight terrorism? But Colombia, I repeat, is a civil war.

With all due respect to the people in Colombia who are the victims of this war, it is very hard on any given day of the week to determine who the good guys are and who the bad guys are in Colombia. No one can stand here and tell us that Colombia's governmental history has been one of stellar behavior. No one can tell us that the FARC is an organization that is respected by anyone. No one can tell us that the right wing paramilitaries are respected by anyone. No one fighting that war at one time or another is respected by anyone because it is very hard to determine who the good guys are and who the bad guys are.

And I suggest to you that to go in as we do in the change of language in this bill, and take sides, is the most dangerous thing we can do at this point.

Let me also make another comment. For many years now the left in Latin America has been pretty dormant. My friends, the sight of American troops in uniform on Latin American soil, as we will surely have as we escalate, would

only invite a backlash of anti-American sentiment that we do not need at this point. What we need above all is to continue to help in the peace process of Colombia.

The gentleman from Missouri (Mr. SKELTON) said it best, and I know it upsets some people, this is a Gulf of Tonkin resolution that we are voting on today. Make no mistake about it. We are moving towards a dangerous situation here, and we will not know how to get out of it.

Some people have said that I exaggerate when I say that, when I say Colombia could be a Spanish-speaking Vietnam for us; and that is the difference, the language we will have to learn to be able to stay there for 5, 10, 15 years. But when you have had a situation going on for that long and you cannot get people to agree on anything, how do you determine that we know how to handle this? How do you determine that we are the ones who will solve that problem?

What we should be doing is, one, making sure that we try to force the peace process to continue to take place somehow, somewhere for the Colombian people; and, secondly, that we stay away from any involvement.

Now, I know that some people on this floor are going to try to tie this in to other issues in Latin America. It is a natural for us. Let me just say that there is no involvement here by any other government. This is a civil war. In fact, the Pastrana government has said that he has received help from many other places, including the Cuban Government, on trying to bring about the peace process. And so no one is in favor of continuing this situation in Colombia.

Now, one last thing that we need to also remember. We Americans, I, myself included, refuse every so often to understand that if we use drugs at the alarming rate that we continue to use, someone will always grow it for us, someone will always produce it. So rather than to stand here and bash the Colombian society for what is a major problem and then try to solve that problem by getting involved militarily, that is a mistake.

A couple of years ago I said that we would be back here to expand. I hope I am wrong, but we will be here again to expand. I support this amendment. We should get out right now.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not profess to be an expert on Colombia or any other country. In fact, I do not profess to be an expert on anything, but I have been involved in some of these issues because I chaired the committee that my good friend from Arizona now does so well in chairing, and I was intimately involved when we first created Plan Colombia.

Let me just give my colleagues some insight into what really happened. All of the G–8 nations got together, and they recognized collectively that there was a tremendous problem in Colombia because they were the basis for the supply of narcotics all over the world. The Europeans recognized it. The Japanese recognized it. Everyone recognized the problem. So they had a donor conference and they agreed collectively to come up with $7 billion to fight this problem. So we went to President Pastrana and we said, Mr. President, we are going to participate too. Our participation is going to be $2 billion. And the rest of the nations, according to the Clinton administration, at the time said that they were not going to contribute anything until we did. So we ponied up. We came up with our $2 billion, and we sent our $2 billion mostly in the form of black hawk helicopters. But we sent our $2 billion and we told President Pastrana, here we are. This is the first step towards eliminating the problem in your country and thus helping the United States of America.

What happened then? Well, unfortunately, most of the other nations forgot their obligation. They have not still to this date come up with their contributions. Here is the first 2 billion. There is another 5 billion coming, so you eliminate this problem, only to find that the rest of the world has not contributed what they promised in the donor conference, including most of the nations in Europe who are now complaining about the cocaine that is flowing into Europe originating in Colombia.

So while there has been some fault with all of this program, we cannot blame it all on the Colombian government, we certainly cannot blame it on our government. We cannot blame it on this Congress because we did what we promised at the donor conference.

So what our administration ought to be doing, and I have emphasized this to the Secretary and to the Treasury Department and the Treasury Secretary, that they ought to be going to these countries who made these commitments and tell them to do what they promised they would do; but unfortunately in other circumstances where they all meet in these grand palaces all over the world and they agree that we are going to solve the problems, none of them will do anything such as in Bosnia until we put up our money first. We in good faith put up our money and the rest of the world has not, and they ought to be ashamed.

Mr. DELAHUNT. Mr. Chairman, will the gentleman from Alabama yield?

Mr. CALLAHAN. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I cannot agree more with the gentleman from Alabama (Mr. CALLAHAN). He is correct. The European Union has failed to meet its commitment. Let me also suggest that the Colombian Government in terms of professionalizing and providing the resources necessary for its own military has failed its people. During the course of World War II the American people paid 40 percent of the GDP to the war effort. In Colombia today it is less than 2 percent of the Colombian GDP that is devoted to the military. And I suggest that this is an absolute appropriate rationale for us not to appropriate additional funds until the Colombian and the Europeans stand up to the plate.

I thank the gentleman for yielding.

□ 1900

Mr. CALLAHAN. Mr. Chairman, at the same time, we do not want to leave the President of Colombia out on a limb. He has come back to us. He has told us what the problem is and we are having to fill in a void, but the void has been caused by the failure of the other nations and especially the European nations to fulfill their promise.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I do not disagree. I think it is time we sit down and consult further with the Colombians, but on Sunday the Colombian people will begin the process of selecting a new president, a new president with different ideas, some of which we may embrace, some of which we may reject. What is the rush? I suggest this is risky, that this is premature and this is why the McGovern-Skelton amendment should be supported.

Ms. SCHAKOWSKY. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the McGovern-Skelton amendment, and I want to thank my colleagues for their leadership on this important issue.

The Bush administration and the Republicans would have my colleagues believe that a change in our control policy, a shift from the policy of a counternarcotics to that of counterinsurgency is a logical part of our plan to eradicate the global terrorist network.

Last year's supporters of Plan Colombia were promising us that our efforts in Colombia were just about reducing the flow of drugs. They had many Members convinced that the policy was justified and that it was going to be successful. To date, our policy has been a spectacular failure and now it is even less justified.

It is a fact that despite our aggressive drug eradication efforts, coca cultivation has actually increased by 25 percent in Colombia. Despite our efforts, human rights abuses continue. Paramilitary death squads continue to brutalize innocent Colombians, and they operate with impunity from the military, and perhaps most disturbingly, military officials implicated in the deaths of the very people they are supposed to protect remain unpunished and on the Colombian government's payroll.

Anyone who thinks that the links between military and brutal paramilitary

forces have been severed are simply ignoring the realities on the ground, which I was able to see myself when I went with the gentleman from Massachusetts (Mr. MCGOVERN) to Colombia and listened to the people.

The May 6 Chicago Tribune editorial on this subject had it right. ''There is no advantage to the United States getting deeper into the 40-year old Colombian civil war. Money spent on drug interdiction there would be much more productively used for treatment of addicts here. And more American military aid is hardly going to advance chances of a political solution to this multi-headed conflict. This failed foreign policy cannot be salvaged, certainly not by pouring good money after bad. The House has an opportunity to put a stop to this.''

In 1999, I stood here in this Chamber and I warned my colleagues that Plan Colombia would be just the first in a series of blank checks for the war, with no foreseeable future.

Along with the sponsors of the amendment, I appreciate that the committee worked to narrow the parameters of the administration's original wide-open request to expand our role in Colombia. However, this bill still opens the door, and we all know that once a door is opened, it is very hard to shut.

This language reaches back and allows all fiscal year 2002 military aid, personnel and equipment to be used for counterterrorism, including any additional aid that might be sent under a continuing resolution later this year. Military escalation is built into this appropriation bill, but an exit strategy is not. Once we cross into counterinsurgency we are committing the might and the resource of the United States to a 4-decade old war that cannot be won militarily.

All of my colleagues should be reminded of President Johnson's agony and his inability to extricate the United States from a jungle quagmire in Vietnam. I would not wish that on a president of any party.

I want to also say in closing that I understand that tonight that the Republican leadership is going to adjourn at midnight, start a new legislative day, and it is just another strategy to shut down debate, and even as we argue the supplemental budget and wave the flag as we should for our military forces around the globe and for strengthening our fight against terrorism here at home, and even as we talk about strengthening democracy in Colombia, the leadership here is working furiously to be able to curtail democracy here on the floor of this House. We should not be so hypocritical as to be waving the flag and promoting democracy in the supplemental and then saying but we cannot have democracy here to debate what is legitimate debate here on this floor of the House of Representatives.

Mr. DIAZ-BALART. Mr. Chairman, I move to strike the requisite number of words.

I am a bit perplexed when I hear the argument that there is no democracy in this Chamber, and hour after hour after hour after hour, we have been hearing debate on multiple issues, and the argument has also brought out that on this issue we are debating at this instance, at this instance, which is the aid that the United States is providing to our democratic ally, the democratically-elected government of Colombia, I am hearing that we cannot debate that as well.

The contradiction makes no sense. We are debating it right now, and we in the Committee on Rules permitted, authorized this debate and it is taking place. So that is one thing that struck me that I was not able to understand how the argument can be made that we are not debating when we are debating. We are debating. We have been debating hour after hour after hour after hour, and now we are debating on the issue, the very important issue of United States assistance to the democratically-elected government of Colombia.

The point was made previously that we do not know who the good guys are and the bad guys are in Colombia. The reality of the matter, that is not an issue to be decided by the United States. There is a democratically-elected government in Colombia that is a friend and an ally of the United States, and it is the democratically-elected government in Colombia that is under attack by 3 major, extremely well-financed terrorist groups that engage in narco-trafficking.

The supplemental that we are debating today is a counterterrorism supplemental, and I think it is appropriate for us to consider not only to debate but in this case to help the democratically-elected government of Colombia in counterterrorism efforts. That is the subject matter that we are dealing with in this supplemental.

Another point was brought out previously incorrectly as though this legislation would raise the cap on the number of American trainers that are in Colombia. There is a number of approximately 500 now, and that is not being affected by the legislation. The legislation, that I am informed by my friends on the Committee on Appropriations is the product of a bipartisan compromise, was voted out with votes on both sides of the aisle, and leaders from the Democratic party, with whom we have very serious differences on many issues, agreed in the Committee on Appropriations to this compromise.

So I think that it is very important, especially when we are 3 days away from a presidential election in that country, that friend and ally Colombia, when all of the major candidates for president agree that assistance from us, from the United States, is required for Colombia to achieve peace, that we at this point continue with the bipartisan compromise that came out of the Committee on Appropriations and that we say in a consensus fashion this evening, again in a bipartisan way, that we realize what is going on in Colombia, that the majority of terrorist attacks in the world are against the people of Colombia. They may not be covered by the media, but the reality of the matter is there is not a day that passes that tragedy does not strike the people of Colombia from the terrorist groups that we are helping the democratically-elected government of Colombia combat, and that we are helping in this supplemental by increasing our assistance to the democratically-elected government of Colombia.

Those 3 terrorist groups have a stranglehold on our democratic ally in Colombia and that ally deserves and has received and must continue to receive our aid because those terrorist groups that are narco-terrorists are massacring, they are killing each day, attacking the fabric of society each day.

So that is why I think that the bipartisan compromise that was worked out is to be commended. I hope that this House this evening supports what the Committee on Appropriations passed and overwhelmingly defeats the McGovern amendment which would in effect tell the Colombian people, just a few days before their election, that we do not care about them and we do not respect their democracy. Vote down McGovern.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Very interesting. I cannot believe what I just heard the gentleman from Florida say. He said we ought to support the bipartisan compromise that has just been worked out in the committee on this product. That is what we have been saying for the last 2 days with respect to the entire bill.

What we have said on the bill is we had a bipartisan bill as it came out of the committee. It has been hijacked by the Republican leadership. If you want to continue bipartisan cooperation, which we ought to have, if this is indeed a war supplemental, then drop the partisan agenda that has been imposed by the Republican leadership of this House and stick to the bipartisan compromise. That is what we have been saying.

We have been ignored all day long until now. Suddenly it meets someone's convenience to utter those same words. Stick to the bipartisan compromise.

Well, I am going to do that. I happen to think that our policy in Colombia is futile. I have been following developments in Colombian society for almost 40 years. I do not for the slightest moment think that they have the capacity either economically or politically or socially to do what is necessary to help themselves against the FARC and the other terrorist organizations in that country, and I do not believe in getting involved in futile exercises. That is why I think the whole policy is stupid and doomed.

Frankly, if I had my way I would flip it. This language that is in the bill

does not particularly bother me because the language says if you are already going after FARC and the ELN and the paramilitary groups on the drug front, also go after them on the terrorism and kidnapping front. I do not have a special problem with that. In fact, I wish it were the other way around.

I would be a whole lot more comfortable seeing them focus on terrorism than on drugs because on drugs we are only fighting half a battle. We are sending our troops down to Colombia to advise them how to fight a war on drugs when we are not fighting that same war at home. We have tried consistently, consistently, at home to say that if you are going to invest $500 million or $1 billion in Colombia to fight drugs, do the same thing at home to build enough drug treatment slots so that we take care of the demand here. That is the way to fight drugs, but we have not been able to get the majority party to support that.

There is one difference between me and the leadership of your party. I am going to stick to the bipartisan deals that I sign on to. They have not. They sucker us on each bill. They say put together a bipartisan compromise, work together, and we do, and then they decide to impose a partisan agenda. So I do not have any faith in this policy, but we worked in good faith with the gentleman from Arizona and others to work out language on this bill as part of a bipartisan compromise that would prevent the administration from providing all of the waivers that are in existing law that are protections against excess involvement, and while I am not satisfied with that and I do not think in the end it will work, because I believe on whole I am a person of integrity, I am going to stick to the deal that we made even though I do not think that it will work, and I hope that we can in the Senate work out a different arrangement.

So I am going to take the advice of the gentleman from Florida. I believe on the big questions, as well as the little ones, we should stick to the bipartisan compromise. God, I wish your leadership agreed.

Mr. HINCHEY. Mr. Chairman, I move to strike the requisite number of words.

I heard the gentleman from Florida a few moments ago talk about the importance of debate and democracy, and of course, that is very true.

□ 1915

And of course that is very true. But the essence of democracy is the ability to vote, and we are being deprived of the ability to vote. That is what democracy is all about. Let us have some votes on some of these issues.

I also want to take this opportunity to express my deep respect for the gentleman from Arizona. He is a true humanitarian. I have had an opportunity to observe that firsthand. But the policy that we are arguing about in this bill is contrary to that. We are in the process of getting ourselves into a very deep mess in Colombia. We have already gone too far. But now we are being asked to go even further.

As we learned just a few moments ago from the gentleman from Massachusetts, Colombia's own contribution to its military is limited. It spends less than 2 percent of its gross domestic product on the military, and recruits with high school degrees are exempted from serving in combat. High inequality, gaping urban-rural divisions and government abandonment of poor populations underlie this decades-old conflict in Colombia. U.S. military aid, as we are being asked to provide now, is only going to make this problem worse, reinforcing the inequities that exist in Colombia between the educated and the noneducated, between the poor and the rich.

There is already evidence that the United States aid has not made a dent in the drug war. In fact, things have worsened recently. Coca production rose by 25 percent last year. Killings of civilians rose from 14 per day in 1999 to 20 per day in 2002; 300,000 civilians were forcibly displaced last year. Most recently, on May 2, 117 innocent civilians were killed in the crossfire of the FARC and the United Self-Defense Forces, the AUC. While seeking safety in a church, these people were slaughtered. The Colombian military did nothing to ensure their safety, in spite of numerous calls for help.

According to human rights groups, 85 percent of Colombia's political killings and so-called disappearances and 76 percent of all civilian massacres were committed by the illegal paramilitary groups like the United Self-Defense Forces, which has extensive links with the Colombian military. Despite this, since 1997, 80 percent of U.S. aid to Colombia has been given to the military forces. It makes absolutely no sense to send aid to a military that works with a terrorist group.

If we are really interested in helping Colombia, we should support its civil institutions and effectively implement alternative development programs to support the rural communities which are most adversely affected by the war. We must continue to provide humanitarian aid to internally displaced persons, especially the Afro- Colombian community. We must demand the Colombian military break ties with the paramilitaries.

We must also recognize that our counternarcotics efforts in Colombia have failed to curb domestic drug abuse here in the United States. Instead of aiding and abetting a civil war, we should be spending more money at home on drug treatment and prevention programs to reduce the demand for drugs here in the United States. It is by dealing with the demand side of this problem that we will reach a solution to it. We are never going to reach a solution by focusing all of our attention and energies only on the supply side. Administration after administration has failed in that regard.

Let us not allow U.S. forces to be deployed anywhere in the world under this undefined global war on terrorism. We are being asked over and over again to provide military aid and assistance, to send our troops to places far away, dispersed in the so-called war on terrorism, a war that has not been defined by the administration. We do not know who the enemy is precisely. We do not know who we are fighting. Nevertheless, we are asked to spends billions of dollars on this ill defined, unclear, vague war on terrorism and send our military people out there to do the fighting. It is a serious mistake.

I urge my colleagues to support this McGovern-Skelton amendment before we send more money to known human rights violators and become enmeshed even more deeply in a brutal civil war on the side of the oppressors and against the oppressed.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we heard from the gentleman from Florida a lot of talk about democracy. Today we stand here talking about democracy, and yet we are going to be adding $750 billion to our citizens' credit cards, increasing their credit card debt. And at the same time we fight this war, this war is being paid for by our seniors, the ones that are least capable of doing that, from our Social Security and Medicare fund.

Every single war that we have had, we have had a tax, all the way from the Spanish-American War. And in fact we still have it to this day. Every single war, we have been there and we have been willing to pay that tax to pay for that war. This is the first war that I know of that we have rewarded the corporations by giving them a tax cut to the most wealthy, and we put it on the backs of the ones who least are able to pay. In addition, not only are we doing that, but we put it on the backs of our soldiers that are out there fighting the war. We expect them also to pay the debt later on after we are gone.

The amendment before us, authored by the gentleman from Missouri (Mr. SKELTON), and we all know him to be the ranking minority member on the Committee on Armed Services, is an amendment that I would ask for my colleagues to look at seriously. It is an amendment that talks about the fact that for the longest time in South America we talked and they learned the lingo. In South America, they learned, well, if we talk about Communists down here, we might get some money from the Americans; if we talk about drug dealers, we might get some money from the Americans. And now the lingo is, let us identify them as terrorists, and we might get some money from the Americans.

The reality is that in Colombia the commitment on their part when we look in terms of their expenditures for

the military and our expenditures, we are basically funding their war. I know later on we will hear from the gentleman from Mississippi (Mr. TAYLOR) about the haves and a large number of have-nots. So we have a struggle for the last 35 years, a genuine struggle for democracy in that effort; and we have a struggle that we are now deciding to get involved in.

I sit on the Committee on Armed Services; and when they first came to us, I will be honest, I voted for the amendment to go and get involved in Colombia. One of the first questions I asked, because we asked the military for a military response, and that is what we got, we got a military response, and I asked them, how are you going to make a distinction between who the dealers are, who are the good guys and who are the bad guys? Initially, they could not respond. They said they were going to go after the drug dealers.

We recognize that there are both drug dealers on the right, on the left, on the genuine side and even on the government side. They are all over. The key is, who do we go after? The gentleman from Florida talks about the fact that it is a democracy. Yes, it is a democracy, and we need to push it forward. And we can do some things to help them to move forward, but this is not the way to do it.

When they came before us, I also asked them, in dealing with drugs, how do you expect to be able to contain it to just Colombia? We talked about it, and there was analogy made that if we put the squeeze on Colombia, we knew darn well that, like a balloon, when you squeeze the balloon, and if there are drug dealers there, they are going to move elsewhere. And sure enough, now they have come to us and they have said, you know what, this thing has gone into the other surrounding countries. So now we are funding about seven other countries around there because there are also drugs occurring there. That is exactly what we did not want to occur, but we have that happening now. We put the squeeze on them and they are gone.

The reality is in dealing with drugs in this country, and we have to face it, and we know it full well, that we have been unwilling to deal with it here in this country. I worked as a drug counselor, as a social worker for 7 years, with both heroin addicts and adolescent substance abuse. And in the 1970s and 1980s, I recall the district attorneys every election time they would come up and pick up a lot of the heroin addicts. Very few times did they ever pick up the ones who were actually pushing to make the money. Most of those people, as we well know, some are pillars of our community that we have chosen not to go after. We have chosen our scapegoats.

It is better to go spend our resources in South America and elsewhere, because we have chosen not to go after those pillars of our communities after those drugs. And until we decide to do that, and until we decide that is the way we will be able to fight this, this is only going to escalate and go further.

Mr. RYUN of Kansas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, while today our colleagues on the other side of the aisle continue their dilatory tactics, our Armed Forces are in combat and the Nation is at war. The bill before us represents Congress' simple role in fighting that war. It provides necessary funds for our ongoing military operations, and it improves our security at home.

The bill provides a total of $15.7 billion for the Department of Defense. These additional funds represent the additional personnel costs associated with force mobilization, the replacement of critical spare parts, and the procurement of essential high-priority munitions. We need to pass this and encourage our troops.

However, our friends on the other side of the aisle are only willing to approve these necessary funds if, and I emphasize if, they are brought to the floor under the terms that they would dictate.

Admittedly, the bill contains funding that would not go to the war effort and homeland security, but that is nothing really new with any kind of supplemental. Nothing new in this Chamber. The reality is each of us can find something wrong with this bill, but overall the bill is necessary and our colleagues know that that is true.

Mr. Chairman, it is now time to end the debate and move on and pass this bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this has been an interesting debate, and I believe that it is a crucial debate. I rise to support the McGovern-Skelton amendment, and I raise a number of questions today.

This is an emergency supplemental; and, therefore, the basis of this amendment should be in the context of an emergency. I am concerned that we are creating an emergency.

I had the opportunity to speak to both the president of Colombia and the ambassador. Let me say that I am certainly impressed with the efforts that are being made by this new president. I believe that he is sincere. I am also aware of what Colombians seem to be confronting.

As was said early on the floor, they spend little, if any, on their own military personnel. In addition to the 14 a day that have been killed since 1999, we now know that they are killing 20 per day in 2002. Included in those deaths are elected officials, women who have been assassinated, who have been decapitated, those who are speaking about democracy.

So when we come to the floor with legislation that begins now to pierce further into the dilemma in Colombia, the war that Colombia is having, and we begin to start designating terrorist organizations and funding terrorist organizations, we have to raise this question of whether or not this is the right direction.

I understand they had hearings in the Committee on International Relations, but I am not sure of any resolution that came about as a result of those hearings.

□ 1930

The issue required their deliberation, but the decision was made not to pursue a markup. I would have wanted to hear their input. Because what I view in the present legislation is almost similar to the open rule that I thought we had and would have allowed us to vote on the increase in the debt ceiling. This is smoke and mirrors. We now have language in this emergency supplemental that, one, characterizes this as an emergency in a war supplemental, and so it suggests to me that we are actually going to war and that now we have defined fighting drugs, which have not been that successful in Colombia, to now fighting terrorists. What does that mean? It means that a whole new set of armed forces and military personnel may find themselves, U.S. personnel, to Colombia on the basis of we are fighting the war on terrorism.

Let me just suggest to my colleagues, realizing that I have the gentleman from Michigan (Mr. CONYERS) on the floor, and I know that he has worked on this issue, that this is bad policy in an emergency supplemental to start a whole new war. I am disturbed and believe that the McGovern-Skelton amendment is the right approach to take because what it says is it will narrow us to the work that we were intended to do, to try to be successful on that work, which already has its faults, and not begin to wage war against terrorists without any further investigation of such.

This language in the supplemental would open up sending our young men and women to Colombia to fight a war not thought out and where Colombia sends few of its own to fight. This is bad foreign policy and should not be pursued.

I yield to the gentleman from Michigan.

Mr. CONYERS. I want to thank the gentlewoman from Texas very much for yielding.

To my dear disingenuous friend from Florida who wants to know why the gentlewoman from Illinois (Ms. SCHAKOWSKY) was complaining about the procedure, it is not that we are debating it now. Is there a Member here that does not know that at midnight you are going to run a rule through us and keep us up until 3 or 4 in the morning? Oh. Oh.

To my dear friend the gentleman from Florida (Mr. DIAZ-BALART) who said, ''Colombia is a democracy. It is a friend and an ally. What are we doing questioning this?''

The answer is that they only spend 1.9 percent of their GDP for defense. That is why.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

Mr. SOUDER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is not about Colombia. It is about our own military. That is what this bill is about. That is what you people should be talking about.

Freedom is not free. I am standing here before you as a 29-year Air Force veteran. During that time I had the honor of running two military bases. At that level, you know firsthand what it takes to keep our military safe, strong and secure. And when you are in charge, you want to give them the best. They need great planes, tanks, trucks and munitions. This bill helps give our military men and women just that.

America is a whole different country since September 11. A terrorist attack, designed to tear us apart, has actually put our Nation closer together. We cannot desert our troops now.

Despite the ill wishes of our colleagues on the other side of the aisle, this bill shows our military that America cares about them and wants the best for them. This bill would replenish depleted attack munitions. The war will be long. Our troops have been strong. So we must give them more munitions they need if they are going to fight for our freedom.

Sadly, no one knows more than I the horrors of fighting without munitions. I fought in both Korea and Vietnam. When I was in Vietnam, we ran out of munitions because this Congress would not fund them. We are at that same point again. I had to carry munitions on a mission that I was not supposed to carry that munition on. They were cannibalizing airplanes. They are doing that today in our services. And the gun that was cannibalized on my airplane did not fire. Because that gun did not fire, I was shot down. I tried to fire at the enemy, but nothing came out.

It was on that tragic mission, April 16, 1966, that started my 7 years in captivity, more than half of that time in solitary confinement. Please, I urge you not to let that happen to any other member of our military. We must learn from our mistakes. Our men and women in uniform deserve the best America has to offer, not the worst.

Make no mistake, the U.S. military has come to the aid of America. It is time that America came to the aid of our military. We must win the war for freedom. It is not for freedom just for America. It is for the freedom of the world.

Let us help our military. God bless you all. I know you will.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the McGovern-Skelton amendment and I want to particularly salute the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Forces.

Let me begin by saying I believe that every Member here cares about Colombia and wants to see peace for our South American neighbor. There is this disagreement which leads to a discussion about how to get there.

I argue for not rushing to a change of policy. That is all this amendment does. Because if we do, it will be hard to undo. Because in such a short time, Colombia will have a new president and congress. And so, my friends, the prudent and commonsense course of action would be to wait until after the Colombian presidential elections and the new administration is installed in August. Can we not wait until August to find out who is going to be running the country? Of course we can. At that time it would be perfectly appropriate to discuss strategy and commitments that the new government is willing to make regarding human rights, judicial reform, alternative development and peace efforts. Then let the Congress consider it fully after, and not before, we know who will make up the Colombian government, because we have got some problems there. We have got paramilitary getting elected to this democratic form of government.

There is an unknown aspect of this conflict about Afro-Colombians that I would like to raise, not well known. Afro-Colombians, my friends, make up 26 percent of Colombia's 40 million people. There are few in the Congress who are aware that Afro-Colombians have constitutionally protected cultural and territorial rights. Their Federal Law 70 of 1993 sets out a land titling process by which Afro-Colombian communities may be granted collective title to lands that they have traditionally lived on. Yet they suffer immensely and are often neglected. They make up a disproportionate number of displaced persons in Colombia. Some say they make up half of the two million to three million internally displaced persons in that country. They have been forced to flee, mostly by the paramilitaries, sometimes in collaboration with the Colombian military, and sometimes by apparent neglect by the Colombian military. Some question why these Afro-Colombians are being pushed off the land, which brings me to the May 2 church massacre already referred to by the gentleman from New York, the church massacre in Bellavista, Choco, the Colombian province with the greatest percentage of African-descended Colombians. At least 119 people died. A third were children, 95 wounded, 40 missing, and now thousands displaced. All of the victims were of African descent. The bomb that burned the church was thrown by the FARC guerillas in a battle with the AUC paramilitaries. I deplore the actions of both of these illegal and armed groups. But what is disturbing and more alarming was the inaction of the Colombian government. Despite repeated warnings of imminent violence issued by the Colombian Human Rights Ombudsman's office beginning in July 2001 and up until a week in advance of the massacre, the Colombian armed forces did nothing.

The warnings were echoed by the United Nations High Commission for Human Rights in Colombia. Yet the Colombian armed forces did not even arrive until three days after the massacre.

Mr. Chairman, I rise in support of the McGovern-Skelton amendment. Let me begin by saying that I believe that every member cares about Colombia and wants to see peace for our South American neighbor. There is disagreement on how to get there.

First, we should not rush into a change of policy that will later be hard to undo. Why? Because in such a short time, Colombia will have a new president and congress. The prudent and common sense course of action would be to wait until after the Colombian presidential elections and the new administration is installed this August. At that time, it would be appropriate to discuss strategy and the commitments the new government is willing to make regarding human rights, judicial reform, alternative development, and peace efforts. Then let Congress consider it fully, after, not before, we know who will make up the next Colombian government.

Second, the situation of Afro-Colombians is not a well-known aspect of the Colombian conflict. Afro-Colombians make up 26% of Colombia's 40 million people. There are few in the Congress who are aware that Afro-Colombians have constitutionally protected cultural and territorial rights. And, Law 70 of 1993 sets out a land titling process by which Afro-Colombian communities may be granted collective title to lands they have lived on traditionally.

Yet, Afro-Colombians suffer immensely and are often neglected. They make up a disproportionate number the displaced persons in Colombia. Some say they make up more that half of the 2–3 million internally displaced persons in Colombia. Once displaced, many Afro-Colombians face the double discrimination of being black and displaced. They have been forced to flee mostly by paramilitaries, sometimes in collaboration with the Colombian military, and sometimes by apparent neglect by the Colombian military. Some question why the Afro-Colombians are being pushed off their land.

Which brings me to the May 2, church massacre in Bellavista, Choco, the Colombian province with the greatest percentage of African-descendants. At least 119 people died, a third were children, 95 wounded, approximately 40 are missing, and now thousands are displaced. All of the victims were African descendants. Yes, the bomb that burned the church was thrown by the FARC guerillas in a battle with the AUC paramilitaries. I deplore the actions of both of these illegal armed groups. But what was perhaps more alarming was the inaction of the Colombian government. Despite repeated warnings of imminent violence issued by the Colombian Human

Rights Ombudsman's office beginning in July 2001, and up until one week in advance of the massacre, the Colombian Armed Forces did nothing. The warnings were echoed by the United Nations High Commission for Human Rights' office in Colombia. Yet, the Colombian Armed Forces did not arrive in the area until after May 5th according to a report in El Tiempo, Colombia's largest daily newspaper.

In fact, 24 members of Congress and I signed a letter to President Pastrana asking him what happened. We give Colombia money to develop an early warning system to prevent such atrocities. But early warning does not work if it is not followed by early action by the Colombian government. Ambassador Anne Patterson called my office immediately upon receiving the letter. We have yet to hear from the Colombian government. This is not an encouraging example of Colombia's commitment to protect its own citizenry. To top it off, there were reports of paramilitary and Colombian military collusion. The Colombian government invited the UN to investigate this tragedy. Then according to El Tiempo, high officials in the Colombian government criticized the UN Commissioner for Human Rights in Colombia, Mr. Anders Kompass, when he mentioned reports of the collusion between the Colombian military and the AUC paramilitaries, who are a US-designated foreign terrorist organization.

The UN High Commissioner for Human Rights, Mary Robinson defended the work of the Commission in Colombia and said it was lamentable that the Colombian government questioned their work. The UN Commission just completed its report and found the FARC and the AUC responsible for the massacre because of their fighting near civilians. The Commission also found the Colombian government responsible due to its inaction and what looks like collusion with the paramilitaries. The paramilitaries traveled by air and boat in the area and were not stopped by government forces.

Again, the situation of Afro-Colombians is not well known. Some question why the Afro-Colombians are being pushed off their lands. Afro-Colombian territories are strategically located and rich in resources. Law 70 requires that Afro-Colombian communities be consulted regarding projects that may impact their lands. This is not happening, if people have had to flee. Also, a number of displacements and massacres occurred shortly after collective titles were granted. This land-terror aspect of the Colombian conflict needs to be investigated. So, before we change our policy in Colombia, I would like to know what commitments the next government will make to protect its citizens, in particular Afro-Colombians. I would like to know how their territorial rights are being protected and if the government has a plan to ensure people's safety so that they can return to their lands. We all know the Colombian government does not have a perfect human rights record. Given the past, there are many important questions to ask of the next administration.

In addition, President Pastrana wrote an op-ed that was published in the Herald on May 1, 2002, the day before the Bellavista massacre. In it he wrote that ''for the first time, the Colombian military is capable of defeating the terrorists on the battlefield,'' and that his administration is spending more money on defense. If that is the case, where is the emergency? And, where was this capable army after the early warnings in Bellavista?

This is a nearly 40 year-old civil conflict. In 1967, 35 years ago, Dr. Martin Luther King spoke of the use of American helicopters against rebels in Colombia in his anti-Vietnam War speech, exactly one year before he died. And this war is still going on. Where is evidence that Colombia has a winning solution now? The House Defense Authorization bill grants Secretary Rumsfeld a waiver allowing him to lift the 500-person cap on US military personnel in Colombia in the name of national security. He then only has to inform Congress within 15 days after the fact. Colombia begins to look like more like Vietnam every day. There are no Al Qaeda cells in Colombia. But, the State Department admits that the Colombian Armed Forces still collaborate with the AUC paramilitaries, a US-designated foreign terrorist organization. Why would we give lethal aid to a government that works with one terrorist group to fight another? Where is the consistency in our policy?

The military leader of the AUC paramilitaries, Salvatore Mancuso, recently claimed that their candidates received more than 35% of the seats in Colombia's March legislative elections. If Mullah Omar claimed that Taliban candidates received more than 35% of the legislative elections in Afghanistan, you can bet that would be investigated. Also, the UN High Commissioner for Human Rights, Mary Robinson has expressed concern about this claim. She also is concerned that the leading candidate has spoken of arming one million civilians and warned that the civilian population should not be dragged into the conflict.

We are told peace is our goal in Colombia, yet the House has not even had one hearing on the Colombian peace process. Why are we seeking a military solution in such haste? What is the hurry in going down what appears to be a slippery slope? And what ever happened to our own homeland security in the War on Drugs? Why is there no money in this bill to fund substance abuse? The administration and some members of congress are obsessed with taking drug money away from guerillas, but don't share the same obsession when it comes to helping the American people who need drug treatment. The Office of National Drug Control Policy spends millions of dollars on television ads trying to persuade our citizenry that those who do drugs in the United States are supporting terrorism. So, in this ''Global War on Terrorism'', should it not be a priority to help our own people overcome their addictions?

To change our policy before knowing who the next government will be would be premature, imprudent, and naïve. The common sense course of action is to wait until we know who we are dealing with and what commitments they are prepared to make.

Vote yes on McGovern-Skelton.

Note—Even though the authority granted in this bill would run out September 30, 2002, that still would give an unknown government 54 days to wage war. A lot can happen in 54 days.

Mr. OSBORNE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment. The reason I do this is that I, along with other members of the Committee on Agriculture, spent time in Colombia in January. We spent quite a bit of time with President Pastrana. We spent quite a bit of time with their ambassador. I do not believe that a lot of people in the United States really fully realize the situation there.

At the present time, the guerrillas and the paramilitary forces control most of the firepower and control most of the money in the country. And so we are concerned about the fact that the government in Colombia is not providing enough aid to the military. The reason is that most of the money is in the hands of the guerrillas.

At the present time there are 600,000 acres of coca plants in Colombia. Out of that 600,000 acres of coca plants, 90 percent of the cocaine coming into the United States comes from those fields. The only way presently that anyone down there knows to control the problem is to bring in gunships, helicopters, which hover over those fields and protect the spray planes that then come in and spray the coca. Without those gunships and without that military aid, they have no chance, because they do not have enough military help and they do not have enough financing to battle this issue.

I certainly agree with one of the previous speakers when that person said that we need to dry up the demand. That is the number one thing that we have to do in this country. Drugs are ruining our young people and we have to fight drugs on every front. Interdiction is part of this.

And so I think that we are missing the point here if we say we just do not want to help Colombia, because they have a significant problem and we are talking about fighting terrorism around the world and the people who are controlling the situation in Colombia right now are terrorists. There is no question. We talked to President Pastrana. He spent one week in the control of those terrorists and escaped miraculously through many fortunate events. Of course, since then they have had other politicians that have been captured by those terrorists and have been killed. So we went to Cartagena, which was the one city we could find in Colombia that was reasonably safe, that was reasonably under friendly control down there. So many other cities were not even safe to attempt to control at that time.

That is why I oppose this amendment.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have the greatest respect for, and I am sorry he is not on the floor anymore, the gentleman from Texas (Mr. SAM JOHNSON). I have the greatest respect for the gentleman from Nebraska (Mr. OSBORNE), the former coach. But they have come to the wrong conclusion on this.

I think I have been to Colombia more than any Member of Congress in the past 10 years. I do not know that for a fact, but I think so. I have lost track of

the trips. And I do not go to Cartagena and take the carriage ride through the tourist section. I have been to Neva, I have been to San Jose, I have been to where the pipeline is that the President wants to spend $98 million of our tax money to protect a pipeline owned by Occidental Petroleum through which Colombian National Oil Company oil flows and, by the way, they had record profits last year.

□ 1945

I have got to tell you, every time I come back from Colombia, I come back with the same sick conclusion, and that is that the Colombians are going to do their utmost to get us to fight this civil war for them.

You see, what has not been mentioned yet today is unlike the gentleman from Missouri (Mr. SKELTON) who had two sons in Desert Storm, the Colombians just changed their law to where if you have a high school diploma, you are exempt from their draft. All of us can get the gist of that real quick. The politicians' sons are not going to fight this war. The poor bubba from the countryside, he does not have a high school diploma, so he goes and gets shot.

The Colombians are in the midst of a 38-year civil war, and yet they have cut their own defense budget in the past three years. Now, that is a fact.

Let me tell you what is even worse. When I went to little towns like Neva, it is probably a big deal in a little town like that for an American congressman to show up, so their chamber of commerce came out to meet me. We had a very long visit. We drank a few beers. They were amazingly honest.

I said, ''Guys,'' I was trying to compare their tax load to ours. I said, ''What do you all pay in taxes?'' These were bankers, these were lawyers, these were the local mayor, the civic leaders. Their answer was, ''We don't pay taxes. Yes, they are on the books, but we don't pay them.''

You see, Americans do pay taxes, and what I really resent is a country where they pride themselves on not paying taxes, where they pride themselves on their kids avoiding military service, asking people in Mississippi and Alabama and Georgia, whose kids do volunteer to serve our country, to go fight their war for them.

I think the gentleman from Massachusetts (Mr. MCGOVERN) is exactly right. And I will take it a step further. I want to make this as personal as I can. I think it is insane for this Nation to spend $98 million to protect a pipeline that Occidental Petroleum owns with American lives.

I am going to make this as personal as humanly possible. President Bush, I will send my kids to guard that pipeline when you send your kids to guard that pipeline. Because I do not think you are going to see your daughters down there, and I sure as heck do not want to see my daughters or my son down there.

If the Colombians do not take their civil war seriously, then we should not either. My God, all day long we have been talking about being for the troops. Is not the gentleman from Texas (Mr. SAM JOHNSON) proof positive what goes wrong when good kids go off to fight a war that our Nation does not really understand, that a Nation maybe should not be involved in? This is that case.

Guys, this is dead serious. I shut down the House two weeks ago because I wanted a vote on this. I cannot go to a funeral in Wiggins, I cannot go to a funeral in Louisville, I cannot go to a funeral in Waynesboro, and look somebody in the eye and say your son or daughter died doing the best thing for America.

This is not about America. The FARC and the ELN have gone out of their way not to target Americans. In 20 years, only 10 Americans have died in Colombia. They do not want us in their war. It is their war, and it is not worth sending my kids or your kids to die in. They do not even pay their own taxes. Their kids do not serve. So why on good God's good earth are we going to send our tax money and our kids to fight in it? Please support the Skelton-McGovern amendment. Do not waste one American life needlessly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MCGOVERN. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

(b) The provision shall also apply to unexpired balances and assistance previously provided from prior years' Acts available for purposes identified in subsection (a).

(c) The authority in this section is in addition to authorities currently available to provide assistance to Colombia.

SEC. 308. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (Public Law 107–117), $93,000,000, to remain available until September 30, 2004, is hereby appropriated to the Department of Defense for the procurement of three MH–47 Chinook helicopters, as follows: ''Aircraft Procurement, Army'', $63,000,000; and ''Procurement, Defense-Wide'', $30,000,000: *Provided*, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for $93,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Mr. CALLAHAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, a lot of Members have been asking me about a couple of the amendments that I have pending that no doubt we are going to get to later on tonight, or at least early in the morning. In anticipation of that, I have had my staff try to assemble some charts so I can stand here like so many experts have stood here today and back up my statements with charts. So as we move forward into this evening in anticipating that I certainly will have the opportunity later on tonight to explain my rationale in suggesting that we ought not give Israel and Arafat the $250 million that is encompassed in this bill, I prepared some charts. Actually, I borrowed some.

I prepared some, like this one, that said ''we have to do this.'' It says ''President George Bush, August 14.'' I do not think Mr. Bush was talking about my particular amendment, but it is the only chart I had available to say, among other things, that President Bush did not ask for this money to be put in here to begin with, and I am sure if President Bush were here and I could get him on the telephone he would say so, but, unfortunately, he is in Europe, and, fortunately for us he is there, because he is trying to bring about peace throughout the world.

As we go into the debate on my amendments I want to talk about the economy, and this is another chart that mentions the economy. I had to borrow this one, too. It is not exactly what I wanted with respect to making my point, but, nevertheless, I wanted to talk about the economy and Israel, I wanted to talk about the economy and Egypt, I wanted to talk about the corresponding economy in the United States, to make certain that Members understood that the economy in Israel and the economy in Egypt and the economy in other countries in some cases is better than it is in the United States.

So by the time we get to mid-morning, when I am certain that the Committee on Rules will allow me to bring my amendments up, I will have all of these charts done in such a professional manner that you will be able to readily see my point with respect to what I am trying to say.

So I have got some other charts. This one, I have to use it upside down to make my point. This is a chart that tells about the economy in Israel, about the economy in the United States and, even though it is not exactly what I would have liked to have had, it does personify my point. I will have some more charts for you.

So as we reach this stage and as the Committee on Rules brings a rule tonight that permits my amendments to

come up, I will have some real professionally done charts to make my point. I am optimistic that once I make my point, not only will I convince a majority of this House of the merits of my amendment, we will also be able to convince the American people that when you adopt my amendment, you are doing exactly the right thing.

So anticipating that we will be debating this later on tonight, I just wanted to let you all know that I am working feverishly trying to come up with some professional charts. I hope to have some pictures by 1 o'clock when this probably will come up, and I probably will have.

But all of you are asking about these amendments, and especially that aid to Arafat, and I want you to have the opportunity to vote on that, and we are going to bring it up, I am optimistic, in whatever rule the Committee on Rules comes out with, and I will have some charts for you that will prove my point.

Mr. KINGSTON. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Georgia.

Mr. KINGSTON. I just was wondering if you all had some handouts like this one as well?

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I will have handouts as well, too, provided I have the opportunity to bring my amendment up. When I bring my amendment up, I will ask some of you that have been coming up to me telling me all day long, ''Sonny, you are doing exactly the right thing,'' I am going to have some handouts, and I want some of you to take these handouts and stand at the door and give these to the Members as they come in so they can understand exactly what we are talking about.

It is not a question of whether or not we love Israel, because we all do; it is a question of what is right and wrong. So, in any event, to those of you that have been anxiously awaiting all day long, we are on the brink of having this debate, as soon as the Committee on Rules comes back. By the time they come back, I will have the charts that really bring out vividly my points.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, with great respect to my good friend, the gentleman from Alabama (Chairman CALLAHAN), and he is my good friend, because we have worked together on so many issues, I really do not find this issue a laughing matter, and I do hope, my good friend, that when we bring the charts here, we will also show pictures of the devastation, of the lives that have been lost, about the empty hotels, the empty streets. Because of the suicide bombers, people are afraid.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. LOWEY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, what my amendment would do would prohibit money from going to a terrorist that has been blowing up all of the people in Israel. It denies him the money to use for other things so he can have his money to blow up the people of Israel, and that I am opposed to.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I was aware of several amendments. I am not sure if one amendment is regarding the $200 million for Israel as well. I thought that was one of the amendments.

I think for those of us who are in touch with people who are living there and hear stories of the empty hotels, the lack of commerce, the lack of any kind of interaction in the region, many of us had great hopes, as the gentleman was saying, for the economy to begin booming again, for trade between Egypt and Israel and the other nations in the region, certainly with Jordan. There was a great deal of work done with Israel and in the region in trying to have projects, sewer projects, water projects, to help lift the people up, to educate the people.

So I take this amendment very seriously, and I do not believe that my colleagues should just treat it as an aside.

I just want to say one other thing. The vast majority of funding in this bill was requested by the President and will be granted by Congress to help bolster the war on terrorism, and whether resources go to secure our Nation's borders, improve transportation security, help our men and women in uniform in Central Asia or alleviate the poverty and instability that provides a breeding ground for extremism, all of our oars should be pulling together against terrorism. And providing assistance for Israel, our ally, in that part of the world, is just one part of the campaign.

Mr. CALLAHAN. Mr. Chairman, if the gentlewoman will yield for one other compliment to the gentlewoman, as you will recall, since you sat immediately to my right next to the gentlewoman from California (Ms. PELOSI) when I chaired this committee, together we gave Israel $20 billion during the six-year period that I chaired that committee, more than any amount of money in any six-year history of this country. So we are not talking about aid to Israel that is a shortfall. It is in addition to the $20 billion that we have already given them.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, and I am afraid that I am quickly losing my time, yes, I was there when we were negotiating. The gentleman is talking about the Ne'eman Plan, and we all agreed to it. That was the time when there was interaction in the region. We did not have terrorists in the region blowing people up, blowing innocent children in a marketplace up. That was the time when we had hope for the future.

The President has made it clear that we are united in the war against terrorism. We see what is going on in that region of the world, and that is why I have supported the amount put in the bill.

Let me just say this: I have applauded the gentleman for crafting the plan. We worked together, we supported it. But times have changed. At that time, I would say to my chairman, my former chairman, we did not have a plane go into the World Trade Center. We did not have people dying in the street because of terrorists blowing people up.

So I think this is very different, and I would certainly ask my colleagues, when these amendments come up, unless the gentleman decides not to offer those amendments at 2 in the morning, when they come up, that we understand the difference in the world today and how those people are suffering and how we need to deal with our allies and make sure that we keep that message consistent.

□ 2000

There is a war on terrorism. We support the war on terrorism whether it is the Middle East, whether it is in Afghanistan, no matter where it is; and that is the position of our President.

So I hope the gentleman will reconsider and not offer those amendments.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, primarily, we are talking about the assistance to Arafat, the very person that we both despise because of the atrocities he has placed upon the citizens of Israel. How in the world anybody in this House could support giving money to a terrorist so he can use his existing money to do other things is unimaginable?

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I am very pleased that the chairman has withdrawn, as I understand it, one amendment which was funding for Israel, and if the gentleman is talking about the funding for Arafat and withdrawing that money, I agree with the gentleman.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words. I yield to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, I will insert in the RECORD at this point my letter to Ambassador Burns confirming my earlier conversation with him in which he represented before the administration that none of the funds provided by this bill will be made available for the United Nations Relief and Works Agency, UNRWA, but would rather go to NGOs and contractors working directly with the United States.

CONGRESSMAN BRAD SHERMAN, 24TH DISTRICT, CALIFORNIA, LAS VIRGENES AND MALIBU, CA.,
May 23, 2002.

Hon. WILLIAM BURNS,
Assistant Secretary of State for the Near East, The State Department, Washington, DC.

DEAR AMBASSADOR BURNS: Thank you very much for your telephone call this evening.

I want to confirm with you that the $50 million in Economic Support Funds for humanitarian and refugee assistance provided

for the Palestinian people in HR 4775, the Supplemental Appropriations bill, will be distributed to NGOs and contractors operating in Palestinian areas to help provide for the critical needs of Palestinians.

Thank you for confirming that none of the funds in this bill will be made available by the Administration for the United Nations Relief and Works Agency (UNRWA).

Sincerely,

BRAD SHERMAN,
Member of Congress.

Mr. OBEY. Mr. Chairman, I take this time to inform the House tongue in cheek that I have just been informed by an intelligence agency that the Netherlands are preparing for an invasion by the United States in response to the bill now before us. I have a note from Harry DeWit, counselor of cultural affairs, Netherlands Embassy saying, ''We are quite alarmed to hear about the impending invasion of the Netherlands. Our military is on high alert. We would really value you forwarding any news and relevant information as soon as it comes to your attention and, in particular, as it regards the timing. I would like to be able to notify my superiors at the ministry prior to any invasion, and by doing so, I hope to improve my chances for promotion. I would appreciate your contacting me at your earliest convenience.''

Mr. Chairman, I assume that is because the DeLay amendment to this bill, which is now part of this bill, gives the President the authority to use military force to extract prisoners from the World Court if they are accused of war crimes, but it does not just apply to U.S. citizens, it also applies to allies. So we could have an appointed official from a foreign country who we are going to use our military force against such as the Netherlands in order to ''rescue.''

If we did that, I am informed we would also be in violation of the NATO charter, because the NATO charter says, if you make war against one NATO ally, you make war against them all.

I have a chart here which I showed my colleagues yesterday labeled ''Tom DeLay's Proposed Invasion of the Netherlands.'' It shows that perhaps we might do it by sea, we might do it by air, we might involve paratroopers. To make sure that this time, the gentleman from Texas knows where the Hague is, we have listed it on the map. I do not know what military force the Netherlands would use to repel our invasion, but I assume they will use something.

So I would simply say that this appears like a laughing matter, but it is not. The greatest deliberative body in the world, the House of Representatives, for the greatest democracy in the world, the United States of America, ought to approach these issues with more seriousness than was demonstrated by the lack of care in the drafting of the DeLay amendment. I think the DeLay amendment raises a legitimate question with respect to United States citizens, but I think the proper way to deal with that is to allow the President to negotiate changes in the treaty, rather than having Congress ride off like the Lone Ranger, Marshal Dillon, and Daffy Duck at the same time.

So with that, I would urge Members to think soberly about how this proposal as presently constituted makes us look to the world.

MOTION TO RISE OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 144, noes 252, not voting 38, as follows:

[Roll No. 199]

AYES—144

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Becerra
Berkley
Berman
Berry
Bishop
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
Delahunt
DeLauro
Dingell
Doggett
Doyle
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Harman
Hastings (FL)
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
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Vitter
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Wicker

□ 2029

Messrs. GANSKE, COLLINS, SOUDER, WILSON of South Carolina, WELLER, PICKERING, BLUNT, and Ms. DUNN changed their vote from ''aye'' to ''no.''

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

N O T I C E

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, THURSDAY, MAY 23, 2002 No. 68

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable DEBBIE STABENOW, a Senator from the State of Michigan.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, You have ordained that there is one decision we must make every day. It is the most crucial decision in the midst of all the other decisions we will be called to make. We hear Elijah's challenge, ''Choose for yourselves this day whom you will serve.''—Joshua 24:15b.

You have given us the freedom to choose whom we will serve today. We want to renew our decision to serve You as the only Lord of our lives. We know that without this decisive intentionality, we will drift into secondary loyalties. You entrust Your strength, gifts of leadership, and vision to those who start each day with a fresh decision to do everything for Your glory and according to Your specific guidance. In the quiet of this moment we make our decision to worship You with our work. You alone are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable DEBBIE STABENOW led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 23, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEBBIE STABENOW, a Senator from the State of Michigan, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. STABENOW thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 2538

Mr. REID. Madam President, it is my understanding S. 2538 is at the desk and is due for its second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. Madam President, I ask that it be read for the second time, and I then object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2538) to amend the Fair Standards Act of 1938 to provide for an increase in the Federal minimum wage.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

The Senator from Nevada.

APPRECIATION TO SENATOR STABENOW

Mr. REID. Madam President, before I make a brief announcement of what we are going to be doing today, I want to say that I personally appreciate what you, the Presiding Officer, have done for the people of the State of Nevada, bringing to their attention the problems we have with drug costs and the importance of having a Medicare benefit.

I think your attention has brought to Nevada a new awareness that we have to do something, Congress has to do something. And we have people, as a result of your statements and the work you have generated, calling my office asking what we are going to do about it. So I personally appreciate what you have done in that regard.

SCHEDULE

Mr. REID. Madam President, you are going to announce shortly that we will be in a period of morning business until 10:30 this morning with the time equally divided. At 10:30, we are going to resume consideration of the trade act. All time will run out on the trade bill at around 6 o'clock this evening.

I indicate to all Senators, we now have a finite list of amendments that will be voted on if the Senators want votes on those amendments. It is about nine amendments, as I recall. We are going to try to work out a timely order to handle those. If we do not, then, no matter what happens, we finish at 6 o'clock anyway, and there will be a final vote on this bill, unless something untoward occurs. So there is still a lot of work to do.

The leader has indicated not only does he want to complete work on this trade bill, but there is bioterrorism legislation. The House did not move the supplemental yesterday. They quit at about 10 o'clock last night without having brought up a single amendment. So they are going to work their way through that today.

The order that has been entered in the House does not allow many amendments, so they can probably move the bill fairly quickly, as I understand it. Whether it will get here in time for us to do anything is something we just have to wait and see. Senator BYRD also would like to finish that before we leave.

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

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RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the 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 not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the Republican leader or his designee. Under the previous order, the time until 10:30 shall be under the control of the Democratic leader or his designee.

Mr. REID. Madam President, I suggest the absence of a quorum.

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

The clerk will call the roll.

The legislative 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. CLINTON). Without objection, it is so ordered.

PRESCRIPTION DRUGS

Mr. DASCHLE. Madam President, I commend the distinguished Senator from Michigan for coming to the Chamber, and I know she is prepared to talk about an issue that is of great importance to our caucus. She has shown remarkable leadership in addressing the issue of prescription drugs. I very much wish to participate in a colloquy with her on that matter in a moment.

SUPPLEMENTAL APPROPRIATIONS LEGISLATION

Mr. DASCHLE. Madam President, I wish to address another issue. Today we are going to be completing our work on the trade adjustment assistance legislation, the trade promotion authority bill, as well as the Andean Trade Preference Act. My expectation is we will finish that work by sometime mid-afternoon.

It was then my intention to bring up the Senate version of the appropriations supplemental that has just been reported out of the Appropriations Committee. I have had a number of conversations with Senator BYRD about the need to address this matter expeditiously.

The bill includes $14 billion for defense, as we continue to wage our war on terror; there is $1.8 billion in contingency defense funds that are directly connected with our efforts at homeland defense; an additional $8.3 billion, substantially more than what the House has committed for other needs in homeland defense; plus $5.5 billion for the recovery efforts in New York.

This is a very important bill. It was our hope, our expectation that we would be able to complete our work on this bill prior to the time we recess.

I am told now that our Republican colleagues are going to object to moving that bill. I find that especially disconcerting given the comments made a couple of weeks ago by the House majority leader, who criticized me and Senator BYRD for the inaction in what he called the Democratic-controlled Senate in its unwillingness to take up what he termed to be the war supplemental prior to the Memorial Day break. He said he is discouraged; that, in his view, this should not be an acceptable state of affairs.

The package he indicated included some critical matters relating to our efforts in carrying out the war on terror and responding to the needs of New York. He said he not only was not optimistic, but he said there was a dearth of leadership in the Senate. If there is a dearth of leadership, perhaps we can see some leadership shown on both sides in addressing that dearth.

I am prepared to offer a unanimous consent request today to take up a bill and complete it before we leave. I do not see any reason why we cannot do it. It passed unanimously out of the committee. There is no question we send exactly the wrong message if our Republican colleagues object to taking up this bill. There is a very disconcerting message that sends to New York, to those who are concerned about homeland defense, especially with the new warnings that are emanating from the Departments of Government, as well as from our effort in the war in Afghanistan.

On April 22, President Bush said:

> I ask the Congress to pass the supplemental that we have submitted as quickly as possible. It's emergency funding for defense and homeland security and economic security, and we need to get it done by Memorial Day. It's time the Congress passed the supplemental.

Those are words from the President himself. I hope he will pick up the phone from wherever he is in Europe and call the leadership and tell those who are blocking this legislation that he wants it done just as badly today as when he articulated his views on this issue a few weeks ago.

There is no reason we cannot take it up. There is no reason we have to delay until after we get back. There is no reason we cannot make the most of this week. We can get this done. If it can pass out of the committee unanimously, it can pass on the floor overwhelmingly. We need to address it.

Madam President, I put my colleagues on notice that we will have a discussion about this later in the day. I was not made aware of the opposition on the part of our Republican colleagues until this morning, but I will say we will press to complete our work.

We will try to respond to the request of the President of the United States that we get it done before Memorial Day. We will address the criticism of the House majority leader who complains of a dearth of leadership. Let's show leadership on both sides of the aisle. Let's show a commitment to the people of New York, to the people in Afghanistan, to our effort at addressing the needs of homeland defense more effectively than we would be were we to say: No, we will wait; no, somehow, it is not that important; no, we want to go home before we get this job done.

There is no reason to go home until we have gotten this job done, and we are going to press it all day long if we need to, to see if that is possible.

PRESCRIPTION DRUGS

Mr. DASCHLE. Madam President, again I thank my colleague from Michigan. As all of my colleagues know, this is an issue on which she made a commitment to her people before she got elected. She reminds me every day of that commitment and her absolute determination to address this issue soon.

I was in Maine a couple of days ago and was reminded again of what an emotional issue it is for seniors who have no other recourse but to go to Canada to get help, who pay bills and have to decide whether it is drugs or groceries, drugs or rent, drugs or car payments, drugs or fuel.

That kind of a decision in this day and age for people vulnerable as they are economically and in so many other ways is a matter that simply cannot rest until we have addressed it.

I thank the Senator from Michigan for her willingness to keep coming to the floor and reminding us of how important it is to keep organizing and effectively pressing for action in the Senate.

I know she wishes to make her statement at this time, and so I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I thank our Senate majority leader. If we did not have his leadership, we would not have the opportunity to be talking about specific proposals for a comprehensive Medicare prescription drug benefit or opening the doors to Canada or in other ways lowering prices for families, seniors, businesses, workers. The entire economy is affected by this issue, and we would not be in a position to do that without the leadership of Senator DASCHLE.

I thank him for that and also say that this week, as we are celebrating the leadership of another colleague, it would not be possible without Senator Jim Jeffords. I commend him. As our majority leader talked about going to Canada, Senator JEFFORDS has been at the forefront of breaking down those barriers so we could open the border.

I find it ironic we are debating an open trade bill, fast track, so we can have more trade and yet the only thing we cannot trade with Canada is prescription drugs made in the United States and subsidized by American taxpayers. Yet if they go to Canada and the prices are dropped in half, we cannot benefit from that.

Senator JIM JEFFORDS has been a leader. I am very proud to be joining with him on a bill with Senator DORGAN and many others. I once again commend Senator JEFFORDS for his courage in so many ways in stepping forward on matters that directly affect people every day. It is no less true on this question of prescription drugs.

It is true, as our Senate majority leader said, people are choosing every day between food and medicine, paying the light bill, and being able to pay the rent. I have been inviting people from Michigan to come to my Web site and be a part of something we are calling the Prescription Drug People's Lobby. People have said to me, Why do you call it that? Well, it is very simple. We looked up the numbers, and today there are six drug company lobbyists for every one Member of the Senate. Their voice is heard, and they spend every day doing everything to, unfortunately, stop us from lowering prices. They do wonderful work. We celebrate American-made ingenuity that creates these new drugs from which we can benefit, but if they are not affordable, then they are not available. It is as simple as that.

We have to address the question of prices and updating Medicare to cover prescription drugs. So I have formed something called the Prescription Drug People's Lobby in Michigan. I have colleagues doing the same. I know Senator Jean Carnahan is doing this. Senator DURBIN and others are joining in this whole effort to invite people to share their stories to make their voices heard.

I am very pleased today to share one of those stories from Mrs. Malissa Askin. I share a story that reflects exactly what our Democratic leader, our majority leader, was indicating. Mrs. Malissa Askin, from Romulus, MI, e-mailed me 2 days ago and asked that I share her story. I appreciate that she is allowing me to do this. She starts out by saying:

> I guess my story is no different from the many Americans, when it comes to deciding if I can afford food to live, or medications. It boils down to a choice these days (what can I afford to keep myself alive?), once I pay my bills.

Then she goes on to say:

> I am 68 years old. My husband is deceased and I have no family. I have had a heart bypass, both arteries in my neck cleaned out and now in April I was operated on for cancer, not to mention other surgeries. I am supposed to be on nine medications. However, at the price of these meds, I can only afford three. I do not know what will happen with me by not being able to be on the meds I cannot afford, but it makes me wonder what I am living for. I feel like nobody cares.

Well, Mrs. Askin, people do care. We care. I care. Our Senate majority leader cares.

Mr. DASCHLE. Will the Senator yield?

Ms. STABENOW. Yes, I will yield.

Mr. DASCHLE. I thank the Senator for her poignant story and for again reminding us of the human face behind this issue. Those faces come so effectively to mind when one reads the words and listens to the extraordinarily difficult, agonizing decisions these older Americans have to make as they make their choices, as the Senator has indicated.

Has the Senator ever thought of the irony we find in our country today where those people most vulnerable, those people who need prescription drugs the most, are the very ones who have no access to prescription drugs through the health plan to which they subscribe?

Those of us who are younger, those of us who have private health plans today, have plans to which we can subscribe that have all kinds of prescription drug coverage available to us. I can go to a drugstore and have many of my drugs paid for, if I would ever find the need, but my mother cannot. She is part of Medicare. My relatives and my constituents cannot if they are in Medicare because they are in a program that has never adopted a prescription drug benefit program, in spite of the need that has been clearly demonstrated given the trends in health care delivery out of hospitals and into the more outpatient treatment care that is provided today.

I know the Senator from Michigan hears the same stories——

Ms. STABENOW. Absolutely.

Mr. DASCHLE. About the ironic state of circumstances we face. I wonder if she could comment on that.

Ms. STABENOW. I could not agree more. In 1965, we set up the promise of health care for those over age 65 and those who are disabled through Medicare, a wonderful American success story. Yet because it has not been updated to cover prescriptions, it no longer covers the way health care is provided today.

My mother as well, my aunt, my uncle, my other relatives who have had health care coverage when working, now find themselves in a situation where they cannot really get what they need because most of what they need is outpatient prescription drug coverage. I know that is why we are working so hard in the Senate to bring the sense of urgency that Mrs. Askin feels to pass a comprehensive prescription drug benefit, not one like, unfortunately, our colleagues on the other side in the House have been proposing, which for most people would give less than 20 percent coverage and cut our hospitals and create more costs for home health care in the process. That plan is not good enough.

What we are talking about is something that would allow us to provide comprehensive prescription drug coverage without adding costs for home health or cutting our hospitals that have already been cut but looking at something comprehensively.

When we look at Mrs. Askin, the bottom line for her is if she were to do what she needs to do to remain healthy, it would be a monthly bill of $938. How can someone do that? How can someone do that and live?

Mr. DASCHLE. The Senator from Michigan points out another irony. We often hear about people voting with their feet. We hear it in another context generally. A lot of times immigrants vote with their feet as they leave their countries to come to a safer place, a place with a better future. I find it ironic—and I am interested in the comments of the Senator from Michigan—that our seniors today appear to be voting with their feet in driving in large buses and caravans to Canada to get health care today. What does that say about the American health care system? What does that say about Medicare? What does that say about their own satisfaction with a system that appears to be so broken, so incapable of providing them the care they need, they have to go to another country to get it in order to afford it?

That, too, is voting with one's feet. I find that whether it is in letters to the Senator, or letters to any of us, or in the expressions of dismay, the current circumstances they face, more and more of our seniors are voting with their feet, going to Canada, to another health care system, to get what they cannot get here.

Could the Senator from Michigan comment on that?

Ms. STABENOW. I would be happy to comment on that situation.

From Michigan, it is a simple 5-minute drive across the bridge from the tunnel from Detroit to Canada; or from Port Huron, or Sault Sainte Marie, a simple 5-minute drive to Canada. We have worked together, on a number of occasions, with the Canadian Medical Society and pharmacists in Canada.

I find it most outrageous that these are American made drugs, the exact same drugs. We took a group of breast cancer patients using tamoxifen, at $136 a month in Michigan, 5 minutes across the border for the same drug sold for $15. I am told the companies make a modest profit on the $15.

There is something wrong, something desperately wrong. I support underwriting basic research. I support the ability to create patents so companies do not have to have competition for their name brands for 15 or 20 years, so they can recover their costs and all the other things we do to help create these wonderful lifesaving drugs. What do we get for it? The highest prices in the world. It is simply not good enough.

Mr. DASCHLE. Again, I compliment the distinguished Senator from Michigan. One day, hopefully in this session of Congress, you and I and all of our

colleagues will be on the floor voting on a bill that will rectify that situation. We should not have to wait through another election. We should not have to wait for any other development. We know the facts. We know the people are going to Canada. We know the people are making these tough choices. We know heartfelt letters such as these are written, pleading for the Congress to respond. The only thing we do not know is how long it will take for the Congress to do what it needs to do; that is, to respond effectively with a comprehensive approach to universal access to good prescription drug coverage with cost containment as part of that coverage. That will happen someday as a result of the leadership shown and the extraordinary persistence of the Senator from Michigan.

I thank the Senator again for that effort.

Ms. STABENOW. I am deeply grateful for the comments of the Senate majority leader. His leadership, truly, on so many issues, particularly this issue, touches the lives of so many people every day. I am very grateful to the majority leader for that leadership.

We are focusing on bringing bills to the floor so we can solve the problems addressing what Mrs. Askin from Romulus, MI, has written about. We cannot say: We will wait another year: Mrs. Askin, why don't you wait on medications that you need, wait until next year or the year after or the year after?

This is not like buying a new car or a new pair of tennis shoes or are you going to wait on buying a piece of clothing. This is lifesaving medicine. There has to be a sense of urgency.

Health care has changed. Most of the time we are not admitted into the hospital. Thankfully, medication will allow people to avoid open-heart surgery or allow them to live with dignity at home or allow parents to care for children who are chronically ill or disabled, that allow them to live longer. We welcome these new innovations. It is wonderful.

I am proud that in this country we are in a partnership with investments from all taxpayers to the National Institutes of Health, utilizing the American ingenuity of the companies that go to work. It is wonderful.

Unfortunately, the end result is not wonderful. At the end of this process, the very people who help invest in the process cannot afford these lifesaving medications. Something is wrong. When we get to the end of the process and the health care system we have set up for older Americans who use the majority of medications, or those who are disabled who use the majority of medications, does not recognize these new lifesaving drugs incorporated in part of the health care system called Medicare, there is something wrong.

When we are creating these medications and they are sold to every other country in the world at half the price they are sold to us, there is something wrong.

When we see today these lifesaving medications are treated like any other product and twice as much or 2½ times more is spent on advertising than the research, and we, as taxpayers, pay for that through tax writeoffs, something is wrong. More was spent on Vioxx last year for advertisement than spent by Budweiser on beer, Coca-Cola on Coke, Pepsi-Cola on Pepsi. There is something wrong. It is fine to advertise and promote, but when the companies drive the prices beyond our ability to be able to afford the medications, when this advertising and promotion and sales going on in doctors' offices all over the country each day create a situation where a small business has to drop their insurance for their employees because they cannot afford the premium, it has gone too far.

When manufacturers have to stop providing health care for retirees or lay off people because of rising health care costs, most of which is the cost of their prescription drugs, it has gone too far. I could go on and on with examples of what has been happening.

Right now one of the largest costs, one of the costs driving every part of our economy, is the explosion in the pricing of prescription drugs. We can do better than that. We can open the border to competition for Canada. We can limit the amount we are willing to subsidize in those explosive advertising costs. We can support States in innovative ways. They are looking for ways to bring down prices for their own citizens such as in the State of Maine and the innovations they have incorporated, making sure when patents run out and it is time for the generic, the same formula can be sold without the brand name at pennies on a dollar. Those generic laws work, and we are, in fact, doing that. We have a plan that works. It is now time to put it into action.

In closing, I say to Mrs. Askin that people do care. We are working very hard to get it right. We are working hard so citizens will not have to decide every morning what bill to pay, what food they can afford, or whether or not they can afford their medicine. It is time to get it right. I will work very hard until we get it right so you can know that you can benefit from the wonderful new medications that have been placed on the market to save lives, to extend life, so you can also enjoy all the other wonderful parts of your life without worrying about whether you can afford your medicine.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. STABENOW. 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. HOLLINGS. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

ANDEAN TRADE PREFERENCE EXPANSION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Baucus/Grassley amendment No. 3401, in the nature of a substitute.

Reid (for Byrd) amendment No. 3447 (to amendment No. 3401), to amend the provisions relating to the Congressional Oversight Group.

Reid (for Byrd) amendment No. 3448 (to amendment No. 3401), to clarify the procedures for procedural disapproval resolutions.

Reid (for Byrd) amendment No. 3449 (to amendment No. 3401), to clarify the procedures for extension disapproval resolutions.

Reid (for Byrd) amendment No. 3450 (to amendment No. 3401), to limit the application of trade authorities procedures to a single agreement resulting from DOHA.

Reid (for Byrd) amendment No. 3451 (to amendment No. 3401), to address disclosures by publicly traded companies of relationships with certain countries or foreign-owned corporations.

Reid (for Byrd) amendment No. 3452 (to amendment No. 3401), to facilitate the opening of energy markets and promote the exportation of clean energy technologies.

Reid (for Byrd) amendment No. 3453 (to amendment No. 3401), to require that certification of compliance with section 307 of the Tariff Act of 1930 be provided with respect to certain goods imported into the United States.

Reid (for Durbin) amendment No. 3458 (to amendment No. 3401), to establish and implement a steel import notification and monitoring program.

Reid (for Harkin) amendment No. 3459 (to amendment No. 3401), to include the prevention of the worst forms of child labor as one of the principal negotiating objectives of the United States.

Reid (for Corzine) amendment No. 3461 (to amendment No. 3401), to help ensure that trade agreements protect national security, social security, and other significant public services.

Reid (for Corzine) amendment No. 3462 (to amendment No. 3401), to strike the section dealing with border search authority for certain contraband in outbound mail.

Reid (for Hollings) amendment No. 3463 (to amendment No. 3401), to provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits, and to amend the Internal Revenue Code of 1986 to prevent corporate expatriation to avoid United States income tax.

Reid (for Hollings) amendment No. 3464 (to amendment No. 3401), to ensure that ISAC committees are representative of the producing sectors of the United States Economy.

Reid (for Hollings) amendment No. 3465 (to amendment No. 3401), to provide that the

benefits provided under any preferential tariff program, excluding the North American Free Trade Agreement, shall not apply to any product of a country that fails to comply within 30 days with a United States Government request for the extradition of an individual for trial in the United States if that individual has been indicted by a Federal grand jury for a crime involving a violation of the Controlled Substances Act.

Reid (for Landrieu) amendment No. 3470 (to amendment No. 3401), to provide trade adjustment assistance benefits to certain maritime workers.

Reid (for Jeffords) amendment No. 3521 (to amendment No. 3401), to authorize appropriations for certain staff of the United States Customs Service.

Wellstone amendment No. 3467 (to amendment No. 3401), to protect human rights and democracy.

Reid (for Hollings) amendment No. 3527 (to amendment No. 3447), to provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits.

AMENDMENT NO. 3527

Mr. HOLLINGS. Madam President, I am indebted to the leadership for, last evening, late in the hour, having called up my amendment in the second degree, I think, to the Byrd amendment.

What is the pending question before the Senate?

The PRESIDING OFFICER. The Senator is correct. It is his second-degree amendment.

Mr. HOLLINGS. I thank the distinguished Chair.

Madam President, I am still smiling because I was coming onto the elevator with some books, and the elevator operator said: My Lord, are you going to preach?

I wish I had the talent to preach on this particular score because the real problem confronting our country is economic strength. There is no question in my mind that fast track is about the worst thing that we could possibly adopt. I have yet had the time to really get into a debate. I would not preach, but I would be delighted to get into a debate with respect to, actually, the need for a competitive trade policy, for the rebuilding of our economic strength, and the rebuilding of our manufacturing capacity.

Somehow or other we have lost sight of the greatness of America. We think it is the 6th Fleet and the atom bomb. They do not count anymore in the halls of international and global relations and foreign diplomacy. What counts now is economic strength, that is the real battle and war we are in.

They say: You are going to start a war. We have been in a very viable, competitive, reciprocal free trade, competitive free trade of which Cordell Hull spoke.

What comes to mind, I was at a conference up in Chicago some years ago with Akio Morita, the chairman of the board of Sony. He was speaking about the Third World, the emerging nations. This is some years back. He was counseling the Third World countries that they had to develop a strong manufacturing sector in order to become a nation-state. He was talking along, and then he pointed at me, and then he said:

By the way, Senator, the world power that loses its manufacturing capacity will cease to be a world power.

That is what is on my mind this morning. It is not just manufacturing but, of course, our financial dilemma. There is no question in my mind that we have developed, not a tax-and-spend, but a borrow-and-spend society.

I ask unanimous consent that the debt to the penny be printed in the RECORD.

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

THE DEBT TO THE PENNY

	Amount
Current: 5/21/2002	$6,019,261,264,823.37
Current Month:	
5/20/2002	6,019,304,226,577.31
5/17/2002	6,019,432,256,973.92
5/16/2002	6,019,475,513,420.98
5/15/2002	6,016,580,911,847.58
5/14/2002	5,990,414,639,076.97
5/13/2002	5,989,198,647,537.89
5/10/2002	5,988,911,662,755.21
5/09/2002	5,978,218,818,210.58
5/08/2002	5,973,205,194,045.55
5/07/2002	5,973,527,635,269.29
5/06/2002	5,969,691,431,266.78
5/03/2002	5,966,885,188,391.86
5/02/2002	5,979,288,646,755.03
5/01/2002	5,974,320,868,797.23
Prior Months:	
4/30/2002	5,984,677,357,213.86
3/29/2002	6,006,031,606,265.38
2/28/2002	6,003,453,016,583.85
1/31/2002	5,937,228,743,476.27
12/31/2001	5,943,438,563,436.13
11/30/2001	5,888,896,887,571.34
10/31/2001	5,815,983,290,402.24
Prior Fiscal Years:	
9/28/2001	5,807,463,412,200.06
9/29/2000	5,674,178,209,886.86
9/30/1999	5,656,270,901,615.43
9/30/1998	5,526,193,008,897.62
9/30/1997	5,413,146,011,397.34
9/30/1996	5,224,810,939,135.73
9/29/1995	4,973,982,900,709.39
9/30/1994	4,692,749,910,013.32
9/30/1993	4,411,488,883,139.38
9/30/1992	4,064,620,655,521.66
9/30/1991	3,665,303,351,697.03
9/28/1990	3,233,313,451,777.25
9/29/1989	2,857,430,960,187.32
9/30/1988	2,602,337,712,041.16
9/30/1987	2,350,276,890,953.00

Source: Bureau of the Public Debt.

THE DEBT TO THE PENNY AND WHO HOLDS IT BEGINNING JANUARY 31, 2001

	Debt held by the public	Intragovernmental holdings	Total
Current: 5/21/2002	$3,436,649,451,216.50	$2,582,611,813,606.87	$6,019,261,264,823
Current Month:			
5/20/2002	3,438,251,573,271.40	2,581,052,653,305.91	6,019,304,226,577
5/17/2002	3,439,271,479,603.89	2,580,160,777,370.03	6,019,432,256,973
5/16/2002	3,442,068,572,294.49	2,577,406,941,126.49	6,019,475,513,420
5/15/2002	3,439,523,397,954.34	2,577,057,513,893.24	6,016,580,911,847
5/14/2002	3,416,285,823,486.91	2,574,128,815,590.06	5,990,414,639,076
5/13/2002	3,415,564,600,264.24	2,573,634,047,273.65	5,989,198,647,537
5/10/2002	3,415,522,879,129.47	2,573,388,783,625.74	5,988,911,662,755
5/09/2002	3,403,885,470,082.53	2,574,333,348,128.05	5,978,218,818,210
5/08/2002	3,397,455,347,494.59	2,575,749,846,550.96	5,973,205,194,045
5/07/2002	3,396,968,024,725.81	2,576,559,610,543.48	5,973,527,635,269
5/06/2002	3,396,126,515,846.99	2,573,564,915,419.79	5,969,691,431,266
5/03/2002	3,395,972,512,085.24	2,570,912,676,306.62	5,966,885,188,391
5/02/2002	3,395,802,045,107.50	2,583,486,601,647.53	5,979,288,646,755
5/01/2002	3,400,773,341,390.14	2,573,547,527,407.09	5,974,320,868,797
Prior Months:			
4/30/2002	3,402,336,886,067.70	2,582,340,471,146.16	5,984,677,357,213
3/29/2002	3,444,137,028,277.33	2,561,894,577,988.05	6,006,031,606,265
2/28/2002	3,442,243,757,040.41	2,561,209,259,543.44	6,003,453,016,583
1/31/2002	3,378,924,426,706.66	2,558,304,316,769.61	5,937,228,743,476
12/31/2001	3,394,398,958,213.60	2,549,039,605,222.53	5,943,438,563,436
11/30/2001	3,404,026,838,038.17	2,484,870,049,533.17	5,888,896,887,571
10/31/2001	3,333,039,379,996.92	2,482,943,910,405.32	5,815,983,290,402
Prior Fiscal Years: 9/28/2001	3,339,310,176,094.74	2,468,153,236,105.32	5,807,463,412,200

THE DEBT TO THE PENNY AND WHO HOLDS IT THROUGH JANUARY 30, 2001

	Debt held by the public	Intragovernmental holdings	Total
Prior Months:			
1/30/2001	$3,369,903,111,703.32	$2,370,388,014,843.13	$5,740,291,126,546
12/29/2000	3,380,398,279,538.38	2,281,817,734,158.99	5,662,216,013,697
11/30/2000	3,417,401,544,006.82	2,292,297,737,420.18	5,709,699,281,427
10/31/2000	3,374,976,727,197.79	2,282,350,804,469.35	5,657,327,531,667
Prior Fiscal Years:			
9/29/2000	3,405,303,490,221.20	2,268,874,719,665.66	5,674,178,209,886
9/30/1999	3,636,104,594,501.81	2,020,166,307,131.62	5,656,270,901,633
9/30/1998	3,733,864,472,163.53	1,792,328,536,734.09	5,526,193,008,897
9/30/1997	3,789,667,546,849.60	1,623,478,464,547.74	5,413,146,011,397

Mr. HOLLINGS. Madam President, they have talked about surpluses, surpluses, surpluses. You will find in Time magazine this week, up on the right-hand side—I don't have my copy—where the deficit for 2001 was in excess of $500 billion. Let me repeat that. Look in Time magazine. We were talking about surpluses when we were cutting taxes last year. Time magazine alone reported, rather than a surplus we were running these horrendous deficits.

Of course, the fiscal year has just begun. We have yet to distribute a lot of the emergency money. For example, I have been trying like the dickens to get the rail security money to start working on the tunnels going into New York. The money has been appropriated and voted during the emergency, but we are not really serious. We are not really serious about the so-called terrorism war. Here we are already running a $212 billion deficit and the increase to the debt already this fiscal year was right at almost $100 billion spent from Social Security trust funds. They are talking about how we could get into it, but this record that I am introducing is very significant because of what I pointed out.

Let me have printed in the RECORD an article by Paul Krugman, ''The Great Evasion; Where Have All The Taxes Gone?'' I ask unanimous consent it be printed in the RECORD.

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

[From the NY Times, May 14, 2002]

THE GREAT EVASION

WHERE HAVE ALL THE TAXES GONE?

(By Paul Krugman)

Last week Stanley Works, a Connecticut tool company, postponed its plan to evade taxes by incorporating itself in Bermuda. The decision reflected pressure from the White House, which denounced the move as unpatriotic in a time of national emergency.

I am, of course, making that last part up. The shareholders' vote approving Stanley's move was challenged by Connecticut officials; also, the company has been put in the spotlight by David Cay Johnson, The New York Times's invaluable tax reporter. But the Bush administration, always quick to question the patriotism of anyone who gets in its way, has said nothing at all about Stanley Works, and little about the growing number of U.S. corporations declaring themselves foreign for tax purposes.

To be fair, the administration didn't create the loophole Stanley wants to exploit. And it's not enough just to denounce corporations that exploit tax loopholes; the real answer is to deny them the opportunity. Still, the administration's silence is peculiar. What's going on?

The closest we have to an official statement on the issue of companies moving offshore comes from the Treasury Department's chief of tax enforcement: ''We may need to rethink some of our international tax rules that were written 30 years ago when our economy was very different and that now may be impeding the ability of U.S. companies to compete internationally.''

Unfortunately, that statement misrepresents the issue. For one thing, U.S. companies don't necessarily pay higher taxes than their foreign counterparts; Germany's corporate tax rate is significantly higher than ours, France's rate is about the same, and Britian's is only marginally lower. Anyway, the Treasury statement makes it sound as if we're losing revenue because U.S.-based companies are moving their headquarters to lower-cost locations, or because they are losing market share to foreign rivals. Neither proposition is true. In fact, we're losing revenue because profitable U.S. companies are using fancy footwork to avoid paying taxes.

By incorporating itself in Bermuda, a U.S.-based corporation can—without moving its headquarters or anything else—shelter its overseas profits from taxation. Better yet, the company can then establish ''legal residence'' in a low-tax jurisdiction like Barbados, and arrange things so that its U.S. operations are mysteriously unprofitable, while the mail drop in Barbados earns money hand over fist. In other words, this isn't about competition; it's about tax evasion.

The natural answer would seem to be to crack down on the evaders—to find a way to tax companies on the profits they really earn in the U.S. and prevent them from using creative accounting to make the profits appear somewhere else. It's hard, but not impossible.

But here's the key point: Administration officials don't want to help collect the corporate profits tax. Unable to push major corporate tax breaks through Congress, the administration has used whatever leeway it has to offer such breaks without legislation. The Hill, a nonpartisan publication covering Congressional affairs, recently reported on ''a series of little-noticed executive orders . . . that will provide corporations with billions of dollars in tax relief without the consent of Congress.''

And now the silence on Stanley becomes comprehensible. The administration doesn't want to say outright that it's in favor of tax evasion; but it also doesn't really want to collect the taxes. Better to say nothing at all.

The trouble is that hinting, even by silence, that it's O.K. not to pay taxes is a dangerous game, because it can quickly grow into a major revenue loss. Accountants and tax planners have taken the hint; they now believe that it's safe to push the envelope, Tax receipts this year are falling far short of expectations, even taking the recession into account; my bet is that it will turn out that newly aggressive tax avoidance by corporations (and wealthy individuals) is an important part of the story. And it will get worse next year.

Furthermore, what does it say to the nation when companies that are proud to stay American are punished, while companies that are willing to fly a flag of convenience are rewarded?

If the administration wants to eliminate the corporate profit tax, let's have a real, open debate—starting with an explanation of how the lost revenue will be replaced in a time of severe budget deficits. Meanwhile, let's crack down on tax evasion.

Mr. HOLLINGS. Madam President, you can read there and see where they have not only cut $1.6 trillion from the revenues and wonder where the deficits come from, but they are insisting at this particular time to make permanent certain tax cuts, an additional $4 trillion. Of all things, our Commander in Chief, the President, says: And by the way, since we have a war on terrorism, we are going to have to run deficits.

We have paid for every war that we have ever been in. I noted the other day, last Saturday:

Sharon's Finance Ministry has revised the budget to deal with the slump and pay for the military effort, particularly the month-long offensive in the West Bank that ended last week. It includes raising by 1 percentage point the 17 percent value-added tax, levying higher taxes on diesel fuel and cigarettes and making cuts in the country's generous social welfare benefits.

You don't find that back in the United States. Israel is serious about its war.

But no. We continue with the economy. We think it is bouncing back because—why? It is not on account of production, and not on account of investment in the market today, but on account of ''Argentina, a land that shopped itself to death.''

I ask unanimous consent to have this printed in the RECORD.

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

ARGENTINA, A LAND THAT SHOPPED ITSELF TO DEATH

(By Matthew Parris)

I always knew there was something queer about Argentina.

You do not need to be psychic to pick up a sense that something is wrong with a place. Scores of countries are inhabited by scores of ills, but they muddle through. Argentina felt wrong in a different way. Travelling there was more akin to the experience of visiting a company which, though trading, later turns out to have been a front for quite another operation; or driving down a modern and expensive-looking motorway (as I once did in Cuba) where the sliproads turn out to be dead ends, the bridges across it bridge nothing to nothing, and the crowds of people milling inexplicably round beneath them are found to be desperate hitch-hikers, there being no cars and no petrol.

It just didn't add up. Nor did Argentina.

Arriving at the frontier by bus from Bolivia some years ago after a 20-hour journey over atrocious roads from La Paz, we found that from the border post to the nearest town lay a short stretch of tarmac along which the ten-minute taxi ride cost more than the cost of the whole Bolivian bus journey. In the next town, Juyuy, we paid in Argentine pesos and were given change in crudely printed notes issued by the state government, there being an insufficiency of funds from central government in Buenos Aires,

This seemed like anarchy—some kind of breakdown. So how come, when we reached the next town, Salta, the women were wearing fur and taking toy dogs for walks on leads? I have felt the same ''Huh?'' about Israel, Morocco and Saudi Arabia.

Like Tintin's little dog, Snowy, one surveys the scene with a question mark suspended above the head. The reasons for puzzlement vary but the sense of disjunction is the same: a circuit board with an unfinished circuit; and Escher print where the perspective disappears up its own staircase; those people Moral Re-Armament who invited you unaccountably to lunch in the 1970s; a telephone kiosk in the desert; Mormons. One observes quizzically yet unable even to frame the question. Years later, when the thing implodes, one says: ''I always knew there was something dodgy there; I should have looked into it; I should have said something.''

But what? This was at a time when all the wise people said Carlos Menem was doing things right, the peso had linked to the dollar and the entire Spanish banking system was taking a punt with Argentine economic

prospects. To talk of the inherent madness would have appeared, in itself, mad.

Now, at least, there is acceptance that something is wrong. Let me take a stab at saying what. I think the problem with Argentina is shopping.

There is much too much shopping in Argentina, and it has been going on for a long time. Everybody in Buenos Aires seems to be shopping and when they are not shopping they are at yacht clubs, or with their psychoanalysts.

Another favourite pastime is visiting cemeteries, at the most fashionable of which I was astonished to encounter something more resembling a city than a place of burial. Family mausoleums vied with each other for marbled splendour. Some were multistoreyed, and some went down a couple of floors beneath ground. One was said to have a lift. Through the streets of this macabre metropolis women in mink walked miniature poodles in tartan coats.

Where, then, was the money coming from? I saw some breweries, a cement works and a Coca-Cola bottling plant, and there were rumoured to be factories (on strike) in another part of town. There were also a great many waiters, hotels, bars, clubs, and sexily skirted shopgirls selling sickly-sweet pastries and treacly cream. There were window-dressers. And, everywhere, there was shopping.

Well, it's fairly clear—is it not—what was amiss? The country was living way beyond its means. People did know this, on one level at least. They knew what the figures said, and they blamed the Government for not getting the figures right. It was all due, they said, ''to corruption''; no doubt somebody, probably the political class, was salting it away. Government needed to be ''cleaned up'', people said (while boasting about how cleverly they were fiddling their own taxes): but in the meantime much hope was being placed by some, and much disbelief by others, in whatever it was President Menem was doing with the currency.

Those who supported pegging the peso to the dollar thought this would rescue the Argentine economy; those who did not, thought it would wreck the Argentine economy. On one thing, however, there seemed to be wide agreement; getting the currency right would be the basis for economic revival.

To another question, however, little attention was directed. Given that currency is really just a medium of exchange, what of the things—the goods and services—to be exchanged? What were Argentinians making? What were they doing when not shopping? How hard were they working? What were they paying themselves for this work? About such questions I heard less discussion and sensed a lack of focus. This was very different from neighboring Chile, a humbler country where the hustle and buzz of economic activity filled the air.

Currency and corruption because the great evasions of political discussion in Argentina. Currency was something somebody else—a politician—had to get right before the economy would work.

Corruption was the reason why, even after many fine minds had applied themselves to Currency, the economy was still refusing to work.

When a political leader has been spat humiliatingly out by the voters we are understandably disinclined to hitch our judgment to his star, but Fernando de la Rua, President for two years since 1999, does seem to me to have been right. And in the end, the bangers of pots and pans got him.

They will soon be banging their pots and pans outside the house of their latest President, Eduardo Duhalde. Whatever left-wing window-dressing, the 60-year-old Peronist veterans brings to his appointment, the real need and only solution is austerity, massive spending cuts and an end to featherbedding. As a Peronist he will not find it easy to lead this way. Already the pots and pans beat for fresh elections and the eviction of the entire political class.

Listen to those pots and pans in Argentina. They are a voice, and a powerful one, of democracy. The voice says ''let us have our cake and eat it''. The voice has shouted down government after government in that country.

Nor do you need to remind me that Argentina has only fitfully enjoyed elected government. It is a great fallacy of post-1945 political science to equate democracy with elected government. Democracy is the crowd,the majority, the mob; the crowd may get its way by electing a government or by sustaining a dictator. Some of history's most notorious populists have been dictators and generals; for most dictators, if they are to survive, must be or became demagogues.

A dictator—as was Juan Peron—is in some senses more at the mercy of his people than an elected government, for his position is inherently precarious and his tenure, however long, will always have a temporary flavour. Nobody rules for ever without the love of the people, but elected governments can on the whole get away with if for longer. A dictator—an Amin, Mussolini, Mugabe, Hitler, Galtieri—needs to work more assiduously to please the crowd, and has a greater power to carry into effect the will of the people, than a prime minister or elected president. When it suited him, Peron and his trade unions had no difficulty in winning elections.

But with elections some constitutions, terms of office, courts and rules of law. These, often thought of as characterizing democracy, are impediments to the will of the people, and intended to be. So are the International Monetary Fund, the Bank of England, the European Central Bank, the Federal Reserve Bank, the World Bank, world trade and ''globalisation''. They are bulwarks against the mob.

And they, or a fair few of them, will now have to serve as President Duhalde's allies against the Argentine electorate, banging its pots and pans in the face of reality. Lemmings do not always know what is good for them. Lemmings can be democrats, too.

Mr. HOLLINGS. Madam President, ''Argentina, a land that shopped itself to death.''

We have gone from the socialistic United Kingdom system of tax and spend and to the Argentina system of borrowing, spending and shopping to death. There it is.

It is very interesting. When I talk of the financial dilemma we are in with a $400 billion trade deficit and we are going to run a nearly $400 billion fiscal deficit—I want to be here on September 30 and see where we are measuring up by September 30. We have an election in November. By October, we will have the figures. It will be nearly a $400 billion deficit. There isn't any question in my mind.

So you have the fiscal weakness—the enfeeblement, more or less—of the economy on the one hand and the productivity on the other hand of not making anything anymore.

I was very interested. That is why I brought this book to the Senate this morning. The favorite book in Washington today is Theodore Rex about Teddy Roosevelt. You will find the economic strength of the country on page 20.

More than half of the world's cotton, corn, copper and oil flowed from the American cornucopia, and at least one-third of all the world's steel, iron, silver and gold.

Can you imagine that? Here we just had to put in some restrictions on the import of steel. It is not more or less trade. It is more about McNamara and the World Bank. He went running around the world with the World Bank saying: Wait a minute. In order to become a nation state, you have to have the weapon of agriculture and the weapons of war. You have to have a 2-percent steel plant.

I worked with a fellow named Willy Korpf when he brought to South Carolina, Beaumont, TX, down in Brazil, Saudi Arabia—he was building them in China a few years ago when he crashed in the Alps coming to his home.

I dedicated his plant across the Rhine across from Strasbourg, France, and Kehl, Germany.

But that 2-percent plant all around the world is an overproduction of steel.

While they argue about steel—I have it in my backyard with NuCor, which doesn't have any legacy problems. It is the most productive steel plant in the entire world. Yet we are importing steel at less than cost on the dock right in front of the Customs house where I have my office in Charleston, SC, to furnish steel all over the Southeast from Brazil. That is the kind of situation we are in.

After 100 years, Teddy Roosevelt—yes. Hamilton, Jefferson, Madison—the Forefathers—were all protectionists. Here it is. They had it. This is what we have as a result of it.

More than half the world's cotton, corn, copper, and oil flowed from the American cornucopia, and at least one third of all steel, iron, silver, and gold. . . . The excellence of her manufactured products guaranteed her dominance of world markets. Current advertisements in British magazines gave the impression that the typical Englishman woke to the ring of an Ingersoll alarm, shaved with a Gillette razor, combed his hair with Vaseline tonic, buttoned his Arrow shirt, hurried downstairs for Quaker Oats, California figs, and Maxwell House coffee, commuted in a Westinghouse tram (body by Fisher), rose to his office in an Otis elevator, and worked all day with his Waterman pen under the efficient glare of Edison lightbulbs. ''It only remains,'' one Fleet Street wag suggested, ''for [us] to take American coal to Newcastle.'' Behind the joke lay real concern: the United States was already supplying beer to Germany, pottery to Bohemia, and oranges to Valencia.

We had a vote yesterday on a 50-percent tariff on importing oranges, and they are still bringing them in from Brazil.

Further:

As a result of this billowing surge in productivity, Wall Street was awash with foreign capital. Carnegie calculated that America could afford to buy the entire United Kingdom, and settle Britain's national debt in the bargain. For the first time in history,

transatlantic money currents were thrusting more powerfully westward than east. Even the Bank of England had begun to borrow money on Wall Street. New York City seemed destined to replace London as the world's financial center.

Wall Street is on its backside. Why? Because of the enfeeblement of the economy as we think of our strength.

I emphasize that the security of the United States is like a three-legged stool. You have the one leg for the values as a nation, you have the second leg as the military strength, and your third leg as your economic strength.

On values, we have the respect of the world for standing for individual freedom and democracy. There is no question whatsoever with respect to our military power. And with respect to our economic power, it has become fractured as a result of the conduct after World War II for the last 50 years, which worked. No one complains about the Marshall plan and the treating of foreign trade as foreign aid.

But this is what has happened as a result. It has to stop.

Two-thirds of the clothing we wear is imported; 88.5 percent of the shoes on the floor in the Senate are imported; over half of electric motors and portable electric hand tools; 71.8 percent of our aircraft engines and our gas turbines are imported; over a third of our motor vehicles are imported; over half of the office machines; 95.5 percent of consumer electronics—we hardly make those anymore—70 percent of the televisions; 86.7 percent of radio and television broadcasting equipment; over half of the photographic cameras, 80.8 percent; 82.8 percent of the luggage; 70.3 percent of the bicycles; and 84.8 percent of the toys.

I hear constantly, ''high tech, high tech.'' Senator, you don't understand. We are going away from the smokestack industries and we are going high tech.

Look here. Over half of the semiconductors are imported—we are not producing the semiconductors that we consume. We are importing the majority of what we consume, and the same thing is true with computers.

We have a deficit in the balance of trade.

I ask unanimous consent to have the list printed in the RECORD.

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

Product	Trade deficit (millions)	Percentage of imports
Pneumatic tires and tubes	−2,286	31.8
Apparel	−56,225	57.6
Footwear	−14,192	88.5
Steel mill products	−10,114	21.3
Air-conditioning equipment/parts	−449	23.0
Household Appliances	−2,441	31.5
Wrapping, packaging, can-sealing	−442	26.2
Textile Machinery	−562	58.3
Electric motors and generators etc.	−2,746	29.8
Electrical transformers, static converters	−3,404	51.8
Portable electric handtools	−808	36.5
Electric lamps and portable electric lights	−682	39.7
Aircraft engines and gas turbines	4,072	71.8
Internal combustion piston engines	−1,724	24.8
Motor vehicles	−106,727	35.6
Office machines	−766	50.7
Consumer electronics	−19,005	95.5
Television receivers and video monitors	−6,549	69.2
Radio and television broadcasting equip.	−4,576	86.7
Semiconductors and integrated circuits	−2,619	51.2
Computers, peripherals and parts	−45,085	56.5
Optical goods, including ophthalmic goods	−1,887	56.5
Photographic cameras and equipment	−3,499	46.8
Watches and clocks	−3,006	80.8
Luggage	−2,489	82.8
Bicycles and certain parts	−1,113	70.3
Toys	−7,930	84.8

Mr. HOLLINGS. Madam President, you get an idea of America going out of business, but more than anything else, we ought to look at Saturday's business section of the Washington Post.

In contrast to Teddy Roosevelt, and the beginning of the last century, let us define where we are today. An article is entitled ''Buying American? Maybe Not.''

I ask unanimous consent to have that printed in the RECORD.

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

[From the Washington Post, May 18, 2002]

BUYING AMERICAN? MAYBE NOT

MANY U.S. BRANDS EUROPEAN-OWNED

(By T.R. Reid)

Let's imagine a typical American couple—we'll call them Bill and Betty Yankee—using a long weekend for an all-American vacation.

Bill, an engineer at Niagara Mohawk Power Corp., in Upstate New York, and Betty, a clerk at Casual Corner, take their Jeep down to the Amoco station for a fill-up, pop a Dave Matthews album into the cassette player and head west. They drive all day, except for a quick lunch at Burger King, and stop for the night at a Holiday Inn outside Pittsburgh. In their room, Bill smokes a couple of Lucky Strikes and watches ''A Beautiful Mind'' on pay-per-view, while Betty curls up with a bottle of Snapple and the new Philip Roth novel she just received from the Literary Guild.

The next day, they get some cash at a Mellon Bank ATM, fill the tank at a Shell station and drive all the way to Chicago. There they meet their daughter Barb, a copywriter at the Leo Burnett advertising agency, who proudly shows her parents the ad she has written for Taster's Choice coffee. Barb's husband, Bob, a reporter for the Chicago Sun-Times, is delighted with the Brooks Brothers necktie his in-laws brought him.

It all sounds thoroughly American. However, just about every product and service that the Yankee family bought or used on this trip came from European-owned companies.

The family Jeep is made by Germany's DaimlerChrysler. The Amoco station belongs to the British oil company BP and the Shell station to Royal Dutch Shell, an Anglo-Dutch combination.

Burger King is owned by Britain's beverage giant Diageo, Holiday Inn by the big British hotel firm Six Continents. Mellon Bank is a subsidiary of the Royal Bank of Scotland. The Oscar-winning movie ''A Beautiful Mind'' was released by Universal Studios, a subsidiary of the French media colossus Vivendi Universal, which is also a major operator of pay-per-view television in the United States. Philip Roth's publisher, Houghton Mifflin, is another Vivendi subsidiary. The Literary Guild is part of the global empire of the German publishing giant Bertelsmann. Lucky Strikes are made by London-based British American Tobacco. Snapple is owned by Britain's Cadbury Schweppes. Taster's Choice coffee belongs to Nestle SA of Switzerland.

It's fitting, in a way, that the Yankee family is constantly buying from European companies, because all four of the Yankees—like millions of other Americans today—are employed by European-owned firms. Niagara Mohawk is one of several American power utilities owned by Britain's National Grid. Both Brooks Brothers and the 1,000-store Casual Corner chain are part of an Italian conglomerate, Retail Brand Alliance. The Leo Burnett agency belongs to a French group, Publicis. Even a product as localized as the Chicago Sun-Times is owned by a company that is owned by the London media magnate Conrad Black.

''We live in a globalized world, and the products Americans use now can be owned by companies almost everywhere,'' notes John Palmer, a director of the European Policy Centre, a Brussels-based think tank. ''Since we've seen the rise of some very powerful European multinationals in the recent past, it's only natural that these companies would extend their reach to the U.S.''

The seemingly endless web of European connections woven through corporate America today reflects a surge of investment from Britain, France, Germany, the Netherlands, Italy, Ireland, Scandinavia and other parts of Western Europe over the past decade. The long U.S. economic boom of the '90s drew hundreds of billions of dollars from European investors into American companies, according to the European-American Business Council, an advocacy group based in Washington. Europe is by far the top source of foreign direct investment in the United States.

European investors say the flow of money across the Atlantic is a tribute to the strength and the promise of the U.S. economy.

''Why invest in the U.S.A.? It's simple,'' says Sir Ian Prosser, chairman of Six Continents PLC, the hotel firm with headquarters in London. ''It's a great economy, and it produces great returns. Beyond that, the U.S. is so competitive that we know the things we learn operating there will help us in all our other markets around the world.''

Money flows the other way, too. Through names like McDonald's, Starbucks or the Gap, U.S. investment is evident in virtually every European city. But similarly, the American presence is not restricted to American labels. Such famous European car brands as Volvo, Jaguar, Aston Martin and Land Rover are all owned by Ford Motor Co.

Even so, the United States is a net gainer, by hundreds of billions of dollars, from the back-and- forth investment. In 2000, according to Commerce Department figures, U.S. direct investment in Europe reached $650 billion; European investment in the United States was almost $900 billion. In economic terms, the big U.S. surplus in direct investment helps pay for the big U.S. deficit in international trade.

The European-American Business Council says that Europeans are the top foreign investors in 44 states, with Texas and California receiving the most funds. In Maryland, 60 percent, or $6.8 billion, of foreign investment money has come from Europe. Virginia has $14.7 billion in European investments, representing 68 percent of total foreign investment.

Some 3.9 million Americans work directly for European-owned companies, the council says.

The result of this transatlantic tidal wave of investment is that many of the products that seem most familiar to American consumers now come from European companies.

Even the word ''America'' in the brand name doesn't imply American ownership anymore. The American Heritage Dictionary is another Vivendi property. RCA Records, once part of the Radio Corporation of America, belongs to Bertelsmann. There may be

nothing more American than apple pie, but Mott's apple pie filling, along with Mott's apple juice and apple sauce, are British-owned.

Europeans have also put major amounts of money into American financial companies. In addition to Mellon Bank, Royal Bank of Scotland owns more than 15 other U.S. banking institutions. The respected investment bank once known as First Boston is now Credit Suisse First Boston, a unit of Zurich-based Credit Suisse Group.

In Baltimore, fast-growing Allfirst Bank is a subsidiary of Allied Irish Banks of Dublin, and the city's traditional brokerage house, Alex. Brown, belongs to Deutsche Bank.

Just over a decade ago, when Japanese companies were pouring large sums into U.S. businesses and real estate, the investment sparked fear and anger among many Americans. There was a concern that Tokyo was snatching up America's corporate jewels. When Sony purchased Columbia Pictures, for example, Newsweek's cover featured the Statue of Liberty dressed in a kimono and the headline ''Japan Invades Hollywood.''

But the new wave of European investment has spawned almost no adverse reaction among Americans. Perhaps Americans are proud that foreign investors want to put their money into the U.S. economy. Perhaps there is a growing public awareness of the process of globalization, with multinational companies buying and selling subsidiaries all over the world. Perhaps Americans just don't know how much of their daily commerce is done with European-owned firms. Or could it be that Americans don't mind if blue-eyed Christians from Europe buy their companies but are less comfortable when Asians do?

Since the U.S. government, industry and financial markets all welcome the influx of funds, there's probably not much relief available for any Americans who are worried about the wave of European ownership. The only thing to do, really, is head out to a bar and drown your worries with a classic American drink like a ''seven and seven.''

Of course, this might not be a completely satisfying response, because both parts of that familiar cocktail come from British companies today: Seagram's Seven Crown belongs to Diageo, and 7Up is one of the flagship brands of Cadbury Schweppes.

Mr. HOLLINGS. Madam President, I will not read the entire article. It is very interesting.

Let's imagine a typical American couple—we'll call them Bill and Betty Yankee—using a long weekend for an all-American vacation.

Bill, an engineer at Niagara Mohawk Power Corp. in Upstate New York, and Betty, a clerk at Casual Corner, take their Jeep down to the Amoco station for a fill-up, pop a Dave Matthews album into the cassette player and head west. They drive all day, except for a quick lunch at Burger King, and stop for the night at a Holiday Inn outside Pittsburgh. In their room, Bill smokes a couple of Lucky Strikes and watches ''A Beautiful Mind'' on pay-per-view, while Betty curls up with a bottle of Snapple and the new Philip Roth novel she just received from the Literary Guild.

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The entire article is in the RECORD.

It is just ludicrous when you hear this talk about free trade, free trade, and global competition. I don't want to sound like Al Gore, but I know a little bit about global trade. I didn't invent it. But 40 years ago, as a Governor, I went to both Latin America and to Europe to seek industry, and today we have 125 German industries in South Carolina. I have not had much luck recently on carpetbagging New York, but I used to go up there regularly and move everything I could find up there down to South Carolina. But the opportunities now are in Europe and out in the Pacific rim.

I called on Michelin exactly 40 years ago—well, 42, I guess—in late May or June of 1960. We have four Michelin French plants, their North American headquarters.

So don't lecture us, who have lost 53,900 textile jobs, about globalization. The fact is, there is no such thing as free trade. Never has been. Never will be. In the earliest days——

Mr. DORGAN. Will the Senator yield?

Mr. HOLLINGS. I am going to get through my thoughts here, and then I will be glad to yield. But I do not have it on the record, and I want to put this particular subject on the record as I see it and can remember it.

Mr. DORGAN. Mr. President, I just want to ask unanimous consent for something.

I ask unanimous consent that I be recognized following Senator HOLLINGS.

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

Mr. HOLLINGS. Very good. I thank the distinguished Senator.

Mr. President, what happened was, in our earliest days we had just won our freedom when the David Ricardo comparative advantage crowd in the mother country, Britain, corresponded with Alexander Hamilton and said: Now what you ought to do is trade with us what you produce best, and we will trade back with you what we produce best—free trade, free trade, Adam Smith, market forces, and everything else of that kind.

Alexander Hamilton wrote a report on manufacturers. I have a copy of it now. There is one original copy over in the Library of Congress. But in a line, he told the Brits: Bug off. We are not going to remain your colony, importing all the manufactured goods and exporting to you our rice, our cotton, our indigo, our lumber, timber, and iron ore, and so forth.

The second bill that passed this Congress in its history—the first bill being for the Seal of the United States—the second bill in the history of the Congress, that passed on July 4, 1789, was protectionism, a tariff bill of 50 percent on 60 articles. Protectionism was supported throughout the building of America during the 1800s—Lincoln with steel protectionism; protectionist Roosevelt with agricultural support prices, protective quotas and import quotas; Eisenhower in the middle 1950s with oil import quotas, protectionist Eisenhower. Those who built protected.

After all, that is the oath we take, to preserve and protect. We have the FBI to protect us from enemies within, the Army to protect us from enemies without, Social Security to protect us from the ravages of old age, Medicare to protect us from ill health; the clean air, clean water—we have safety rules and everything. The fundamental job of Government is protection.

Here we have the highest standard of living. All these Senators run around on the floor, they want the environment, they want safety, they want parental leave, and they want plant closing notice. Fine. We have them all on the books. But you can go down to Mexico for 58 cents an hour and none of that. And if your competition goes, you are going to have to leave. And that is what has been happening.

But you have these folks on the floor of the Senate who are determined to wreck the economy. There never has been any such thing as free trade, and never will be. Almost like world peace: you strive for it. You strive for it, and it will not happen in my lifetime or your lifetime.

More than anything else, all you have to do is just look at the books published by none other than the Office of the U.S. Trade Representative—''Foreign Trade Barriers.'' This one in 1992 had 267 pages. They are talking about, oh, the wonderful success of fast

track, fast track; we are going to really bring down trade barriers, increase jobs.

This one is for 2002: ''National Trade Estimate Report of Foreign Trade Barriers.'' This has gone up to 458 pages. It has gone up 200 pages. They are increasing the barriers. They are competing. Reciprocal free trade, reciprocal free trade, said Cordell Hull, to compete. So what happens is, we have the competition of the countries themselves.

Let me explain just what all they do. They begin with import licensing. We do not have that. You have a tough time getting an import license into Japan or even into China or Korea. If you want to import textiles into Korea, you have to have a vote of the Korean textile authority. The ones over there with whom you are competing vote you out. You never get in.

In banking, they talk about free trade, free trade. The day before yesterday, the Japanese lowered the yen. That is market manipulation. So with a lower yen, they can increase their exports. That is not free trade, free market, free market, free trade. They have inspection practices.

Let's put it this way. If you want a 2002 Toyota in France, it is on the dock in Le Havre being inspected, and by January 1, 2003, you can get last year's model, 2002. The same with the CDs and VCRs, they put them up at a place in France. They have all of these inspection practices. They are all tricks of the trade.

We just had a hearing on Enron. The lawyer had a memo there about all the tricks of the trade. They have such things as different snow when you go to sell ski equipment in Japan. And I have a paper company, West Virginia Pulp and Paper. They tried to emulate and mimic and produce cigarette paper. They worked on it for 2 years, got the exact duplicate of it and everything over there, and they still wouldn't let them bring that cigarette paper in. They said it was still different.

What you have in essence is the fundamental practice. That is what has to be emphasized as I try to explain this. We operate in the free market, capitalistic market in the United States on price and quality. Not so in global competition. They couldn't care less about price. They try for a good price and try for quality, but it is below price, below the production cost. That Lexus I have that costs $35,000 in Charleston, SC, costs $45,000 to $50,000 in downtown Tokyo. All of the prices are less than cost. Can you understand why they fought so vigorously the idea of doing away with our dumping laws? We can easily prove they are selling as loss leaders. They are selling at less than cost in the United States of America, but that is the name of the game.

As I said, the Japanese have already taken over a third of the automobile market, already a majority of the semiconductor, and a majority of the computer market. You can go right on down the list. Once they get market share, they will run the prices up. The competition is not with respect to productivity. We are constantly chastising the workers of the United States. You go to the Bureau of Labor Statistics or the economic section of the United Nations; they both agree that the most productive industrial worker in the world is the U.S. industrial worker. There is no question about their producing, but we are not in the competition. We are talking about quality and productivity. They are talking about dumping. That is why they fought right here to a tie vote with respect to trying to get that amendment. That is why the U.S. Trade Representative went to Doha and said: Don't worry about it. We will have a good conference because we are going to get rid of the dumping laws.

That is exactly what they are saying. Now they have fast track, and they are ready to do it. They can get rid of the dumping laws. This is a fix on that.

More than anything else, you have to understand the competition. The competition isn't with respect just to market share and countries. On the contrary, we have met the enemy, and it is us. I will never forget my good friend Bobby Kennedy who used to have this desk. He came into the limelight in America with a book called ''The Enemy Within.'' He was talking about Hoffa and organized labor.

I can write that same book, ''The Enemy Within,'' about management. It is corporate executive America. They couldn't care less about it.

I hope I can get an article here by Henry Kauffman. I had the article, but I don't know that I brought that over this morning because I didn't realize I was going to have this opportunity. He said way back that people in the olden days when you owned the horse, you were supposed to feed the horse while it was alive, and if the horse was dead, the owner was responsible to bury the horse.

That is not the case with corporate executive America today. They just pass through, sometimes hostile takeovers and everything else of that kind. They are trying to get the stock up over a 3-year period, give them a golden parachute, and move on. They don't feel the obligation to stay. So what happens is, they have learned on the one hand that they can save tremendous money in cost with respect to producing offshore. Thirty percent of volume or sales is in your labor cost and manufacturing. And you can save as much as 20 percent of your sales cost by moving to an offshore low-wage country or down to Mexico.

If you retain your executive office and your sales force but move your manufacturer offshore to a low-wage country, what you do is, if you have $500 million in sales, you can make $100 million before taxes or you can continue to work your own people and go broke. That is the job policy of corporate America, adopted in fast track by the Senate. That is what I am trying to bring home to those who are not thinking, including my farmer friends.

Yes, I listed the different industrial articles. We have a deficit in the balance of trade in cotton. You can go right on down the agricultural commodities. Let China keep coming, and in 3 or 4 years we will have a deficit in the balance of trade in wheat. We have competition in durum wheat. That is why we have one friend here from North Dakota. But there is no question in my mind that what we have is just that, the enemy within.

What do they do? They band together not to build, as we are responsible to build this country in the Senate, not to create jobs, as our primary responsibility to keep America economically strong and create jobs and job opportunities, but theirs is to export the jobs as fast as they can. They band together with the Business Roundtable, the National Association of Manufacturers, the conference board, but more particularly, the Chamber of Commerce.

I saw that change come about with Tom Donahue when we went over there. That National Chamber of Commerce couldn't care less about main street America. They have no idea of creating jobs or opportunity or representing main street America. I could tell you now, I was in this before. I will never forget—I might as well identify myself as not antilabor, but certainly I am not ready to vote just labor's way. I am from a right-to-work State. I voted for that law. And more particularly, when we had a debate when Russell Long was chairman of the Finance Committee, I was the fellow who blocked labor law reform on eight occasions. We had eight votes up and down on cloture. I won on all eight votes.

In years passed, I have received honors from the Chamber of Commerce. So I know from whence I come and speak. We have developed more industry than that Donahue. He came from a trucking outfit. They put him on a few boards. He has picked up here on trial lawyers and everything else like that.

But what we have confronting us in the Senate is not weapons of mass destruction and Saddam. We have the U.S. Chamber of Commerce and weapons of class destruction.

The greatness of America is when Henry Ford said: Look, I want that fellow who is producing the automobile to be able to buy it. He started Middle America, the industrial wage. They had benefits and health care and everything else of that kind. These are the jobs we are losing hand over fist.

The first thing we brought out on debate on so-called free trade—they would not even admit it from the Finance Committee—is not how we were going to create jobs. First, they added how are we going to take care of those who lost the jobs—''adjustment assistance,'' they call it. So we are not producing, and we are into a situation where you have limited time.

I understand the time will run out this afternoon around 4 o'clock. They worked it into this particular situation. Yes, everybody wants to go home for the Memorial Day break. They always do it. When we adjourned before with GATT in November, we were going home for Thanksgiving. They always find a holiday and work it up and fix the vote.

I ask unanimous consent to have printed in the RECORD at this particular point the article in the Washington Post, dated December 26, 1993.

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

[From the Washington Post, Dec. 26, 1993]

THE NAFTA-MATH; CLINTON GOT HIS TRADE DEAL, BUT HOW MANY MILLIONS DID IT COST THE NATION?

(By Charles Lewis)

The orgy of deal-making that preceded the House of Representatives vote on NAFTA illustrated just how little the mercenary culture of Washington has changed since the arrival of a Democratic administration.

Estimates of the total cost of the deals around NAFTA vary widely. Gary Hufbauer, a trade expert who has written favorably about NAFTA for the Institute for International Economics, told the Associated Press that the last-minute deals cost in the ''tens of millions of dollars.'' Public Citizen, the consumer organization founded by Ralph Nader, estimates that the deals cost at least $4.4 billion. The Nation magazine, which has been critical of NAFTA and ''Republicrat'' Clinton, says the total cost of the eleventh hour wheeling-and-dealing might ultimately amount to $50 billion.

Hyperbole aside, the quantifiable cost to the taxpayer of the NAFTA deals will be at least $300 million. American consumers will also pay higher prices on a wide variety of goods because of special interest tariff agreements reached during the NAFTA bazaar. Rep. Dick Zimmer (R–N.J.), who voted for NAFTA, is disgusted about the ''presidential giveaways,'' and he plans to introduce legislation in January to repeal the various NAFTA deals, arguing that ''such sordid behavior debases the legislative process.'' But good luck trying to figure out what deals were made. Many of the particulars of what transpired have disappeared like steam into the air. Normally loquacious members of Congress are tongue-tied or unavailable to comment about their NAFTA votes, while White House officials dismiss the subject as sour grapes. But many of the details of numerous deals have been documented and confirmed. They illustrate the financial forces that shaped Congress's voting and may have tipped the balance in favor of the agreement.

The biggest single taxpayer outlay was snared by Rep. Esteban Torres (D–Calif.). Concerned about NAFTA support among Hispanic members of Congress, the White House wrote a ''U.S.-Mexico Executive Agreement'' to create a bi-national North American Development Bank. The cost will be at least $250 million. Torres, a former United Auto Workers union official, voted for NAFTA after receiving this expensive concession.

Two undecided Georgia Democrats extracted $15 million from the administration. The aptly named Rep. Nathan Deal and Rep. George ''Buddy'' Darden decided to vote for NAFTA when the White House agreed to hire 136 new customs agents just for the textile and apparel industries. As Darden told the Atlanta Constitution, ''I was very impressed by the White House's responsiveness to the textile industry.''

To secure votes in the Texas delegation, the administration promised to speed up the building of the Center for the Study of Western Hemispheric Trade somewhere in Texas. Cost: $10 million. $33 million to vegetable interests in Florida to complete an agricultural research station.

One of the most amusing illustrations of how difficult it is to arrive at the true cost of NAFTA involves Rep. Eddie Bernice Johnson, a first-term Democrat from Texas. The Journal of Commerce broke the story that Johnson agreed to support NAFTA after an unnamed administration official promised that the Pentagon would purchase two additional C–17 cargo planes—at a cost of $1.4 billion—from the Vought Aircraft factory in her south Dallas district. The controversial military transport plane has an impressive history of technical failures. Johnson claims she was misquoted. Her decision to support NAFTA, she says, was based on the ''broad needs'' of her constituents; the Journal of Commerce reporter stands by his story.

That's one reason why estimates of the NAFTA price tag vary: Public Citizen includes this alleged $1.4 billion deal in their estimate of $4.4 billion.

Another reason: the ultimate costs of the special-interest tariff deals before the NAFTA vote are difficult to gauge. For example, a special ''snap-back'' tariff mechanism was agreed to with Mexico to protect Florida citrus growers. If U.S. orange juice concentrate prices fall to certain levels, a tariff is imposed on Mexican oranges; American consumers will be denied the benefits of lower orange juice prices.

Similar formal ''Executive Letter of Agreement'' tariff agreements were made on sugar and syrup goods, wine and brandy, flat glass, home appliances and bedding components such a springs, iron rails and wooden parts, to name a few. These executive letters of agreement are a form of protectionism extended to certain well-connected business interests. Hufbauer, the pro-NAFTA trade expert, said in a recent interview that they could ''easily cost American consumers hundreds of millions'' of dollars.

The more candid members of Congress acknowledged that their votes were being bought. Florida Rep. Tom Lewis, a Republican, who supported the pact after the Clinton administration explicitly agreed to raise tariffs temporarily on imported tomatoes from Mexico, told the New York Times, ''I look with disdain on the way this whole thing has been done . . . It almost looks like you're selling your soul.''

A week before the vote Rep. Bill Brewster (D–Okla.) was undecided about NAFTA. He had two personal meetings with the president and dozens of phone calls from administration officials. He let it be known that he would not supporter NAFTA without specific concessions for his constituents. In the end, as the Washington Times reported, the White House agreed to help cattle ranchers and peanut growers in his district. As Brewster put it, ''I know how this place operates . . . I made sure we got it in writing.''

Other, savvier deal-makers were explicit about not getting a quid pro quo. Rep. Charlie Rose (D–N.C.) played a crucial role in the House anti-NAFTA working group led by Majority Whip David Bonior until literally hours before the vote. But Rose had told a reporter that ''I could be persuaded by the White House if they were sufficiently serious to lower the tobacco tax to pass NAFTA.'' Rose was then lobbied by the White House and wound up voting for NAFTA.

''I didn't sell my vote,'' Rose insisted to reporters. ''I just told those people: 'Look, if I vote with you, I want you to be as understanding as you possible can about the kinds of problems agriculture has and needs to address in 1994.''

In other words, Rose's vote was bought on a layaway plan. The ultimate cost, if any, won't be known until next year, when the Clinton administration sends Congress its proposal to raise taxes on cigarettes.

After the NAFTA vote, Bill Clinton was compared in these pages and elsewhere to Lyndon Baines Johnson, for his aggressive, unabashed use of political power in dealing with Congress. The comparison implies that pork-barrel politics, while unfortunate and unseemly, is necessary to achieve success, and always has been.

Perhaps. But LBJ, even in his most legendary arm-twisting mode, never led a domestic lobbying campaign as lopsided as Clinton's NAFTA effort. Forget the testimonials elicited from Nobel laureate economists, the former secretaries of state, former presidents, Lee Iacocca and Bill Gates. Consider the Clinton persuasion tactics in the larger context of the NAFTA lobbying effort.

Ross Perot, labor unions and other NAFTA opponents spent less than $10 million, according to the Wall Street Journal. Mexican government and business interests, by contrast, retained scores of lobbying, public relations and law firms in Washington at the cost of $30 million. And the leading pro-NAFTA lobbying group, USA*NAFTA, and individuals U.S. corporations with factories in Mexico spent another $10 million to promote the pact. Add to these two figures the $300 million in government funds that the Clinton administration committed for the sake of passing NAFTA, and it seems likely that NAFTA proponents outspent their opposition by a margin of more than 30–1.

More importantly, LBJ never promised to do things differently. Clinton did. In accepting the democratic presidential nomination in July 1992, he declared his antipathy for special-interest wheeling and dealing in Washington. ''For too long, those who play by the rules and keep the faith have gotten the shaft,'' he said. ''And those who cut corners and cut deals have been rewarded.''

Sixteen months later, when Clinton was in danger of losing vote on NAFTA, those who cut deals were the ones who reaped the biggest rewards. And those who kept the faith that Clinton might change the way politics is done in Washington were the ones who got the shaft.

Charles Lewis is founder and executive director of the Center for Public Integrity, a nonprofit research organization based in Washington and funded by foundations, corporations, labor unions, individuals and revenues from news organizations. Margaret Ebrahim of the center provided research assistance.

Mr. HOLLINGS. Mr. President, you can find out that they gave a cultural center; President Clinton gave golf games; they gave—and this is all for NAFTA. That particular article was dated 1993. Anyway, it talks about how they fixed fast track and changed the votes on the House side. They do the same thing within the Finance Committee. You don't have any debate. Without fixing the votes, they cannot get cloture—they impress cloture upon you, I should say. You don't get time for debate.

So what we have now is the executives, finally, not only moving their manufacturing, they are moving their executive offices to Bermuda.

I don't think this amendment is up, but I had one with respect to the textiles. I wanted to try to compensate those who, in the last 3 years—1999,

2000, 2001—have lost their jobs, some 334,000. The cost of the amendment itself is about a billion dollars. We are trying to get them health care so they can continue and get some kind of training and adjustment assistance, having lost their jobs. We were told in NAFTA we were going to create jobs, and we lost 53,900 jobs. But not only are we losing the jobs, but they have the unmitigated gall—corporate America—to move offshore and not pay any taxes. They want that mother and father of that 18-year-old we recently lost in Afghanistan—they want that mama and daddy, who are working, to pay taxes. You can tell this society is on a binge. The President ran adds for 3 minutes, saying: Take your trips, go to Disney World, go and take a trip—and everything else like that. They don't want to pay for the war.

Now we have corporate America AWOL from the terrorism war. They are all going overseas, down to Grenada, and over to Bermuda and everywhere else so they won't pay taxes. Never mind about leveling the playing field. You could not blame the other countries that don't have this high standard of living. Any one of the countries—in China, they are building their industrial capacity just right. Over in China, they say, look, in order to sell, you have to produce that Buick car. Wait a minute, they say after that, you have to move your research here. The most modern automobile research is in China. Of course, they have the outstanding engineers at a next-to-nothing cost.

So now—I don't have the article here—they are moving Japan's futuristic research, cutting edge research, into China. So what you have is the competition of 1.3 billion producers in agriculture and industry, and we are hollering ''fast track, fast track,'' and we have to aid somebody. We have run out of gas, as I pointed out. Level the playing field? You cannot do it Washington's way, Mr. President.

They tell me: Senator, don't worry about it, we have to retrain, re-educate. I will give you an example. Oneida, in South Carolina, makes clothes. They have 487 workers. The average age of those 487 workers was 47. So we will do it Washington's way and we will train those 487 workers, and tomorrow morning they are computer operators, expert computer operators. Mr. President, are you going to hire the 47-year-old computer operator or the 21-year-old? You are not going to take on the health costs of the 47-year-old. You are not going to take on the retirement costs of a 47-year-old. You are going to be hiring the 21-year-olds.

When they have lost their jobs, they quit making payments on the automobile, and they quit making payments on their house. Some of them have lost their houses and everything else like that, with 53,900 in South Carolina alone, and 700,000 in the country. These are just the ones in the last couple of years we are trying to get at, as we did with the steelworkers, and we got a majority vote on that. That is what I had lined up. I was going to pay for it by closing the Bermuda tax loophole. It is a national disgrace.

They talk about when they have an intelligence breach—and I never accused the President of knowing anything. I don't think it was passed on. That is obvious from what I am reading. There isn't any question that the fellow up in Minnesota wrote a memo—read Time magazine this week—a detailed memo on how they might fly into the World Trade Towers. I don't know why they keep getting the fellow from Phoenix, AZ. Get the one from Minnesota. He said they might fly into the World Trade Towers.

Seaport security has languished in the House since before Christmas. Rail security has languished at the desk since before Christmas. They are not about to pay the bills or put on any taxes to pay for this war. They want another $4 trillion tax cut. This is one of those situations where we need just as much help.

I wish I had the Senator from Maryland, Senator MIKULSKI, here to talk about building and fighting the war and everything else. I never heard anything more eloquent on behalf of the steelworkers. I support her. She is magnificent. I wish I had her here to describe the plight of these textile workers. They are just as important to our security.

I will emphasize this: In 1961—and it is still on the books today—there was a national security provision preventing the President from taking Executive action in trade, unless he proved first that the item in question was important to our national security. I went at that time to hearings, along with George Ball from the State Department, Freeman of the Department of Agriculture, Secretary of Labor Arthur Goldberg, Secretary of Commerce Luther Hodges, and we had Secretary of the Treasury Douglas Dillon. We had the hearings, and it is on the books of the United States of America that, next to steel, textiles is the second most important to our national security. So we are not just talking about a cheap price. America wasn't built on consumerism; America was built on building and creating jobs.

For 100-some years, in Teddy Roosevelt's time when we had a strong America, we didn't even have the income tax. The tariffs and protectionism built this country, and under Eisenhower, Roosevelt, and other distinguished Presidents, we continued to build.

This crowd has nothing but boast politics. They couldn't care less. Fast track—we will just vote it. The excuse will be I had to do it. It was either take it or leave it. It ought to be a shame to vote against the Constitution. Article I, section 8, not the President, not the U.S. Trade Representative, but the Congress of the United States shall regulate foreign commerce.

Here I am begging to perform my own responsibility, and the vote is: You do not have the responsibility; we are going to do it, and you have to take it or leave it, up or down; you are not going to be in charge—fast track.

Mr. President, I reserve the remainder of my time. I yield the floor.

The PRESIDING OFFICER. The Senator yields the floor and reserves the remainder of his time.

Under the previous order, the Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, by previous consent, I was to be recognized following the presentation by Senator HOLLINGS. I wish to propose, for the convenience of others in the Chamber, a slightly different arrangement. Senator GRASSLEY wishes to be recognized. I ask unanimous consent that Senator GRASSLEY be recognized for 20 minutes, with Senator LANDRIEU following for 15 minutes, Senator CORZINE for 15 minutes; and, following that, I be recognized.

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

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to speak against the Hollings amendment that is before the Senate. I will tell you two reasons I strongly oppose the amendment.

My comments are in regard to why trade adjustment assistance should not be expanded in the way Senator HOLLINGS proposes it. Before I give those reasons, I remind my colleagues of the tremendous expansion of trade adjustment assistance that is already in the bipartisan bill before the Senate. A lot of programs that are part of trade adjustment assistance have never been part of the program in the 40-year history of trade adjustment assistance.

We in a bipartisan way in this body are very concerned about workers who are dislocated for trade or economic reasons. The usual retraining and support programs are being continued, but as one of several examples of additional programs, we are going to provide health insurance benefits for dislocated workers because of trade under trade adjustment assistance.

When I speak against any further outrageous expansions of this program, as Senator HOLLINGS' amendment would do, I do not want anybody saying that those of us who oppose it do not have any concern about those who are dislocated because of trade.

First, this is an extremely expensive, radical expansion of the Trade Adjustment Assistance Program that cannot be justified in any fashion as a program that is related to trade. In fact, this amendment completely severs the traditional 40-year link between adjustment assistance and trade. All you have to do is work in one specific industry during a specific period of time and you are eligible to receive benefits.

The fact is, workers in the textile industry and in other industries as well often lose their jobs for reasons having nothing to do with trade. Often workers might lose employment because of

new advances in technology, changes in the national economy, their company is not well run, or because of improvements in productivity. For all of those, we have programs on the books to help those dislocated workers, albeit dislocated unrelated to trade.

The textile industry in particular has seen tremendous changes because of new technology, such as the introduction of new computer-assisted design techniques that have often transformed many labor-intensive jobs into more high-tech workplaces over the past decade.

While it is certainly regrettable that these new developments in technology mean some workers lose their jobs, we should try to help these workers and help their families at the same time and do it as much as we can through other types of assistance. They are not workers, though, who have lost their jobs because of trade.

Furthermore, I do not know on what basis we can simply give Government benefits to workers in one industry but not to workers in other industries. Do not workers in industries other than textiles also deserve the same treatment?

The bottom line is the purpose of trade adjustment assistance. It is designed to help workers who are adversely affected solely because of trade.

This amendment would signal a radical transformation of trade adjustment assistance into another welfare program with no connection to trade. It would also sharply boost the cost of the Trade Adjustment Assistance Program. According to the Congressional Budget Office, this provision alone would cost over $700 million in a 10-year period. That would nearly double the cost of the entire Trade Adjustment Assistance Program with just the one provision: The provision put forth by Senator HOLLINGS.

I regret that any American loses his or her job. There is nobody who wants to see an American lose their job. I have had the opportunity twice in my industrial employment to lose jobs, once in 1960 and once in 1971.

In 1971, I drew unemployment compensation for a short period of time. I know what it is like to be dislocated from a job, but I was not dislocated because of trade. There were other programs that helped me during that period of time, and those programs are available for people because we know that losing a job is a terrible blow to an individual. It affects the entire family. But there are other programs designed to help these individuals.

We should not take money away from other Federal programs and from other pressing needs in our country to pay benefits under a trade adjustment assistance program to workers just in one industry, and particularly when they are not affected by trade.

I strongly urge my colleagues to vote against this amendment.

Mr. President, while I have time remaining, I wish to speak generally—how much time do I have Mr. President?

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. GRASSLEY. Mr. President, I wish to speak about the underlying legislation.

When talking about trade promotion authority, opponents seem to love to use the term ''fast track'' because I think they believe that this sounds somewhat sneaky or somewhat uncontrollable. That is a shame. It is a shame because the term ''fast track'' does not really reflect what this legislation is all about and the procedures that are connected with giving the President the authority to negotiate trade agreements.

The term we use in this legislation, ''trade promotion authority,'' is more accurate. In reality, trade promotion authority is a contract. It is a contract between the President and the Congress. When the Congress extends trade promotion authority to the President, the Congress agrees to authorize the President to negotiate trade agreements and to do it on behalf of 280 million Americans.

Why do we have this contract with the President of the United States? We have it because there is only one person who can speak on behalf of 280 million people in international affairs, and that is our chief diplomat, the Chief Executive of our country, the President of the United States. It is that simple. We cannot have 535 people in Congress negotiating with other nations. It would not ever work.

If we are going to succeed at the negotiating table, our trading partners need to know that the person to whom they are speaking has authority to negotiate.

Trade promotion authority not only gives that authority to negotiate, but it gives a great deal of credibility to our President at these tables. That is what the trade promotion authority contract between the Congress and the President is all about.

Let me be clear. The President does not go into trade negotiations without guidance and without always being reminded that the constitutional power to regulate foreign and interstate commerce rests with the Congress of the United States. Through this trade promotion authority bill, the Congress gives very careful direction to the President, with detailed lists of instructions. The Congress tells the President—we do that through this legislation—if he follows these directions we give him, if he fulfills the details of consultation procedures laid out in this bill, we will do three things.

First, we will actually consider the agreement. We will not have these agreements sitting around collecting dust on Capitol Hill. The Congress will actually pick up this agreement and we will consider it. Now, that does not mean we will agree with the bill, it does not mean we would pass the bill, but we are committed to considering it.

Secondly, we will not change the agreement before we consider it. We authorize the President to negotiate. He follows our directions. He consults with the Members of Congress through the process. We know what is in the negotiated instrument. Now we will consider it without changing it.

Third, we will limit debate on the agreement. We will not tie it up in endless debate in the Congress. That is the contract we have with the President of the United States, an agreement between the President and the Congress that if he will do certain things for us, we will do certain things.

Why do we do it that way? We do it because it empowers us as a Congress, it empowers us as a nation. Without trade promotion authority, the President has no clear direction from Congress. He can basically negotiate anything he wants without consulting with Congress, but he will not do it in a credible way with the other nations that are with him because they are not apt to agree if they are not certain that a final agreement will be considered by Congress No. 1, and not changed by Congress No. 2, and actually voted upon.

Congress can selfishly observe its constitutional power because we keep a watchful eye on the President of the United States over many months, sometimes over many years, in the process of the negotiations to reach an agreement.

Trade promotion authority also empowers us as a nation of 280 million people. Our foreign trading partners know the President speaks for the Nation in international trade and that he has the backing of Congress. With this knowledge, they can be sure any agreement concluded with the President will be considered by Congress without being amended to death. That empowers our Nation to get the best bargain we can at the negotiating table.

What happens if the President does not fulfill his end of the bargain? What if he does not follow Congress's direction or fails to consult with the Congress as the law requires? Then he does not get the benefit of agreement. The trade promotion authority bill itself contains procedural enforcement mechanisms to ensure the President does not overstep his agreement with the Congress. Trade promotion authority procedures are very carefully balanced in a thoughtful way for the President and the Congress to work together to advance the economic interests of our Nation. It is a procedure that has worked well for over 50 years, and on the basis of this legislation, trade promotion authority has worked well for 25 years. It is also a procedure that since 1995 our Nation has gone too long without. One hundred thirty agreements around the world have been negotiated. Our President has not had the credibility to be at the table. He has not been at the table. We have been at the table of three bilateral agreements but otherwise not. So the interests of

280 million Americans have never been represented, never been protected, and the rest of the world is going to move on.

Prior to 5 or 6 years ago, the rest of the world used to wait for the United States to take the first step. We have an opportunity now by passing this legislation to put our Nation once again in the lead. So that is why I urge my colleagues to work our way through the rest of these amendments and to work with Senator BAUCUS and me to pass this bill and help get our Nation's trade back on track.

How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator from Iowa has 5½ minutes.

Mr. GRASSLEY. There is also a lot of benefit in trade promotion authority and trade agreements for the American farmers and ranchers, and it is beneficial to us because our farmers and ranchers are competitive and technologically advanced in the world. The United States has long been a world leader in agricultural exports. Dollar for dollar, the United States exports more meat than steel, more corn than cosmetics, more bakery products than motor boats, more fruits and vegetables than household appliances. One in three acres of agricultural production of the United States is exported.

In 2000, the U.S. agricultural community exported $51 billion in products and supported at least 750,000 American workers. With 96 percent of the world's population living outside the United States, there is a huge market for food products of American farmers and ranchers.

In the absence of trade promotion authority, other countries have entered into trade agreements that have driven foreign consumers from the U.S. agricultural market.

Burger King restaurants in Chile buy potatoes from Canada. Canada's free trade agreement with Chile gives their farmers eased access to the Chilean market while American farm products are subject to high tariffs that drive up the price to the consumer. So, consequently, we do not sell to Chile.

Trade promotion authority will expand existing markets, open new markets for American food products, and allow our farmers and ranchers to better compete, boosting our exports. Previous trade agreements demonstrate benefits to American farmers and ranchers.

U.S. agricultural exports to our NAFTA partners have increased $4 billion since that agreement went into effect 8 years ago. Under the United States-Canada Free Trade Agreement, U.S. agricultural exports doubled. Canada is the No. 2 market for our agricultural exports, buying $7.6 billion in the year 2000. Under the North American Free Trade Agreement, our agricultural exports to Mexico have nearly doubled, making it our third largest agricultural market buying $6.5 billion in the year 2000.

U.S. pork producers credit the North American Free Trade Agreement with their 130-percent increase in market share in Mexico between 1994 and the year 2000. The United States beef and veal exports to Canada increased 26 percent in volume between 1990 and 2000 and increased five fold with Mexico from 1993 to the year 2000. The sale of United States corn to Canada increased more than 127 percent in volume between 1990 and 2000, and exports to Mexico increased by nearly 18 times between 1993 and 2000.

Mexico voluntarily chose to accelerate its market opening for corn under the North American Free Trade Agreement to provide lower cost food for its consumer. Canada imported 15 percent more soybeans from the United States between 1990 and 2000. Mexican imports of United States soybeans doubled from 1993 to the year 2000.

I would also like to comment on the seriousness of defeating the Byrd (3447) amendment on the Congressional Oversight Group. The Byrd amendment will curtail the authorities on international trade within the Congress of the United States; those people who have been given authority, the Finance Committee and the Ways and Means, will be curtailed. It will curtail our oversight of these agreements. We need to work toward that. I am also asking my colleague, for the sake of maintaining the authority of an oversight of the Senate Finance Committee, that we defeat the Byrd amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 15 minutes.

Mr. REID. If the Senator will withhold for a unanimous consent request.

Ms. LANDRIEU. I yield.

AMENDMENT NO. 3450 WITHDRAWN

Mr. REID. Mr. President, on behalf of Senator BYRD, I ask unanimous consent that the amendment numbered 3450 be withdrawn.

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

Mr. REID. I ask unanimous consent that Senator HARKIN be recognized following Senator DORGAN, and that he be recognized for up to 45 minutes, and that Senator CANTWELL be recognized following that for 20 minutes. If there is a Republican Senator who seeks recognition, that Senator would have the right to follow Senator DORGAN. We will alternate if the Republicans want to; if they do not, we have the order set up.

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

The Senator from Louisiana.

AMENDMENT NO. 3470

Ms. LANDRIEU. I have an amendment at the desk, and I ask for its immediate consideration, amendment No. 3470.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object.

Ms. LANDRIEU. 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. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I want to make sure the unanimous consent agreement is clear. Following Senator HARKIN, if a Republican wishes to speak, they will be able to do. Prior to that, the order is in effect.

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

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I understand a procedure is established that amendment No. 3470 will come up for a vote later in the afternoon before we have final passage on the measure before the Senate. I rise to speak for the allotted 15 minutes as arranged under a previous consent agreement.

Mr. President, I rise to offer an amendment that I hope will be voted on favorably. I suggest it would help the underlying bill. I will certainly support the work that Senator GRASSLEY and Senator BAUCUS on our side have done to bring this important bill to the floor. I have been supportive of the overarching concept and many of the details of the bill.

I am proud to say our entire Louisiana delegation—both Senators, Senator BREAUX and myself, as well as all seven Members of our House delegation—have been very pro trade, and for good reasons: Not only because we think it is important for our Nation but for our own State of Louisiana that has positioned itself historically as a great trading hub.

Although there are some disadvantages in the short term, and there are some jobs and industries that may be temporarily negatively affected, the long-term trends for the State of Louisiana and, frankly, for this Nation are very positive.

I thank Senator GRASSLEY and Senator BAUCUS. I support their efforts to streamline some of our trade policies, recognizing there are legitimate concerns about environmental and labor issues. The underlying bill has addressed, if not perfectly—has attempted to address in good spirit and in good, strong rules and regulations—those efforts. This could be a continuing work in progress. We in Louisiana feel very strongly about that.

The amendment is not an attempt to undermine or scuttle this grand compromise and great package. It is an attempt to perfect and modify it for a group of workers who have been hard hit by something that is not in line with this free trade bill; that is, when the President just a few months ago issued a 201 ruling to put tariffs on raw steel that comes into the United States—which I vigorously objected to; so did the senior Senator from Louisiana and many Senators—and what

has happened since that administrative decision to put this tariff in, in hopes of helping other areas of the Nation and other Senators and their States that produce this steel, States such as West Virginia, Kentucky, and Maryland.

I can understand these efforts to try to build consensus. The bottom line is it has hurt our maritime industry. I will give you some facts and figures. My amendment seeks to simply expand the trade adjustment assistance for not only workers who might lose their jobs because they have either moved overseas or have lost their jobs because of a flood of imports, but also this small group of maritime workers, about 38,000, for a limited period of time who were losing their jobs because of the lack of imports coming in because of this 20- to 30-percent tariff.

Again, I disagreed with the President's decision. I continue to disagree with that decision. My amendment does not seek to overturn it. I am just trying to help workers who are directly affected by that decision in an effort to make the whole situation a bit more perfect for the workers from the steel-producing States we are trying to help, as well as to try to give some necessary and urgent relief to maritime workers who find themselves on the other side of that decision because they are losing their jobs because steel is not coming in to the port of New Orleans.

We have lost tons and tons, in just a couple of months, of steel coils, steel plates and sheets, steel bars, tin plates, and stainless steel bars that are coming into the ports of Louisiana, primarily the ports of New Orleans.

We are not the only port that has been hurt very badly. The Port of Houston, the ports of the Great Lakes—we have ports all over the Nation, so 38,000 maritime workers literally are having to pick up an unemployment check instead of a paycheck because of the decision that was made.

I tried to stop the decision but it was an administrative decision. My amendment does not seek to overturn it. My amendment only says, since it has been a consensus of the administration and Congress to help the steelworkers and special parts of our Nation, let's also, by this small amendment—that only costs $10 million and it sunsets after 4-plus years—help the maritime workers.

Under the current bill, they are not entitled to benefits because they are not being affected by a flood of imports. Their jobs are not necessarily being moved overseas. They just do not have the steel to bring on to the wharves because of this tariff.

It does not cost us very much money in the scheme of things, but it will help thousands of workers in Louisiana, and many thousands of workers temporarily, until this situation can get worked out.

That is the essence of my amendment. It is about 8,000 jobs that are at risk in New Orleans, a major port in our Nation. It is about 7,500 jobs in the Port of Houston, the President's home State. It is about 5,000 jobs, approximately, in California, in the Los Angeles Port; in Pennsylvania, New Jersey, and Delaware—Mr. President, your own State—combined, about 4,400 jobs that could be at risk; in the Great Lakes and Upper Mississippi, about 2,000 jobs. It is estimated for smaller ports around the Nation, it is about 10,000 jobs.

Why? Because steel is one of the major imports, until this tariff was placed 2 months ago, that was coming into our Nation. While it caused great heartburn in the steel-producing areas of our State, it was actually very good business for our ports.

Suffice it to say we cannot go back and overturn everything, but we certainly can vote today to help maritime workers directly affected by this decision. Again, it only costs us $10 million. It sunsets in 4-plus years. It is a minor help that we can give to people who show up at the docks every morning and stay late almost every day. They have children to send to college. They have mortgages on their houses. They have other bills and responsibilities, maybe an elderly person who is at home. These are hard-working Americans and because of action taken in Washington they have to now pick up an unemployment check instead of a paycheck.

These are not welfare recipients; these are people who have worked 10, 15, 25, 30 years at what I would consider—as would most everybody—hard labor.

The Presiding Officer is familiar with this picture because he comes from a port State. This is a New Orleans dock but it could be anyplace in America where you have stevedors and longshoremen loading and unloading ships. This is one of the great benefits of trade because these, in many cases, are unionized jobs, very high-paying jobs with a lot of protection for these workers. This is dangerous business. This goes on in America every day.

There are thousands and thousands of these workers. What you will not see in this picture is a welfare recipient. What you see is a worker, many years working on the docks. Because of this tariff and the bill we are discussing, a lot of these guys cannot pick up a paycheck—or women are now working on the docks. My amendment seeks to give them some small relief—not upset the bill, not turn the compromise on its head, but to give us some relief.

I hope when we have an opportunity to vote later this afternoon we will get a good, bipartisan vote on this small amendment that will help bring us some relief.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has just under 5 minutes.

Ms. LANDRIEU. If I could, I would like to speak for a minute about another problem that has arisen because of this 30-percent tariff on steel that is not related to my amendment. While I have a minute, I wish to speak about our fabrication industry.

Senators are now very familiar with me coming to the floor to try to explain the importance of the oil and gas industry to our Nation. We talked a lot about this in our energy debate, but I need to make this point today on this trade bill.

This tariff is very hurtful to the maritime workers who I am trying to help in a very modest, but meaningful way so they can qualify and get their TAA benefits under this trade bill. I also want to bring to the attention of this body—not that I have a solution for it because I cannot figure out an amendment that would actually help this; if I could I would offer it—what a great harm this tariff has also brought to a great industry in south Louisiana; that is, in the manufacturing business, using a lot of steel to help build our boats and platforms and equipment that help us get oil and gas safely out of the ground in the gulf and bring it to the shore to try to help light up this beautiful Chamber and everybody in New York and California and Illinois and in Louisiana—the whole country.

We have a very vibrant fabrication industry, as you can imagine, with industries such as McDermott Industries and Gulf Island Fabricators. These are large fabricators. I am here to say, after contacting many of them over the last several months, that some of them will absolutely go out of business and we are then going to lose hundreds of jobs, if not thousands, in south Louisiana, for the simple reason that because of the cheaper steel that they were importing from other places in the world, bringing it to Louisiana through the mighty Gulf of Mexico or other large bodies of water to south Louisiana to build these great platforms, we cannot now compete against the same sort of manufacturing in places all over the world.

Our delegation that is voting for trade—and we are happy to vote for the trade bill—has been caught in crosswinds, you might say, because of an administrative decision about trade. As a result, we are losing not only jobs in our maritime industry, which this trade bill should be helping to protect, but also we are getting hurt because of our lack of ability now to compete with other manufacturers in other parts of the Nation to get our oil and gas out of the ground.

Now we are in a situation of having fabrication done offshore to float these tremendous platforms and rigs into the gulf. Our workers do not get the benefit of these jobs. Our oil and gas is taken out of our ground, right off of our shore, and 100 percent of the proceeds of the taxes paid come to the Federal Government. So Louisianians don't get the taxes from the royalties, we don't get the jobs making the platforms, we get beat up constantly because we are producing oil and gas, and my maritime workers have to pick up an unemployment check instead of a paycheck.

If I sound as if I am complaining a little bit, I mean to try to lay out this problem. Again, I thank Senator GRASSLEY and Senator BAUCUS. I support the trade bill, but I ask them for their assistance in helping a few thousand maritime workers who are not being hard hit by the trade bill they are recommending, which I support, but they are being hard hit because of an administration decision that is keeping imports down, therefore putting maritime workers out of business.

When I can meet with Senator BREAUX and get a solution for our fabricators, I will most certainly be bringing up that amendment, though not to this bill. But I will get as much relief as I can for good industries, good companies that have produced good jobs, industries that are going to be hurt, and I will ask the President as well as the leadership in the House and the Senate, both Democrats and Republicans, to come up with some potential solution—cost effective for the taxpayer—to our problem in Louisiana.

People in Louisiana deserve a fair share and an opportunity to work hard.

I yield any remaining time.

AMENDMENT NO. 3461

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

Mr. CORZINE. I thank the Chair.

Madam President, I rise to discuss amendment No. 3461 which was offered on my behalf, and on behalf of Senator DODD, Senator STABENOW, and others by Senator REID on Monday and set aside. It is my expectation this amendment will be voted on at the expiration of the 30 hours, as required by cloture. But I wanted to make sure I had an opportunity to discuss the merits of this and the importance of this, which I consider quite significant.

I offer this amendment to protect the role of Congress and elected State and local officials in determining the nature and scope of significant public services. It is one thing for Congress to sacrifice its own prerogatives in the development of trade policy, as we will likely do today with the passage of trade promotion authority; however, in my view, it goes much too far to delegate constitutional responsibilities of elected officials when it comes to determining what are public services and what significant public services should be managed in the public sector.

My amendment stands for the simple proposition that trade agreements should not be used to privatize public services—public services duly directed by constitutionally authorized actors of our Nation's democratic processes. Specifically, the amendment would establish as a principal negotiating objective that trade agreements should not include a commitment by the United States to privatize significant public services such as national security, Social Security, public health and safety, and education.

It is very simple. Before I discuss the details of my amendment, let me say that I agree with the objectives of the sponsors of the underlying bill that we should seek ways to expand trade in services. I know firsthand that this objective can create jobs and economic benefit. In fact, I spent the better part of 30 years of my life building an international service business in banking and understand the need for barriers to be broken down. There are many that limit the expansion of American enterprise abroad.

It is also true that the American service sector is and will continue to be a vital part of our economy. It is one that is growing substantially. It is a substantial part of our international activity.

In my view, we need to aggressively foster and promote that growth. It promises long-term benefits for all Americans.

That means we should be looking for ways to open accounts. I commend those efforts as a part of this bill.

Having said that, while there are many potential benefits to forging trade agreements designed to increase trade and services, there are also risks. That is what my amendment is about.

One of the risks is that those agreements will be misused, either directly or through unintended implementation requirements.

My amendment is designed to reduce that risk so that trade agreements will do what they are supposed to do and won't be used in a particular way: the risk that they will commit the United States to privatizing key public services outside of legally constituted constitutional processes.

Some of my colleagues may well be unaware that such a risk exists. After all, trade agreements are supposed to be about promoting economic activity. They weren't conceived to overrule democratic processes and decisions about the provision of essential public services—things such as protecting our airports and airline security, things that we have chosen in the democratic process to move forward in the public arena.

Yet trade agreements can do just that. There is ample reason to be concerned that privatization of significant public services could well be on the table in future negotiations.

In fact, right now negotiations are already underway in the process of establishing new agreements with respect to trade and services. Those negotiations may well lead to agreements under which services traditionally administered by Federal, State, and local governments would be on the chopping block.

Under such agreements, foreign investors might be able to challenge public policies that provide certain services through government entities. Such foreign interests could argue that these policies discriminate against them and represent an unlawful trade barrier. In fact, some international agreements are already being interpreted that way, and others are being designed for that purpose.

Consider what is happening in bilateral negotiations between the United States and Chile.

In 1981, Chile decided to privatize its public pension system; that is, its equivalent of Social Security. Under the privatized system, Chilean workers are now required to invest their pension dollars with private financial institutions. Unfortunately, Chile's experience with the privatization of Social Security has, in many respects, proved problematic. Many Chilean workers have seen the value of their investments collapse. And many Chilean political leaders now believe the only way to protect the retirement security of Chilean families is to return to the earlier public system based on guaranteed benefits—more like we have in the United States.

U.S. negotiators are encouraging Chile to keep their system privatized. As a result, the financial security of Chilean retirees and their national retirement policy may depend on international trade negotiations rather than the political democratic processes reflecting the wishes of the Chilean people.

Think about that for a moment and consider how Americans would feel if trade negotiations ended up deciding the fate of Social Security in America. Imagine trade negotiators setting that investment policy for the Social Security Administration. What if foreign interests were demanding that the United States open up our Social Security system to foreign financial firms or mandate privatization outside the democratic process? Imagine that Chilean, Russian, or German negotiators argued that it was a restraint of trade for Social Security to limit its investments to U.S Government securities rather than opening up the system to privatized accounts.

I speak as one who strongly opposes that move with the American system privatizing Social Security. It would lead to a deep cut in guaranteed benefits and reduce the financial security of American seniors. But I think the most important issue as it relates to this debate, regardless of your views on privatization, is that Americans would be outraged if that were accomplished through trade negotiations as opposed to a debate on the floor of the Senate and the House of Representatives and a discussion with the American people.

The future of Social Security is too important to be decided by anyone other than the American people.

Social Security is not the only area of public service provision that concerns me. Let's take a look at another example a little less dramatic.

The European Union has now proposed that the United States make new commitments under the General Agreement on Trade in Services to allow foreign firms to gain greater access to the U.S. water services market.

Many municipalities across the United States have long felt that the provision of water services is an important governmental responsibility.

Some of the localities in New Jersey that I represent have chosen to have it administered by private companies. Others have chosen to retain the nature of a public provision of water services.

The point is that the people have spoken. Should municipalities privatize their water supplies? I am not sure. I am certainly not convinced that one answer is appropriate for all situations. But one thing I am sure about is that these decisions should be made by local elected officials who understand local circumstances and local values, and who are accountable to the local taxpayers and local voters. These decisions to privatize should not be dictated by unelected, distant trade bureaucrats.

Let me give another example. This involves a company that has been in the news lately, a company named Enron.

The Government of Argentina contracted with a division of Enron to provide water and sewer services in Buenos Aires. Enron did not do such a good job, to put it mildly. For a while, the water provided was contaminated by toxic bacteria. As a result, some 500,000 people were told not to drink the water for well over a month.

In the end, the Argentinian Government canceled its contract with Enron. Now Enron is suing, under trade agreements, that there is a basis for a $550 million settlement for them against the Argentinian people because they did a bad job.

I am telling my colleagues, this is an important issue. The provision of public services is a decision which our democratic processes should be deciding. This matter should be decided by democratically elected governments, not unelected trade bureaucrats.

There is a long list of public services that could well be privatized and put up for bid by foreign companies. These include everything from health services for veterans, to State colleges and universities, to immigration control, to afterschool programs, to police officers. All of these could be threatened by a trade agreement, and a lot of people are worried about that.

That is why I want this amendment to be seriously considered by my colleagues on the Senate floor, really to establish a trade objective.

Madam President, I ask, how much time is remaining?

The PRESIDING OFFICER. The Senator has 4½ minutes.

Mr. CORZINE. I thank the Chair.

The American Public Health Association is concerned about the privatization of some parts of the Medicare Program and medical services for the poor. The American Council on Education and the Council for Higher Education Accreditation have voiced deep concerns about the GATT negotiations. As they said in a statement, higher education is supposed to serve the public interest and should not be a commodity.

Yet the threat posed to education by privatization through trade agreements is very real. Under some prospective trade rules, States could be barred from subsidizing State universities, using the argument that such subsidies put private universities at a competitive disadvantage. I do not think that is what the American people want trade negotiations to accomplish. They do not want unelected trade bureaucrats setting our policy with regard to public services.

Let me return to the explanation of the amendment. The amendment is very simple and states:

> A principal negotiating objective of the United States is to ensure that trade agreements do not [do not] include a commitment by the United States to privatize significant public services, including services related to (i) national security; (ii) Social Security; (iii) public health and safety; and (iv) education.

It then defines the term ''privatize'' to mean:

> . . . the transfer of responsibility for, or administration of, a government function from a government entity to a private entity.

And that is it. That is the entire amendment.

As it should be clear from its language, the premise of the amendment is that there are some types of public services that are so important that decisions about them should be made democratically and should not be delegated to an international body. Our amendment highlights, in particular, those four areas. There may well be others.

There may be some who would argue we ought to privatize some parts of our national security system, such as those who objected when Congress recently federalized our airport security system. I disagree. But, again, we ought to have that argument here on the floor of the Senate—democratically chosen processes, constitutionally established.

You could say that about many other types of issues.

Trade negotiators should not privatize and preempt the decisionmaking of Congress and the President. This amendment is less about privatization than it is about democracy. It is one thing to enter into international agreements, promote private investment, even if that means limiting our congressional prerogatives, but it is an entirely different matter to tie our own hands in deciding upon important public services, which go to the heart of what government is about in the first place.

I appreciate this opportunity to speak on this important, relevant, and germane amendment. In my mind, this bill already delegates too much congressional responsibility and authority. I hope my colleagues will support this amendment and protect our right to make a democratic choice about what the public services are that are privatized and that as we move forward we make those decisions through the debate process and discussion with the American people, not through trade negotiations, not through bureaucrats, who are unelected officials.

So that is what the amendment is about. I believe strongly that this is an amendment my colleagues should support, and I hope they will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, Senator HARKIN has agreed to yield 5 minutes to me. I know Senator DORGAN is next on the list. He has agreed to let me come in at this point.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I believe, by unanimous consent, I was to have been recognized following the presentation by Senator CORZINE. If that is the case—I believe it is the case.

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. I will be happy to yield 5 minutes to the Senator from Pennsylvania, provided I am recognized following his presentation.

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

(The remarks of Mr. SPECTER are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, it is quite clear to me from the cloture vote yesterday that the Senate is going to pass trade promotion authority.

I think it is a shame that we have not had a more thoughtful debate on this issue. So I would like to take this opportunity to describe why this issue is and will continue to be controversial.

Trade promotion authority is a euphemism for fast track. Fast track is just what the name implies—a process that involves a rush to judgment. It's like fast food, implying a lack of preparation, a quick and easy meal that in the end turns out to be bad for you. Fast track trade authority allows the Administration to go negotiate a trade agreement, and bring it back to the Senate without the ability of any Member to offer a single amendment.

Article I, section 8 of the Constitution states that the Congress shall have the power to regulate commerce with foreign nations. That is what was written in Philadelphia one hot summer with George Washington sitting in the presiding chair, Ben Franklin over to his left, and Mason, and Madison. They decided Congress shall have the power to regulate commerce with foreign nations—not the trade ambassador, not the President, but the Congress.

The Congress has decided in recent years that to delegate this constitutional responsibility to trade negotiators. These negotiators go to places like Doha, Qatar, and negotiate agreements in secret. They bring these

agreements back to Congress, and say: Here is the agreement. Take it or leave it in total; no amendments because you are not allowed to offer any. That is what fast track is all about.

If you want a good example of why fast track is a bad deal, you can look to our experience with the U.S.-Canada Free Trade Agreement. Our trade negotiators went to Canada armed with fast track. They negotiated a trade agreement with Canada, and developed a secret side agreement which they disclosed only 2 years later to the Congress. That side agreement effectively traded away the interests of America's family farmers. Our farmers have been hurt badly as a result of it. We couldn't do a thing about it because when that agreement came back to the Congress, no one was able to offer one single amendment.

I voted against the U.S.-Canada Free Trade Agreement. Had I been able to offer an amendment, I might have been able to fix it. The family farmers who have been victimized by this agreement might not have been hurt nearly as badly. But no amendments were in order. No one in Congress could offer any amendment at any time. That is what fast track is about.

Since we are debating trade and our trade policy, I want to use a chart to show what has happened in trade. My colleagues stood up yesterday and said: You need to understand how important this is to America. You need to understand all the new jobs we are creating with these trade agreements. Well, count me in as somebody who supports trade. I am big for trade. Expanded trade is terrific. The more the better but only as long as it is fair. If it is not fair, our country should have the backbone to stand up and say, no, the trade we demand and expect is reciprocal trade, fair trade.

Fast track trade agreements have created runaway trade deficits. Here is what happens on the trade deficits. From 1991 to 2000, our trade deficit has gone from $65 billion to $436 billion. Our country suffered a recession in 2001, so the deficit declined just a bit last year, but the trend is clear.

The fact is, this is by far the highest trade deficit in human history. Every single day, 7 days a week, our country buys more than $1 billion in goods from abroad in excess of what we are able to sell abroad—over $1 billion a day every single day, racked up as a deficit.

I ask those who support this fast track free trade strategy, do you think this works? Where did you pick up your economics? Was there some textbook I missed along the way that makes you think that this trend is a favorable one? I don't think so. This is not working. This is a failure. This is a massive failure. Our trade strategy is drowning America in red ink. Yet we have Senators coming to the floor saying: Give us more of this.

Where is this red ink coming from? Prior to negotiating an agreement with Mexico, we had a small trade surplus with Mexico. We have turned that now into a huge deficit. Prior to negotiating a trade agreement with Canada, we had a modest deficit. Now we have turned that into a very large deficit. We have a very large and growing trade deficit with China, $70 billion a year plus—and a very large, abiding, growing trade deficit with Japan.

What does all that mean in terms of real people? We have Senators who come here and argue theory. They are out of touch with working people. When you work in the Congress, you take a shower in the morning and then put on a dark suit. What we are doing in trade policy is dealing with the jobs of the people who work hard all day and then have to shower at the end of the workday. It is their jobs that are sent elsewhere as a result of this legislation.

I gave a speech in the Senate some years ago. I told the stories of some real folks who have been affected by unfair trade. The other day we had a press conference on the steps of the Senate, with working men and women that continue to lose their jobs. The stories don't change.

The Levi corporation decided they can't make Levis in the United States anymore. It is cheaper to make Levis in countries where you can pay people 50 cents an hour. Or Fruit of the Loom, making shorts, men's shorts, they just ship those to a plant where they can pay somebody 40 cents an hour.

It is one thing to lose your shirt, another to lose your shorts. OK, it's a bad joke, and this is no laughing matter. Not when you have companies decide to move their plants to where they can pay people 40 cents an hour or, better yet, pay them 24 cents an hour. You know we have products on our store shelves made by 12-year-old kids who worked 12 hours a day and were paid 12 cents an hour. We all know that.

We have fought for over a century for the right of workers to organize, the right to work in a safe workplace, the right to say that it is wrong to put children who are 10 and 12 years old down in coal mines or in industrial plants, the right to a reasonable minimum wage. Those who support fast track ultimately are allowing corporations to pole vault over all of that, and to move jobs overseas where they don't have to be bothered with decent wages and working conditions. This is ultimately just about corporate profits.

We have 8.6 million people today who are looking for work. If you are one of those people, your personal unemployment number is 100 percent. You, at some point, had to come home and tell your wife and your children: I am sorry, I lost my job and I don't know what I am going to do next.

The Economic Policy Institute has calculated that, as a result of the most recent trade agreements—Canada, NAFTA, and the WTO—roughly 3 million jobs have been lost in this country. So when you have 8.6 million people out of work, and 3 million of them have been displaced by trade, should we be diving headfirst into new trade agreements?

When NAFTA was negotiated, we were told that Mexico would specialize in low-wage and low-skilled jobs, and that those products would benefit U.S. consumers. That may have happened to some extent, but we have lost a lot of good jobs for working people in this country. The three largest imports into this country from Mexico are automobiles, automobile parts, and electronics. They are all jobs of high-skilled workers with high-skill wages that were displaced in this country.

Borg Warner had a transmission plant employing 800 people in Muncie, IN. The jobs paid $17 an hour. Good jobs. Those jobs don't exist there anymore. They are in Mexico. Atlas Crankshaft, owned by Cummings Engine, literally put its manufacturing plant on trucks and moved it from Ohio to Mexico. So those 200 jobs have gone south, looking for lower wages. The Abbott Cooperation, which manufactures wires harnesses for Whirlpool Appliances, and their 117 jobs, were sent to Mexico. A metals plant in Warren, MI, closed down. They put their equipment on trucks and moved to Mexico—26 jobs gone south.

Some say: You know, Senator DORGAN, that is life. That is the way the new economy is. That is the way this world works. It is a new global economy and you don't understand it. You are one of these xenophobic isolationists who can't see over the horizon and cannot understand the new economic day.

Well, I am certainly not suggesting that we retract on the global economy. That is a fact of life; it is here and now. The question for this Congress is, What are the rules? The rules have not kept pace with globalization. As these plants close and move jobs to Mexico, or Indonesia, or Sri Lanka, or other countries around the world, shouldn't Congress begin debating what the rules are of free trade and globalization? Because the rules have not kept pace with the times.

Those who want to take advantage of having no rules are those who want to make profits by deciding they want to trade American jobs, and all the restrictions that come with it, for jobs elsewhere for pennies an hour, where they don't have to worry about polluting the water and air, and they can do it with impunity. They can hire as many kids as they want. They don't have to worry about a safe workplace because there are no rules and regulations on any of that.

The global economy has moved forward without sufficient rules. This Senate, instead of debating fast track, ought to be debating the rules of globalization. We are not allowed to do that. Do you know why? Those making big profits out of the existing system don't want us to do that. That is the last thing they want us to talk about.

It would be nice if the proponents of fast track would take the time to talk

to a few of the many people whose jobs were determined to be relatively unimportant in the scheme of international trade. I am not talking about people who make buggy whips—a product for which we have no additional need. I am talking about people who made decent wages working real jobs in factories that produce good products.

When the rules are not fair, it is up to the Senate to stand up for American workers. They will not do it and amendment after amendment on this so called fast-track bill has gone down. Why is that? Because this was like a big truck with a tarp over it, buttoned up long ago and driving through this Chamber, like the trucks that will come in after June 30 from Mexico.

Incidentally, as a result of NAFTA and some flawed analysis, this Administration is set on June 30 to allow Mexican trucks to enter our country for long hauls. Everyone here knows there isn't a ghost of a chance that this is going to be safe for American drivers. Inspection sites don't exist. The standards for Mexican long-haul trucks are not enforced. I ask you to look at investigative reports on it and ask yourself: Do you want your family driving next to a long-haul truck that has been driven for 24 hours by somebody who doesn't have a logbook and hasn't had an adequate safety inspection? I guarantee that will happen here after June 30 of this year. Why? Because we are not able to debate these issues under fast track.

The Senate is once again saying to our trade ambassador to go negotiate trade agreements in secret, and to forget about what the Senate might think. Our current trade ambassador, Bob Zoellick, is a man I personally like, bright as a whip. We disagree on some things and agree on some other things. But it is just plain wrong for the Senate to give this kind of authority away, and to abrogate its responsibility. And I hate to think of the likely consequences.

Mr. Zoellick said this on November 26, 2001:

> In Doha, Qatar, antidumping laws in the U.S. could be discussed as a new trade round gets underway.

In effect, our trade ambassador has put our antidumping laws on the table to be traded away. We have already lost section 22, and section 301 has been weakened, and now the trade ambassador is talking about giving away the laws that prohibit dumping in our marketplace and injuring our producers and workers. If we trade away our antidumping laws away, there will be no protection against unfair trade. None.

When on Earth will this Congress learn? Have we not had enough experience with this nonsense? How high do our trade deficits have to go? If it doubles again, maybe then they will think there is a problem?

We can make the case that a fiscal policy deficit is money we owe to ourselves. We cannot make that case with the trade deficit. This is money we owe to other countries. We will repay this someday with a lower standard of living in this country. That is inevitable.

Our negotiators just keep handing us these bad trade agreements, and our trade deficits keep skyrocketing. Will Rogers once said that the United States of America has never lost a war and never won a conference. He surely must have been speaking of our trade negotiators because with United States-Canada, with NAFTA, with WTO, with GATT, our trade negotiators have taken 15 minutes and have wilted and folded under the onslaught of pressure from both corporations and other countries, and we end up with rules of trade that are fundamentally unfair to our workers, our farmers, and our businesses.

There is no debate about that in this Chamber. There is a relentless chant of the type you find on street corners about free trade, free trade, fast track, new jobs, when all the evidence tells us that we have had a disastrous experience with trade. We have paved the road by which U.S. companies can seek a lower wage almost anywhere in the world.

Did any of my colleagues see the story the other day in the Washington Post about the young woman who was working in a toy factory and died from sheer exhaustion? She had been working 16-hour days for two months without a day off.

I have been in a number of countries with abysmal working conditions. We know there are a couple hundred million kids who are being employed around the world. Some are locked in garages, in basements.

I held a hearing in Congress about child labor, and heard testimony about young kids in India making carpets. They had had their fingertips laced with gunpowder and set on fire so the burns would scar. Then when these young children in these large plants would stick themselves with needles while making carpets, it would not hurt, and they could keep on working. Do we want those products on the store shelves of Pittsburgh or Fargo or Los Angeles or Dallas? Is that free trade? Is that fair trade? Does anybody here care about that?

Do my colleagues know how many people we have in the Department of Commerce working on enforcement of trade laws so we make sure these trade laws are fair? China, a country that has somewhere around a $70 billion trade surplus with us, because they send us all their trinkets, trousers, shirts, and shoes, and we take them all. Madam President, do you know how many people are enforcing trade agreements with China? Fewer than 10. Fewer than 10 people. The same is true with Japan, with which we have a huge trade deficit.

It is probably not unnoticed that I have a great deal of angst about the way these issues generally are handled. We do not have a thoughtful debate; we have a thoughtless debate. This is chanting about irrelevancies instead of talking about what makes this country strong.

The economic engine in this country, in my judgment, is an economic engine that begins with working people and also businesses willing to invest their money to ask for a fair shake in international competition. We create these trade agreements with other countries that result in huge trade deficits, and we have Senators come to the Chamber and talk about how many new jobs they have created. It is total nonsense. They ought to be talking about the 3 million jobs they have lost, and then talk about a few of the names of the people who have lost their jobs.

I guarantee there is not one Member of the Senate who is going to lose his job because of a bad trade agreement. There are going to be a lot of folks out there raising a family and trying very hard to make a good living who will be told: No, your job does not exist in Akron, OH, anymore. Your job is now going to Sri Lanka, and we are sorry, that is life, that is the global economy.

It is inevitable now this President will be given fast-track authority. I did not believe we ought to give fast-track authority to President Clinton, and I do not believe we ought to give it to this President.

What I say about fast track is this: Take 1, 2, 10, or 20 of the trade problems we already have from existing trade agreements. Try to fix those. Then come back and let's talk about new agreements.

I will not vote for this fast track bill. I suspect many Members of the Senate will. They will button their coats tighter, stand up proudly and say how wonderful it is for this country, and not one of them will have his job moved to Sri Lanka, Mexico, or anywhere else. I guarantee working people who lose their jobs because of this will find precious little comfort by having trade adjustment assistance as part of it. Yes, I support that part of the trade package. But it is not a good substitute for good trade law, and everybody in this Chamber knows it.

Madam President, I would like to take a couple more hours, but I need to step aside. We have other business to do. I hope at some point we will have a real debate on trade in the Senate. It is certainly not the leader's fault we have not had a real debate. The problem is the lack of substance of the underlying bill. We cannot have a debate about substance.

I invite other Senators to spend a few hours talking about the reality of international trade. If anybody wants to do that with me, I will join him and talk about real numbers and the truth on trade.

Mr. NICKLES. Madam President, will the Senator yield?

Mr. DORGAN. I will be happy to yield.

Mr. NICKLES. I have a brief question. I know my friend from Nevada wants to make a UC request. Getting

the tenor of the Senator's debate—interesting debate—he is critical of the NAFTA agreement, one of the three free trade agreements passed by the Senate, two of which passed almost unanimously—the Jordanian trade agreement and the free trade agreement with Israel. NAFTA was not quite as unanimous. But did the Senator vote in favor of those three free trade agreements?

Mr. DORGAN. No, I did not vote in favor of NAFTA, I did not vote in favor of the U.S.-Canada agreement, and I did not vote in favor of GATT.

Mr. NICKLES. Did the Senator vote in favor of the Israel or Jordan free trade agreements?

Mr. DORGAN. I did. And it is ironic that the Senator who makes the point about the Jordan agreement voted to keep the Jordan agreement labor standards out of this fast-track legislation.

I voted for the bilateral trade agreements that the Senator From Oklahoma mentioned, but I did not vote for NAFTA, I did not vote for United States-Canada Agreement, and I did not vote for GATT. Those agreements have led to huge deficits. These numbers do not represent success, not in North Dakota and not in Oklahoma. These growing massive deficits are choking our country. I would love it if the Senator from Oklahoma will join me sometime in a debate on trade on the floor of the Senate.

It is hard to get people to agree to do that, but if the Senator from Oklahoma would, I would love to have the opportunity.

Mr. NICKLES. I thank my friend.

Mr. DORGAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The Senator from Oklahoma, Mr. NICKLES, is going to speak. First, I ask unanimous consent that following the previously ordered sequence of speakers, Senator SARBANES be recognized to speak for up to 15 minutes, and Senator KENNEDY be recognized for up to 30 minutes, with the previous provision regarding Republican speakers remaining in effect.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Did the Senator say Senator SARBANES and then Senator KENNEDY?

Mr. REID. Yes, but a Republican can come in between if they care to.

Mr. NICKLES. I believe Senator KENNEDY may be speaking on a different nontrade issue.

Mr. REID. If there is an objection, the rights of the Republicans are preserved.

Mr. NICKLES. I would like to reserve some time for a Republican to be able to follow Senator KENNEDY.

Mr. REID. The Senator has that right.

Mr. NICKLES. Will the Senator modify his request?

Mr. REID. Yes, I will do that in the next one.

Mr. NICKLES. Well, if Senator KENNEDY is going to be speaking on minimum wage, I would like for a Republican, likewise, to have an opportunity to speak on that.

Mr. REID. If that is the desire of the Senator, we have no problem with that. Following Senator KENNEDY, that would be fine.

Mr. NICKLES. For 15 minutes?

Mr. REID. Fine.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—CONFERENCE REPORT TO ACCOMPANY H.R. 3448

Mr. REID. Madam President, I ask unanimous consent that following the statement of Senator KENNEDY and/or the Republican who would follow him for 15 minutes, the Senate proceed to the consideration of the conference report to accompany H.R. 3448, the Public Health Security and Bioterrorism Response Act, notwithstanding rule XXII, and that it be considered under the following limitations: That there be 90 minutes for debate on the conference report, with the time equally divided and controlled between the chairman and ranking member of the HELP Committee, or their designees; that upon the use or yielding back of time, the Senate proceed to a vote on the adoption of the conference report, without further intervening action or debate, provided further that all time utilized under this consent be charged postcloture.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Reserving the right to object—and we may have clearance, but we need to finalize it—I am delighted with this request. I am delighted it looks like we are now going to be able to pass the Public Health Safety and Bioterrorism Response Act. My guess is it will pass overwhelmingly, maybe unanimously, through the Senate.

Could the Senator withhold the request for a moment and let me doublecheck with other Senators? I will be happy to put through the question.

Mr. REID. I will be happy to withhold.

The PRESIDING OFFICER. The Senator from Oklahoma.

ANDEAN TRADE PREFERENCE EXPANSION ACT—Continued

AMENDMENT NO. 3447

Mr. NICKLES. Madam President, I thank my friend and colleague from Nevada.

We are considering a lot of amendments. I know the chairman of the Finance Committee has been working through amendments. We have been working through amendments as well, and we are going to get into a situation where we have a lot of votes. For the information of our colleagues and particularly our colleague and friend from West Virginia, Senator BYRD, who has three or four amendments, one of which is second degreed by our friend and colleague from South Carolina, Senator HOLLINGS.

Senator BYRD's amendment in the first degree deals with a congressional oversight group that changes in composition.

Right now, the oversight for trade is in the Finance Committee. I happen to serve on the Finance Committee, so I was interested in the composition of the congressional oversight group. It talks about the oversight from the House. I notice in the House group, it consists of the majority leader and minority leader, and eight additional members would be appointed by the Speaker of the House, four each from the minority and majority. It also says none of the eight members appointed under this paragraph will be members of the Committee on Ways and Means.

Then it says the membership in the Senate congressional oversight group shall be comprised of the following Members of the Senate: President pro tempore of the Senate, Senator BYRD; minority leader and majority leader; eight additional Members appointed by the President pro tempore of the Senate, four members from the majority after consulting with the majority leader, and four members from the minority party after consulting with the minority leader of the Senate.

Then it also says that none of the eight members appointed under this paragraph may be members of the Committee on Finance.

I am a member of the Finance Committee, and I do not want to have that jurisdiction taken away from the Finance Committee. So I am going to oppose this amendment. At some point, I am going to move to table the amendment. I would not want to table the amendment of the Senator from West Virginia without notifying him and giving him a chance to debate. Maybe he has debated it and I missed that debate, but I was not aware until a few moments ago of the impact of this new oversight committee, which would exclude members of the Finance Committee, which has jurisdiction over trade.

I would think Democrats and Republicans who serve on the Finance Committee would not like to find out that an area over which they have jurisdiction and over which they have some responsibility, on which they have had hearings, would be excluded from this oversight committee.

That is my purpose of speaking now. It is not for total debate but to let my colleague from West Virginia know that at some point, not immediately—as a matter of fact, it will be after the 2:30 briefing by the FBI Director—a motion will be made to table the underlying Byrd amendment dealing with the oversight group. I wanted my colleague to be aware of that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 3448

Mr. REID. Madam President, I renew my unanimous consent request on the bioterrorism conference report.

Mr. NICKLES. Madam President, there is no objection on this side.

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

Mr. NICKLES. 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.

ANDEAN TRADE PREFERENCE EXPANSION ACT—Continued

AMENDMENT NO. 3459

Mr. REID. I ask unanimous consent that the time now be charged against Senator HARKIN, who has 45 minutes under the order previously entered.

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 (Mr. EDWARDS). Without objection, it is so ordered.

Mr. REID. It is my understanding, following the statement of Senator HARKIN, that Senator CANTWELL is next in order.

The PRESIDING OFFICER. If no Republican speaker seeks recognition, that is correct.

Mr. REID. Madam President, I ask unanimous consent the Senator from Washington be recognized now for her time. Senator HARKIN is not here, and his time is being wasted. I ask that the order be inverted so Senator CANTWELL may now speak.

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

The Senator from Washington is recognized for 20 minutes.

Ms. CANTWELL. Mr. President, I rise this afternoon in support of the trade and worker assistance legislation before the Senate that we have been working on for the last 2 weeks. I recognize the important work of Senators BAUCUS and GRASSLEY and thank them for their tireless efforts in putting together a good trade proposal that will help workers and businesses throughout our country.

The Baucus-Grassley package embraces a balanced, comprehensive approach to free trade. This is the same approach adopted by our predecessors in the 93rd Congress when they passed the original 1974 trade act which did combine the flexibility of trade negotiation agreements with trade adjustment assistance. Indeed, with the combination of trade promotion authority with the largest expansion of trade adjustment assistance in history, we are making a downpayment on the economic growth and opportunity for many people in our country that will impact our prosperity in the future.

Trade is absolutely critical to my home State. It is critical to our current economy. It is critical to our future economy. The Puget Sound region is probably the most export-dependent region in the country, and Washington is probably the most trade-dependent State in the Nation. Trade supports about one-third of the Washington State workforce or roughly 750,000 jobs. These jobs pay, on average, 46 percent more than the overall statewide average. These are good jobs.

Washington truly is a portal to the Pacific. Our ports—from Bellingham, Everett, Seattle, Tacoma, Longview, to Vancouver—ship everything from electronics, airplanes, to fruits, vegetables, wheat, and hundreds of other products to over 199 countries.

I often hear from my colleagues when discussing trade promotion authority, What is it we are going to sell from the United States to these countries? The answer from my State reaches across many sectors: Agriculture, manufacturing, and high-technology products. Trade provides opportunities for both large and small businesses. Washington State, for example, is the largest producer of soft white wheat, of which about 85 percent of the crop is exported to foreign consumers at substantially higher prices than Washington wheat would receive domestically. In manufacturing, the Boeing Company basically generates about $30 billion in sales, a big part of the Puget Sound industry. And 70 percent of the revenues come from overseas. Of the current sale of Boeing products, 70 percent is to overseas markets. We expect that to be 74 percent in the next several years.

In our high-tech sector, Microsoft brings in about $25 billion in annual revenue, 50 percent of its sales being made overseas.

In these sectors—in agriculture, manufacturing, and in high technology—our State depends on foreign markets to make our economy work. It is not just large businesses; it is small businesses. Eric Jenson of Seattle founded a company designing and building bowed instruments, such as the cello. Initially his business was limited to domestic buyers, but by putting his company on the Internet, he thrust himself into world markets and now sells about 25 percent of his product overseas.

As any salesperson would tell you, if you want to sell something, you have to get your product into the store in a competitive fashion. If you have to pay a middleman to do so, the prices will be too high. Similarly, if we want to sell products to the world, we need to get into foreign markets and avoid high tariffs. Currently, our businesses and farmers face tremendous barriers to foreign markets. Indeed, while foreign companies are able to sell to American consumers at import duties that are averaging less about 2 percent, our companies and farmers often face trade barriers that are 10 times as high, basically closing them out of these market opportunities.

The key tool in lowering these tariffs and opening up markets is substantial bilateral and multilateral trade agreements. In this way, we can better pursue these agreements by giving the President trade promotion authority.

Yet while we give him trade promotion authority, it is clear we should not do that without making sure that certain objectives are met for protection of labor and the environment. That is why the Baucus-Grassley language makes clear to the President for the first time that the relaxation of environmental labor laws to provide a competitive advantage are absolutely unacceptable. By using the Jordan free trade language as a model, the Baucus-Grassley language made stronger by our passage of the Lieberman amendment, that I supported earlier last year, ensures that environmental and labor protections will be principal components for future trade relationships.

Also, the TPA bill, as amended, is absolutely clear that our domestic laws are not to be weakened in future trade agreements.

As we open markets and help provide training to our workforce, we need to make sure that countries do not unfairly subsidize industries or dump their products in our market. Again, the amendment offered by Senators DAYTON and CRAIG which passed, and which I supported, included extra protections for trade safeguards that ensure that our companies and farmers are protected.

While we have looked as these trade agreements, there is one very important aspect of this bill I want to point out: The area of trade promotion authority. Before I get to that, I will talk about the fact that there is a misconception: if we do not do trade promotion authority or trade agreement, somehow we will stop the reduction in manufacturing jobs.

It is clear we have seen a reduction in manufacturing jobs in our country and in other countries. But we have not seen a reduction in manufacturing output. What that really means is we have just gotten more efficient and effective at producing products, which means the workforce employed in these areas has been replaced by more productive efforts, which means we need to think about how we are retraining and reskilling our workforce for the future.

In the last 3 years, over 70 firms and 15,000 workers in Washington were displaced by trade activities and qualify for TAA benefits. Washington has probably been one of the highest States in the country qualifying for benefits under the trade promotion package. But this historic package goes further. I applaud my colleagues on the other side of the aisle for supporting what I think is a great economic development strategy for our future: Investment in the human workforce in our country.

This legislation will provide assistance to dislocated workers in several ways. The bill more than doubles our financial commitment to TAA programs, which is a very needed boost. The bill recognizes that to help workers, you have to help communities overall. It takes steps to expand trade promotion authority to a broader group of people. It expands the duration of the benefits from 52 weeks to 78 weeks and allows recipients to complete their training. And the trade promotion authority helps secondary workers who are also impacted by these job layoffs.

GAO published an initial report that shows that TAA recipients who completed training entered new jobs 15 percent more often than those who did not receive training, and that those who received training, on average, their wage was almost $2 more than their counterparts who did not get the training.

We are seeing that this is an effective benefit. An effective investment, a trade bill that will help open up markets overseas, provide U.S. products, and yet legislation that will also help workers whose jobs are lost because of trade activities and allow them to become more productive in the future by being retrained.

The global market provides tremendous potential for our country's future. I am glad my colleagues have had such a spirited debate on this issue. We need to do more.

As my State shows, more and more businesses will be seeking their economic vitality by and through these international markets. So we need to work harder here to make sure we give the power to the President, and to these companies, to make sure their products get fair treatment.

This package goes a long way toward accomplishing these goals. I look forward to working with Senators BAUCUS and GRASSLEY to help prepare our economy for the 21st century by making sure U.S. products have fair access to international markets.

I yield the floor.

AMENDMENT NO. 3459

Mr. HARKIN. Mr. President, I call up amendment No. 3459, which is at the desk, cosponsored by Senators MIKULSKI, WELLSTONE, and KENNEDY, and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment? Without objection, the Senator's amendment is pending.

The Senator from Iowa.

Mr. HARKIN. Mr. President, the amendment I have now offered has to do with the issue of child labor in world trade. I would like to speak for a while because, among all the things we have talked about regarding trade and what we are promoting, I believe one of the most important elements, in terms of moving ahead in the world economic order that is going to break down barriers of trade, one of the most important facets is how we address the issue of child labor.

Increased world trade should not be an end in itself. It must also be a means of achieving more economic fairness, social justice, and broad-based sustainable development throughout the global economy. Accordingly, as we debate this trade bill, this Senate faces a critical test of our nation's moral resolve as well as our economic leadership.

The practical challenge before us is to help fashion enforceable rules for a new global economy. It must be a global economy that rewards working families in America and abroad as much as it benefits transnational corporations, investors, and consumers.

I have long supported policies to open foreign markets to our nation's exports through new trade agreements and through combating unfair trade practices. I believe that new trade agreements—on the right terms—offer many new opportunities for our nation's economy to grow and thrive.

I hope I am also a realist. Global economic integration is proceeding at an accelerating pace, fueled by private sector forces beyond the control of any national government. But markets are not self-actualizing and they certainly do not concern themselves with fairness or equity, left to themselves. Therefore, the real role of government at all levels now is to help define the terms on which globalization will proceed.

This trade debate is not about free trade versus protectionism. Those are empty labels that cloud our real choices.

And we all know that there are winners and losers every time our country enters into a new trade agreement. Our task is to make certain that the terms of every new trade agreement maximize the winners and minimize the losers.

Some argue that the losers in international trade are just those caught in the whirling winds of globalization—victims of the magic of the marketplace who must fend for themselves. It is not that simple and its not accidental. We choose who and what we protect. For example, the WTO currently spells out enforceable rules on capital subsidies and product dumping to promote fair competition in international trade, but WTO rules don't do the same for child labor. When it comes to abusive child labor, anything goes. Binding international agreements and U.S. trade laws rigorously protect intellectual property rights now, but not internationally recognized worker rights such as stopping the worst forms of child labor. We protect CDs, endangered plants, and spotted turtles, but not children who are brutally and systematically exploited in the global workplace.

And so today, I say it's time that trade agreements extended their protection to those who need it most—the exploited child laborers who help make and process many products were consume every day.

According to the best estimates released 10 days ago by the International Labor Organization, there are at least 352 million child laborers between the ages of 5 and 17 who are engaged in today's global economy.

At least 246 million of these powerless working children are involved in abusive child labor which the business, trade union, and government officials in the ILO agree should be abolished. Think about that—at least 246 million child laborers who have never seen the inside of a classroom. As many as 60 million of them are engaged in the worst forms of child labor. They are often killed or maimed for life. They are robbed of their childhood and denied any hope for a brighter future.

To put this in perspective, imagine a country as populous as the United States and Mexico combined in which the entire population is made up of child laborers. Within that population would be an underclass of children roughly equal to all of the people living in Germany, France, Great Britain, and Spain combined who work in conditions that cripple their bodies and minds, stunt their growth, deny them access to basic education, and shorten their impoverished lives.

Now I suspect some of my colleagues are going to argue today that child labor has nothing to do with international trade. But they are dead wrong.

I want to show my colleagues some of the faces of these child laborers associated with various tainted manufactured products and other goods flowing freely in international trade as we speak here today.

I would like to tell you a little something about their working conditions. On the first chart here is Silgi. Silgi was 3 when this picture was taken. She started knotting soccer balls to help her mother and four sisters make 75 cents a day. Her mother and four sisters and her altogether make 75 cents a day knotting these soccer balls, which our kids use on the soccer fields in America.

This is Tariq. Tariq is a 12-year-old Pakistani boy. He stitches these leather pieces together to make soccer balls. Pakistan produces 5 million soccer balls a year, just for the U.S. market. Tariq earns 60 cents a day making these soccer balls. As you can see, they have the nice swoosh on them there. You know they are not using these in Pakistan. This is what our kids are

playing with on those soccer fields every Saturday when we take them down to play. Think about it. Think about it the next time your kid kicks that soccer ball. Think about Tariq, 12 years old, making 60 cents a day. He is not in school. He is not learning anything. These soccer balls, obviously, go into international trade.

This is a photo of a sign. Three years ago, in early 1999, I took a trip to Southeast Asia to look at the issue of child labor. I was in Katmandu, in Nepal, when a former child laborer sought me out. I knew of him through other contacts. I had never met him before. I met him after dark on a Sunday night. He had arranged to visit a clandestine place where they make carpets. He knew the guard at the gate. He also knew, he thought, that the owner was gone. So we drove down there.

As we came up to the gate, here was the sign posted outside of this gate. It says in Nepalese but also in English:

Child labor under the age of 14 is strictly prohibited.

This is not a doctored document. I took this picture. I took this picture with my own hands before we went in.

As we went through a gate and down a dark alley, we took a left and there was this building. All the windows were blacked out. We walked in the door and this is what we saw. Children as young as 7, 8 years of age, sitting at these looms knotting these carpets. Again, to show you it is real, that is me. I was there. My assistant took this picture. They didn't know we were coming.

In the past, anybody who would go in there to inspect it would give them advance notice. They had a way of getting all of these kids out the back door and scattered around in a compound so you wouldn't see all those kids working.

This is on a Sunday night after dark with kids as young as 8 years of age sitting in a row. It is dark back here. But there are dozens and dozens of these kids along both sides up and down these rows working on these looms. It is dusty. All of that carpet dust comes out. That is what these kids breathe.

Again, don't tell me this isn't happening. I was there. I saw it firsthand.

These are two Nepalese girls I spoke to through an interpreter. They were very cautious about speaking with me. They had probably never laid eyes on an Anglo before. They were sitting there knitting carpet. I tried to determine their age. As best I could determine, they were under 12 years of age. But I really couldn't determine exactly what their age was.

All I can tell you is that at about this time the owner showed up. I was told the owner wasn't there. There was a big commotion going on. The owner came in. Of course, he was extremely upset we were on his premises and ordered us to leave, which we did, but not until I had the documentation that this was happening.

The next day—I don't have pictures—I went to a carpet manufacturer in the same city, Katmandu. There is a carpet manufacturer that adheres to the Rugmark label. They don't employ any child labor—none whatsoever. They certify it with a little rug mark. These rugs also go into international commerce. Here is one plant in Katmandu that does not hire child labor. They are making moneymaking carpets for international trade.

Probably 5 miles away is a place such as this. There are dozens of these around making carpeting with these kids for international commerce, and they are also competing with the carpets made by a legitimate a manufacturer who does not employ child labor.

This is Amir. Amir is second from the left. He is age 8. He quit school in the third grade and spends his days sitting on a concrete floor sharpening surgical scissors. These are surgical scissors and surgical knives. This is in Pakistan. Amir is 8 years old. He earns $2 a week. All day long, they breathe in this metal dust from sharpening these scissors.

Mr. President, I hope neither you nor anyone else listening to my remarks has occasion to go into a surgical room. If you do, think about the scissors and the knives the surgeon will use that were made by Amir, 8 years of age. Don't tell me this doesn't have something to do with international commerce.

This is 7-year-old Sonu. Sonu lives in Jullundur, India. He cuts yellow-dyed chicken feathers for badminton shuttlecocks. That is what he does 7 days a week.

There is a cover story in a Hong Kong newspaper about some Chinese girls just across the border who are making toys for McDonald's. Again, it goes into international commerce. The amount of money they earn in 1 day is about enough for them to buy a Happy Meal for 1 day.

I want to add this. I want to be fair to McDonald's. When McDonald's found this out, they took action to stop it. I commend McDonald's for at least taking action to stop it.

My point is that without vigorous enforcement and oversight, that is what happens in international commerce. If it had not been for someone breaking into that factory and taking these pictures, MacDonald's might not have known about it either.

This is a rather busy chart. This shows how child slaves—make no mistake about it, they are slaves, bought and sold. They are used in the cocoa and chocolate industry.

Last year, Knight Ridder newspapers in a series of articles exposed child slavery on west African cocoa farms. This is the cocoa that young slaves harvest and produce. It goes to Europe. It goes into the Philadelphia area. Fifty percent of all the cocoa entering the United States is unloaded in Philadelphia. Chocolate is made using this Ivory Coast cocoa harvested by child slaves.

Because of this, and because of what is happening globally with the use of child labor in international commerce, I am offering this amendment to make ending the worst forms of child labor a principal negotiating objective as nearly on a par as possible with the principal negotiating objective in this bill on protecting intellectual property rights.

It is often said, if you can protect the CD, you ought to be able to protect the child. If you are going to protect the song, how about protecting the kid?

I know Chairman Baucus and other members of the Finance Committee share my concerns about abusive child labor. There was some reference in the language in this bill, but I think we can and should do better.

Before explaining my amendment in greater detail, I want to make clear what constitutes the worst forms of child labor. We are not talking about children who work part time after school or on weekends in the corner grocery store. It is not, for example, kids helping with the chores on a family farm. There is nothing wrong with that. I worked in my youth. All of us did when we were young people. We worked. That is not the issue we are addressing.

This amendment is focused on the use of the worst forms of child labor in the production of tainted goods that flow in the international trading system today and which we import in the American marketplace. Let me cite a few examples of these products and where they come from, according to the U.S. Department of Labor.

We import more than $250 million worth of hand-knotted oriental rugs every year from India, Nepal, and Pakistan, produced by as many as 1 million child laborers, many of whom are kidnapped and enslaved, bonded, or indentured.

As I said, if you are ever wheeled into surgery, remember that many of the surgical knives and scissors are finished by thousands of child laborers in Pakistan—these pictures I just showed you. If any Member wishes, I can give you the names of the U.S. medical supply companies that freely import this surgical equipment.

Fortunately, there is now a universal definition of what constitutes the worst forms of child labor.

You may ask, What do you mean by the worst forms? We know. They are spelled out in ILO Convention No. 182, which was adopted unanimously in 1999, the first time ever. It was ultimately ratified at a record-setting pace by 117 trading nations, including, I am proud to say, the United States. In fact, the United States was the third country to ratify ILO Convention No. 182. It was a resolution offered by Senator HELMS and myself.

In November of 1999, it was adopted by the Senate on a 96-to-0 vote. The United States is now on record as ratifying and abiding by ILO Convention 182.

When we talk about the worst forms of child labor, what are we talking about?

We are talking about child slavery, child bondage, the use of children in pornography, much of which enters this country, trafficking in children, buying and selling of kids, the recruitment of children in the production or sale of narcotics, and hazardous work by children where they are breathing metal dust or making glass in India in very high temperatures. That is what we are talking about.

That is what is in ILO Convention 182. That is the worst form of child labor.

We are not talking about kids working part time or on weekends. It is slavery, it is bondage, it is pornography, and it is hazardous types of work.

Combatting abusive child labor and linking respect for other internationally recognized worker rights to the conduct of international trade is not new. At various times during the 20th century, numerous international agreements and U.S. policy have explicitly recognized that fair labor standards are necessary for the working of a fair trading system.

More to the point, I call to the attention of my colleagues article XX of the original GATT. Article XX was brought forward in the 1994 GATT deliberations. It was incorporated in the current operating rules of the World Trade Organization, the WTO.

This article spells out 10 different exceptions whereby WTO member countries may enact national laws without being in violation of existing WTO or GATT requirements and international trade rules.

This is what it says, article XX (a) and (b):

> Subject to the requirements that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent the adoption or enforcement by any contracting party of measures:
> (a) necessary to protect public morals;
> (b) necessary to protect human, animal, or plant life or health.

Article XX: to protect human health and life, protect public morals.

Those are exceptions that countries may adopt and not be in violation of WTO.

At this time, and in this new era of globalization, we have the wherewithal to end the use of abused child labor in the production of goods for international trade. The only questions are whether we have the political will and whether America will lead the way.

More than 50 years after its adoption, article XX remains untested. There has been no trade jurisprudence to flush out its practical meaning or scope.

So I ask my colleagues, what better place to start than for this Congress to require U.S. trade negotiators to make it a principal negotiating objective to secure an effective international ban on trade in goods produced by defenseless children under 18 who are trapped in the worst forms of child labor?

We can do that by adopting this amendment, to make ending the use of the worst forms of child labor in international trade a principal priority for our negotiators. It is entirely in keeping with what President Bush said last year at the Western Hemisphere Trade Summit in Quebec. This is what President Bush said last year:

> Our commitment to open trade must be matched by a strong commitment to protecting our environment and improving labor standards.

What could be more important than protecting children?

Using international trade agreements to combat abusive child labor is good international development policy. Abusive child labor perpetuates the cycle of poverty across generations. It is both a cause and an effect to the grinding poverty in today's global economy.

Much of this should be self-evident. No nation has ever achieved broad-based economic prosperity on the backs of working children, and no such nation should be allowed to try according to any standard of fair international trade and competition.

Ending the use of abusive child labor, especially in the conduct of international trade, is not morally disguised protectionism. In fact, public support for continued trade liberalization will be enhanced by eliminating trade in products made with the worst forms of child labor.

Listen to the words of Ambassador Bill Brock, U.S. Trade Representative and Labor Secretary in the Reagan administration. This is what former Ambassador Brock said. I am not going to read the whole thing:

> Those countries which are flooding world markets with goods made by children . . . are doing more harm to the principle of free and fair trade than any protectionist groups I can think of.

I could not have said it better. No one could say it better. What Ambassador Bill Brock said is absolutely right: Those countries flooding the world markets with goods made by these kids are doing more harm to the principle of free and fair trade than any protectionist groups of which I can think.

This amendment is needed because we have this widespread use of the worst forms of child labor in products flowing throughout the international trading system.

First, as reported, this bill does not include the prohibition of the worst forms of child labor in the proposed definition of core labor standards. That is why I think this amendment is so necessary. The bill, as reported, does speak to it but does not include the prohibition of the worst forms of child labor.

It does not assign a high enough priority and visibility among U.S. trade policy objectives to deter the worst forms of child labor.

Secondly, the bill calls for ''promoting respect for worker rights and the rights of children consistent with core labor standards of the ILO'' as one of the eight overall trade negotiating objectives. That is decidedly weaker than what this amendment would do to make it a principal negotiating objective of the U.S., ''ensuring that any multilateral or bilateral trade agreement that is entered into by the U.S. includes provisions obligating all parties to such agreements to enact and enforce national laws and to meet their international legal obligations to prevent the use of the worst forms of child labor.''

That is what is in the amendment.

Third, the bill before us makes intellectual property rights one of 14 principal U.S. negotiating objectives and, as such, calls for ''providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms.''

That is pretty clear and specific.

The amendment we have before us calls for the same clarity of purpose, resolve, and range of enforcement mechanisms with regard to preventing the use of the worst forms of child labor in international trade.

Quite simply, this amendment will ensure that the President has the authority and backing of the Congress to negotiate to end the worst forms of child labor in international trade on a par, as nearly as possible, with the President's authority to negotiate and protect intellectual property rights.

In conclusion, this amendment does not dictate a predetermined outcome on how best to negotiate enforceable means. It does not tie the hands of our trade negotiators in any fashion. But it does make it crystal clear that one, among several, of our 15 principal trade negotiating objectives will be the enactment and effective enforcement of national laws by other countries and compliance with their international legal obligations to eliminate the use of the worst forms of child labor in international trade.

A few days ago, I met in my office with several former child laborers from around the world. They were on their way to New York City with Kailash Satyarthi, leader of the Global March Against Child Labor, and one of the great heroes in the world today for getting kids out of the worst forms of child labor.

Kailash brought these kids from around the world to take them to the United Nations for the first ever General Assembly Special Session on Children.

I talked to one little boy in my office who had been branded on his face and his arms because he had been drinking a little bit of leftover milk. He came all the way from New Delhi to add his voice to a growing children's chorus in New York and from around the world, pleading for us adult policymakers ''to create a world fit for children.''

So for Ashraf, a young boy who escaped enslavement and was in my office, and for tens of millions of other

children still trapped in the worst forms of child labor, let's use our leverage, the power of our Government, our moral leadership, and require that U.S. negotiators do their part. They should bring back to this Congress enforceable trade agreements that outlaw and end this sordid, dirty dimension of international trade once and for all.

I urge my colleagues to support the amendment.

Mr. President, my staff, the staff of Senator BAUCUS, the staff of Senator GRASSLEY, along with people in the administration, have been working for the last few days to work out an agreement. We agreed to make some changes on our side, but still to keep the essence of this amendment alive, to make it one of the primary negotiating objectives—one of the primary negotiating objectives—and that is still in the amendment. So we have modified it and, as such, we have reached an agreement with Senator BAUCUS and with Senator GRASSLEY.

AMENDMENT NO. 3459, AS MODIFIED

So I have talked with managers of this bill on both sides, and I now ask unanimous consent to modify the amendment with the changes that I have sent to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

At the end of section 2102(b), insert the following:

(15) WORST FORMS OF CHILD LABOR.—The principal negotiating objectives of the United States regarding the trade-related aspects of the worst forms of child labor are—

(A) to prevent distortions in the conduct of international trade caused by the use of the worst forms of child labor, in whole or in part, in the production of goods for export in international commerce; and

(B) to redress unfair and illegitimate competition based upon the use of the worst forms of child labor, in whole or in part, in the production of goods for export in international commerce, including through—

(i) promoting universal ratification and full compliance by all trading nations with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, particularly with respect to meeting enforcement obligations under that Convention and related international agreements;

(ii) pursuing action under Article XX of GATT 1994 to allow WTO members to restrict imports of goods found to be produced with the worst forms of child labor;

(iii) seeking commitments by parties to any multilateral or bilateral trade agreement that is entered into by the United States to ensure that national laws reflect international standards regarding prevention of the use of the worst forms of child labor, especially in the conduct of international trade; and

(iv) seeking commitments by trade agreement parties to vigorously enforce laws prohibiting the use of the worst forms of child labor, especially in the conduct of international trade, through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms.

Mr. HARKIN. It is my understanding from the managers that both sides will agree to my amendment as modified. I thank both Senator BAUCUS and Senator GRASSLEY, my colleague from Iowa, and their respective staffs for working with my staff. I know it took a lot of time. I know these things are sometimes hard to work out and think about—the meanings of words, phrases, and their impact. I thank them for working this out in a manner that preserves the essence of this amendment, which is, make it one of our primary negotiating objectives; that the President of the United States seek to ensure that countries with whom we have trade not only abide by their own labor laws but abide by ILO convention 182 to prohibit, to put an end to the worst forms of child labor in international trade.

I have been working on this issue for 10 years. I first introduced a bill in 1992. For me, today, to have this accepted by the managers to put into the fast-track bill represents a giant step forward. We made the first step a couple years ago when the Senate voted 96 to 0 to ratify ILO convention 182. Now this puts some teeth into it. This says that from now on when we negotiate trade agreements, this will be one of our primary negotiating objectives.

The next step, I hope, is for the conference to make sure they keep this language. The House does not have it. I hope our Senate negotiators can keep this language. It is vitally important. It has widespread support in this Chamber on both sides of the aisle. I know it has widespread support among the American people. It has widespread support among our trading partners in other parts of the world.

Now is the time for the United States to take that leadership. I hope and pray and trust that when this goes to conference, we will keep this provision that is so vital to ensuring that we have not only a free trading system in the future but a trading system that does not perpetuate this cycle of poverty and of ignorance throughout the globe because so many countries are using abusive child labor to make these products.

Hopefully, they will come back from conference and we will have that. I look forward to the day when a new trade bill comes before the Senate for us to ratify and in that trade bill are steps that are being taken, agreements that have been made to end abusive child labor in international trade. That will be the day when we can tell all these children I have shown in all the pictures that they do have a brighter future, that they will be able to go to school and learn and not be caught in this cycle of poverty and repression, bondage, slavery, childhood prostitution, and childhood pornography into which they are now trapped.

I thank Senator BAUCUS and Senator GRASSLEY and their staffs for working this out. I encourage them to do everything they can to hold this in conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank Senator HARKIN for working closely with us over a long period of time to reach agreement on exact language. He has spoken as to how difficult that was and how hard everybody worked. I won't repeat any of that. I associate myself with that part of Senator HARKIN's remarks.

I support this amendment. For Senator BAUCUS and I, as managers of the legislation, were glad to have it go through in this fashion.

When discussing trade and particularly this trade promotion authority bill, it is important to put the issue of child labor in the proper context. What I want to say as the bottom line, before I say everything above the bottom line, is that trade is the instrument to improve the economy of countries because economies that are not in poverty do not have child labor problems that countries in poverty do have.

I will discuss this from two standpoints: One, how the bill was crafted even prior to Senator HARKIN's amendment to deal with the issues of child labor, and also what we are doing as Government and the people of the United States to help in other ways on the issue of child labor.

First, I will address what the United States has done with respect to internationally recognized working rights. Our country is not a newcomer to this arena. We have formally recognized core labor standards, including workers' rights, in our statutes since 1984. Many of the core labor standards that we recognize are similar or identical to those of the International Labor Organization.

In addition, the United States has consistently been on the front lines in fighting for internationally recognized workers' rights. We have also fought the problem of child labor around the globe, and we have done it quite effectively over the years.

I have consistently supported and encouraged these efforts because although these efforts have not been on the front pages of the newspaper, they do have a track record. We know that these efforts work.

Most of what we as a country do internationally is part of what I call a positive agenda for workers' rights and for the elimination of child labor. It has little or nothing to do with trade. The United States is the single largest donor to the International Labor Organizations's premier program for addressing the child labor problem, known as the International Program for Eradication of Child Labor. This program does a lot of heavy lifting and gets things done.

For example, the Program for Eradication of Child Labor works effectively with local nongovernmental organizations. This Program for Eradication of Child Labor helps to ensure that when children are found working in conditions where they are being exploited

and are taken from work, they are put into schools. It helps provide funds to poor parents so that when their children are taken from work, the family does not starve.

We do many other things as part of this ''positive agenda.'' The United States helps fund School Lunch Programs worldwide. Something as simple as providing a school lunch to a poor child in a developing country is one of the most effective things we can do to combat child labor because it helps supplement a poor family's income.

The United States is also actively engaged in labor law enforcement around the world. We provide technical assistance to help countries change their laws so that they can be more effective in combating child labor. We help train the inspectors in foreign countries who go out and investigate these child labor violations.

In addition, the U.S. Government is a signatory to the International Labor Organization Convention 182 on the worst forms of child labor such as slavery, bondage, enforced labor, child prostitution, and working in dangerous conditions.

Clearly, then, trade and openness is not the problem for poor countries. Rather, it is as simple as too little trade and not enough openness, particularly openness of their economy.

The International Labor Organization Convention on the worst forms of child labor is extremely significant for other reasons. It admits that the overwhelming cause of child prostitution, child slavery, and forced labor is, in fact, poverty.

This is where trade and open economies can and do make a huge difference in the lives of people. Over the past 20 years, globalization has been a great force for good in reducing poverty. It has sparked a dramatic rise in living standards in many countries across the world. Millions of people have been lifted out of poverty. There is overwhelming evidence that trade boosts economic growth.

A famous Harvard University study by Professor Jeffrey Sachs and Andrew Warner found that developing countries with open economies grew 4.5 percent a year, while developing countries with closed borders grew a paltry seven-tenths of 1 percent. So it is 4.5-percent growth for countries with open economies to less than 1 percent—seven-tenths of 1 percent—a year for countries with closed economies. That is simple, common sense. Open the economies of poor countries and they will grow economically and they can lift themselves out of poverty.

At that rate, open economies double in size every 16 years, while closed ones can only reach that goal in 100 years. Again, 16 years doubling for an open economy, 100 years for doubling the economy of a closed economy.

The rapid growth of developing countries that embrace free trade always leads to a rapid decrease in child labor. A 1998 World Bank report shows that once per capita GDP hits $500 per year—just $500 per year—the incidence of child labor falls dramatically. Clearly, then, promoting trade, freedom, and openness is one of the single most important things we can do to end child labor around the world.

It is not the only solution, though, and I don't pretend that it is. But trade and open markets are a key part of any solution to ending poverty and eradicating child labor.

The only way we can promote and lead the effort to open world markets is if the President of the United States has the authority to negotiate credibly with other countries at the bargaining table. That is what trade promotion authority is all about.

History has shown time and again that if the United States does not lead in the effort to open markets and tear down job-killing trade barriers, the gains we made in the past can be lost.

Finally, I want to point out that the core labor standards dealing with the worst forms of child labor that we are addressing in this amendment by Senator HARKIN are embedded in the same core labor standards that the United States has recognized and has promoted in our law since 1984.

So I commend my colleague from Iowa for making positive contributions to this debate. When it comes to child labor and workers' rights, this modified amendment and this total trade promotion authority bill does the right thing.

I strongly urge my colleagues to do the right thing again and pass it with the overwhelming bipartisan vote as we did coming out of the Finance Committee, 18 to 3.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment? Without objection, the amendment is agreed to.

The amendment (No. 3459), as modified, was agreed to.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. MILLER). The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I rise today to oppose the pending legislation to provide fast-track authority to the President. This is not the first time I have risen on this floor in order to urge colleagues to join in opposing this authority. The same issue was before us in 1997. At that time, the administration's request was rejected.

At this time, we are once again being asked to approve the same procedure, but it is being presented under a different name. It has been wrapped up in a different package. It is now being called ''trade promotion authority.'' In fact, that term is a euphemism—indeed, a misleading euphemism. The President already has broad and flexible authority to promote trade in numerous different ways, under a number of existing statutes.

The issue here is the latitude the Executive has to negotiate trade agreements and the role the Congress will play with respect to such agreements. I think that is more aptly described as fast-track authority, and that is the specific matter I want to address for a few moments.

Fast track is a procedure that radically redefines and limits the authority granted to Congress in article II, section 8 of the Constitution ''to regulate commerce with foreign nations.'' We need to recognize that here today. This is a vast derogation of congressional authority. It has only a brief history. It was first enacted in 1974, it expired just twenty years later, in 1994, and in my view its long-term ramifications are as yet little understood.

Fast-track authority differs fundamentally from the earlier discretion the Congress granted to the Executive in the Reciprocal Trade Act of 1934, which governed trade negotiations for 40 years. That discretion, known as proclamation authority, gave power to the Executive to set tariffs within limits and periods of time that had been set by the Congress. In other words, the Congress defined the parameters of Executive authority in trade negotiations, and the Executive had to work within those parameters in using the proclamation authority. It did not give to the President authority to negotiate trade agreements requiring changes in U.S. law, let alone limit the discretion of the Congress to approve or reject such changes.

In contrast, fast-track authority gives the President both the power to negotiate trade agreements requiring changes in existing U.S. law, and effectively denies to the Congress the power to approve or reject changes to U.S. law on their merits, leaving it only with a ''yes'' or ''no'' vote on the entire trade package.

Fast-track authority, therefore, greatly expands the latitude of the Executive to negotiate an agreement while eliminating the ability of the Congress to consider components of the trade agreement. Fast track guarantees that the executive branch can write legislation implementing a trade agreement and have that legislation voted on, up or down, within 90 days of its submission to Congress, with only 20 hours of debate and with no opportunity for amendment.

Let me repeat that. Fast-track authority gives the executive branch the power to write legislation implementing a trade agreement, to have that legislation voted on, up or down, within 90 days of its submission to the Congress, with only 20 hours of debate and with no opportunity for amendments by the Congress.

Even when vast changes in existing U.S. law may be at stake, under fast-track procedures, Congress has only all-or-nothing decision-making authority.

This is a sobering derogation of the congressional power set out in article I, section 8 of the Constitution, which explicitly gives to the Congress the power to regulate commerce with foreign nations.

In no other area of U.S. international negotiation and agreement do fast-track provisions prevail. All major U.S. tax treaties, arms control, territorial, defense, and other treaties are still accomplished through established constitutional procedures fully respecting the role of the Congress and the ability of the Congress, if it chooses, to make the determination to change or amend those agreements.

SALT I, SALT II, START, the nuclear weapons reduction treaties, the Atmospheric Test Ban Treaty, the Biological Weapons Convention, the Customs Harmonization Convention, the Montreal Protocol, dozens of international treaties, to mention only some—all these are among the international agreements negotiated by the United States without fast-track authority.

Proponents of fast track often argue that in the area of trade, the Executive will find it difficult, if not impossible, to negotiate agreements without fast-track authority, but a look at the record amply demonstrates this is not the case.

First, fast-track procedures are relevant only to trade agreements that require Congress to make changes in existing U.S. law in order for the agreements to be implemented. Most trade agreements do not require legislative changes and thus do not come within the purview of this provision.

Of the hundreds of trade agreements entered into between 1974 and 1994 when fast-track authority was in effect, only five have required fast-track procedures.

In 1994, after just 20 years, fast track elapsed. This is the only time period in the nation's history when we have had fast track, the only time we effectively shut Congress out of the process of thoroughly considering trade agreements.

In 1997 the Congress declined to extend it, and yet since 1994 hundreds of trade agreements were successfully negotiated and implemented. For example, in the year 2000, the Office of the U.S. Trade Representative identified the following agreements, all of them negotiated without fast track, as having truly historic importance: The Information Technology Agreement, under which 40 countries eliminated import duties and other charges on information technology products representing more than 90 percent of the telecommunications market; the Financial Services Agreement, which has helped U.S. service suppliers expand commercial operations and find new market opportunities around the world; the Basic Telecommunications Agreement, which opened up 95 percent of the world telecommunications market to competition; and the bilateral agreement on China's WTO accession, which opened this large economy to American products and services. I could cite many other examples.

During this twenty-year period when there was no fast-track authority—although we are being told that without it trade agreements cannot be negotiated, whereas the record shows this is clearly not the case—the Executive negotiated and then obtained congressional approval for normalizing our trade relations with a new Caribbean Basin initiative bill and with the Africa Growth and Opportunity Act. Without any fast-track authority, the previous administration negotiated major bilateral trade agreements with Jordan and Vietnam. The groundbreaking United States-Jordan agreement was submitted to and approved by Congress in January of last year, and although negotiated by the previous administration, the United States-Vietnam agreement was actually submitted to Congress by the current administration and was approved in June of last year. So recent efforts to arrive at trade agreements without fast-track authority have been notably successful.

The abundant experience of the last 8 years leads to the conclusion that the arguments for fast track are much overstated. Current negotiations on bilateral free trade agreements with Chile and Singapore offer yet another case in point since the administration has found it possible and prudent to carry forward negotiations initiated by its predecessor.

The case of Chile is particularly instructive. In 1994, Chile declined an invitation to join NAFTA, citing the administration's failure to obtain fast-track authority. Six years later, however, Chile reconsidered its position and in 2000 entered into negotiations on a United States-Chile bilateral agreement.

Negotiations have continued since then more or less on a monthly basis, and in a report dated April 1 of last year entitled ''Chile Political and Economic Conditions in U.S. Relations,'' the CRS concluded that Chile is willing and able to conclude and live up to a broad bilateral FTA with the United States, suggesting this could be a comparatively easy trade agreement for the U.S. to conclude.

The absence of fast track has not prevented negotiations with Chile or with Singapore. Yet we are now being asked to have the procedure apply retroactively without any strong case being made for its necessity.

Let me make a final observation. There is now considerable debate and concern around the world about globalization, and we have seen mounting levels of protests, both in this country and abroad. It is clear that the trend towards globalization has raised very fundamental questions on a range of issues, including labor standards and environmental standards. A real basis for public concern is precisely the sweeping power to affect these issues that fast-track authority gives to the administration. There are many other issues, of course, but labor standards and environmental standards are two leading examples. For good reason, the public is apprehensive when important decisions can be made behind closed doors, without adequate open debate and consideration, which is exactly what happens with fast-track authority.

One of the most important functions of the Congress is to provide a forum in which matters of public concern can be thoroughly and openly discussed, in which alternatives can be presented and either accepted or rejected. The fast-track authority virtually completely undercuts congressional power—something the nation in all its history never countenanced, except during the 20-year period between 1974 and 1994. In effect fast track excludes the people's representatives from engaging in a process whereby they can examine the components of a trade agreement.

People say: But the Congress may change the trade agreement. So be it. That is the risk we run. Congressional scrutiny of arms-control agreements has never been restricted by fast-track authority, and surely they are as important as trade agreements.

We do not take those on an all-or-nothing basis. They are not presented to us for a simple yes-or-no vote. We have the opportunity to consider the various components of the package and to pass some judgment upon them. That is one of the most important functions of the Congress.

Indeed, I think one of the deep concerns of the American people is that trade agreements affecting vital areas of social and economic policy should not be hurried through the Congress using an expedited and restrictive procedure. It must be clearly understood that this procedure puts the Congress in the position of being able only to say yes or no to the entire package. It denies to the Congress the ability to carry out its constitutional responsibilities in terms of regulating commerce with foreign nations. I therefore strongly urge the rejection of the fast-track procedure contained in this legislation and intend to vote against this bill.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, what is the situation with regard to time? Are we dividing it? Are we under the normal postcloture that any Member can have an hour? Is that the program?

The PRESIDING OFFICER. The Senator is correct; we are following the normal procedure.

Mr. GRAMM. Mr. President, I do not know where we go from here in terms of procedure. I would like to say a few things. I will try to be brief.

Mr. REID. If the Senator will allow me to make one statement in answer partly to his question, we have set up a queue of speakers, and Republicans certainly have the right to have a speaker

now, which would be the Senator from Texas. Following that is Senator KENNEDY. Following Senator KENNEDY's statement and if there is a Republican after him, we would start the bioterrorism debate for 90 minutes and then we would start voting on this matter.

The Senator from Texas asked a question earlier. Under the hour that the Senator has postcloture, how much time does he have, I ask the Chair.

The PRESIDING OFFICER. The Senator from Texas has 28 minutes remaining.

The Senator from Texas.

Mr. GRAMM. Mr. President, we have a bunch of amendments pending, and I am against every one of them. Let me outline why.

First, this bill is about trade. I am for it. All these amendments are against it. We are getting ready to pass this bill, I hope, by 70 votes or so. So if a Senator is for the bill and wants more trade, the quickest way to get it in the best form is to vote against these antitrade amendments.

I am going to address three of them really quickly. First, the Hollings amendment. I want to remind my colleagues that thanks to the generosity of the American taxpayer, if someone loses their job because of international competition, they get a series of benefits under trade adjustment assistance that no other American gets. Anyone who loses their job, for example, in the textile industry qualifies for trade adjustment assistance if they can show or it can be shown that their job loss had anything to do with foreign competition; that it was the most significant factor in them losing their job.

As a result, textile workers are eligible for trade adjustment assistance today. The amendment of Senator HOLLINGS says if someone has lost their job in the textile industry anytime over the last 3 and a half years, or if they lose their job in the future, even if it has absolutely nothing to do with foreign trade, they should qualify for trade adjustment assistance.

I think any of our colleagues can see the inequity in that. My State is the ninth largest textile State in the Nation. I love my textile workers as much as anybody else does, but I do not know how having a program to help people who lose their jobs because of foreign competition can be justified, and a judgment is made based on each circumstance, and then come along and say, but if someone works in the textile industry and they have lost their job, we are going to treat them differently than everybody else. I think there is a tremendous equity problem in that, and I think people working in the textile business would understand it. Also, the fact that it would apply not just for people who lose their jobs in the future but for 3 and a half years in the past.

So for that reason, I oppose the Hollings amendment.

Turning now to the Landrieu amendment, of all groups that benefit from trade, the maritime industries are the biggest beneficiaries. The great bulk of foreign trade comes into our ports. I am blessed in Texas, thank God, every day, to have many great ports. My maritime workers get to work on shipping things out, they get to work on bringing things in, and of all the people I have, they are among the most pro-trade people, for the obvious reason: Not only do they benefit as Americans, but they benefit because they get an opportunity to have more competition for their services.

The Landrieu amendment extraordinarily says if someone loses their job in the maritime industry, whether it has anything to do with foreign competition—because they would get trade adjustment assistance if it did, under current law—that they qualify for trade adjustment assistance.

What I think is extraordinary about this amendment is not that it treats people differently based on what kind of job they have, which I kind of think a little bit violates equal justice under the law, but of all the workers who would be said tend to be benefited by foreign trade, maritime workers would be virtually at the top of the list.

In fact, looking back over my political career, the unions that have tended to support me have been maritime unions. Now they all ought to support me, but they have not. The maritime people have supported me because I support foreign trade. I do not understand why, of all workers in America, we would single out maritime workers as losers from trade. A, they are the biggest beneficiaries; and, B, to the extent that anybody was a loser, they could qualify for trade adjustment assistance.

So I think the argument for the Hollings amendment is very weak. I think it is inequitable. I think it is unfair. It is illogical. I think all of those things, and more, apply to the Landrieu amendment.

Turning very briefly to the Corzine amendment, the Corzine amendment says the President cannot enter into a trade agreement that has provisions that privatize public services.

Now the Corzine amendment—I am not sure exactly how it is going to be argued because I had not heard it argued, but let me explain the problem with it. One of the biggest problems we have is getting countries such as Japan to let our contractors bid on their telephone company equipment and technology, trying to get them to let our contractors bid on building airports. The fundamental argument we use is we force them, whether these activities are controlled by government or whether they are controlled in the private sector, to move toward opening up competition.

The Corzine amendment would not allow us to negotiate a trade agreement where we push a foreign competitor to open up a public service for competition. My guess is Senator CORZINE is going to argue he does not want a trade agreement that opens up something our Government does for competition. The problem is, we cannot have trade agreements where we say, OK, we are not going to negotiate anything that opens up a public service in America for competition and expect other countries to do the same.

I remind my colleagues, no matter how much you think of government doing things, rather than the private sector, we do less than anyone in the world. When we cannot bid on selling telephone equipment in Japan, it is because they have a national telephone company that is basically run and controlled by the Government. Certainly we don't want to write in our fast-track authority that we cannot negotiate to force Japan to open up those contracts to AT&T, to Bell, to all of our manufacturers. We have spent years doing that. I don't think we would want to undo it.

One might argue if the Corzine amendment could simply prevent cooperation in things provided by the Government in America, that would be one thing. I personally don't think that is very good. But if you did, the problem is, these trade agreements are bilateral. You cannot take something off the table in our negotiations and leave similar things on the table in negotiating with our trading partner.

I am not quite clear what he is trying to get at. Whatever it is, it is not good. We generate less of our GDP through government-provided services than any other major country in the world. Our biggest problem in many areas in promoting exports of American products is opening up government monopolies. This language basically takes us out of all those markets. It is a very bad proposal, in my opinion.

Let me make it clear to our colleagues: I would like to see us enter into an agreement where we could go ahead and begin voting on the amendments that are pending so we can guarantee each side has a very short window to sum up things. We have been debating this bill for 18 days and our memories are starting to get stretched a little. We probably have a dozen amendments, more or less, that are pending which could be voted on. If we simply sit around and squander 3½ hours and let the clock run out on postcloture time, under the rule there is no debate of these amendments, they simply are voted on.

I urge, especially the leaders on the other side of the aisle, to work out an agreement where we can begin voting and give people a short period of time to make their argument so we can vote. I understand we have a meeting at 2:30 and we are going to do bioterrorism during that hour. I hope when we come back from that meeting at 3:30, rather than waiting until 6:03, or whenever the time is, we could begin at that point voting, and we could give people a little bit of time to say what their amendment is about and give other people a little bit of time to say

why they are against it. We have a couple of pending amendments that have points of order against them. It would be my intention when we get back from the 2:30 meeting, to see if we can make those points of order against those amendments—there may be an effort to waive the point of order. If so, there would be a vote at that point. I hope we can get this process going. There is no reason, in my opinion, to wait around until 6 o'clock and not give people an opportunity to make their case.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand, at least it was the intention of the leadership, following my comments, we were going to go to the bioterrorism conference. As I understand it—I know our colleagues will be attending a 2:30 meeting and briefing—I will speak for a period of time and then the Republican side will speak for a period of time and then we will go to the time agreement on bioterrorism, and there is 45 minutes a side; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. And we will have a vote after the using of the time?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I thank the Chair.

Mr. President, I have serious reservations about this bill and I intend to vote against it. I have a lifelong record of supporting free trade. I have supported trade agreements in the past. I have supported trade agreements with China and Vietnam. I supported NAFTA. I supported GATT. But this bill protects the rights of corporations at the expense of workers and the environment. It is not free trade and it is not fair trade when we must compete with countries and foreign businesses that abuse their workers and ignore their obligations to the environment with impunity.

The proponents of this bill have said that this is the most progressive trade bill on the issues of labor and the environment ever to reach the Senate. I agree there is progress on some fronts, but I'm very disappointed that we didn't do more. It is clear that, before the Congress gives up much of its constitutional responsibility to regulate international commerce, much stronger safeguards must be put in place.

Labor rights protections must be a vital part of our international trading system. These protections help to lift the standards for workers around the world, and to help protect America's workers from unfair foreign competition. As we work with other nations to develop rules for the global economy, we can't create new rights for businesses and leave workers out in the cold.

By fighting for the rights of workers in our own country and around the world, we are representing the best values of the American people—that an honest day's work should receive an honest day's pay that workers deserve fairness in the workplace, fair pay and fair working conditions, and that workers are a resource to be supported, not a commodity to be abused.

I am very concerned this bill creates a dangerous double standard on the rights of corporations and the rights of workers. On the one hand, this bill directs the United States Trade Representative to encourage our trading partners to adopt U.S. standards of intellectual property law—the most complex and difficult patent laws to maintain and enforce in the world—and includes even stronger language on the enforcement of patent laws. If a trading partner fails to enforce the highest standards of patent law, retaliation would be swift and severe. While there is a place for intellectual property protections, especially with the acceptance of my amendment assuring access to life-saving medicines, the disparity with labor rights protections is astounding. If a trading partner fails to enforce its own labor laws, this bill clearly states that ''no retaliation may be authorized.'' It is as if we're telling our trading partners we'll look the other way if they provide cheap, unregulated labor for corporations.

This is the wrong time for Congress to send that message to our trading partners. Today, workers around the world are facing unprecedented assaults on their basic rights. In Colombia, according to the Central Workers Union of that country, 160 trade unionists were murdered last year and 79 trade unionists disappeared.

In many other nations around the world, workers are prevented from meeting together freely or from joining together to form a union to advocate for their interests. Without these fundamental rights, workers in these nations are not truly free. We should be building a global economy in which children have the universal opportunity for education, rather than stolen childhoods filled with endless hours of toil for next to nothing.

Several key amendments strengthening the labor rights and environment protections in this agreement and enhancing trade adjustment assistance were defeated because of overwhelming Republican opposition. Vice President CHENEY broke a tie to prevent the Congress from helping workers displaced by trade to pay their mortgages. I'm very concerned with the message this sends—when it comes to protecting the interest of corporations, spare no expense. When it comes to protecting workers or their families, cause no expense.

Too often the current trading system enriches multi-national corporations at the expense of working families. To build a fair global economy, all parties to trade agreements should reaffirm their obligations and commitments under the International Labor Organization's Declaration of Fundamental Principles and Rights at Work. Unless workers around the world have basic freedoms, such as freedom of association and the right to organize a union and bargain collectively, free trade will not be fair trade.

At the same time that we are encouraging the growth of global trade, we must take care of workers at home who are hurt from expanded trade. I am pleased that Senator BAUCUS and Senator GRASSLEY have provided trade adjustment assistance that includes essential health care subsidies for laid-off workers who otherwise could not afford to maintain their coverage. This assistance is a lifeline to workers who have lost their jobs through no fault of their own. We've tripled the job training funds. We have added wage insurance for older workers who are fortunate enough to find new jobs but forced to take a lower wage. This assistance is long overdue and it is right to include it in this legislation.

I am also pleased that the trade adjustment package will cover some secondary workers, but it is unfair that downstream workers have been excluded from this coverage. There is no good reason that workers who produce the finished product or package articles should be ineligible for trade adjustment assistance while workers who produce parts or work for supplier companies are covered. Both groups of workers are hurt by trade and need to feed their families.

Finally, this bill should have included actions to protect the health coverage of steel retirees. An estimated 600,000 steel retirees, widows and their families are now in jeopardy to lose their coverage because of growing trade imbalances. For decades, the steel industry has been a leader in the American economy. The cars we drive and the buildings we work in would not be possible without the backbreaking work of America's steelworkers. We must recognize the contribution of these workers to building America. We must not let them down in their hour of need. Hundreds of thousands of America's workers were promised decent health care by their companies in exchange for years of service in the workplace. The Mikulski amendment would have kept that promise, and it was wrong for Republicans to block this worthy proposal.

Earlier in the last century, many argued that labor rights were not the business of the national government. They were wrong. Without the basic labor protections of the New Deal, America's workers would be entirely at the mercy of corporations. Today, those who say that labor rights have no place in trade agreements are just as wrong. Unless we build a global economy that respects basic freedoms and labor rights, we are doing an enormous disservice to workers around the world.

We had a good deal of discussion over the course of these past days about the impact on workers at home and overseas. I will review for a few minutes

the plight of some of the workers at home and what I believe would have a much more favorable impact on their quality of life for themselves and their children. That is the increase in minimum wage, rather than this legislation. That is why I am strongly opposed to the legislation and why I regret very much we were unable to get an agreement by this body to address the issue of the increase in the minimum wage, which would be effectively $1.50 over a 3-year period.

There was some discussion as the majority leader requested a unanimous consent agreement that we consider this legislation by the end of June. There was an objection made by the other side that this was somehow an idea whose time has come and gone. I was reviewing last evening the Republican Presidents who signed increases in the minimum wage law. President Eisenhower signed an increase in the minimum wage law. At that time it was not a partisan issue. It was basically, how much should the increase in the minimum wage be? President Nixon signed an increase in the minimum wage law. The first President Bush signed an increase in the minimum wage law, as a number of Democratic Presidents have, as well.

It is a time-honored issue that is not complicated. It is an issue we have looked at in the Senate on a number of different occasions.

The fact remains, if we fail to see an increase in the minimum wage, we will find we have slipped to virtually an all-time low in the purchasing power of the minimum wage. That is why I strongly support the efforts of our majority leader to ensure this body will have an opportunity to address this issue no later than the end of July—hopefully with the agreement of the other side; hopefully with the support of our colleagues on the other side.

We do have several Members on the other side who will support the increase. We should not be denied the opportunity to vote on this issue.

As we look down the road in terms of this issue, I remind our colleagues what we are facing in terms of the workers at the lower end of the economic ladder.

We will, in a very short period of time—July—also be looking at welfare reform. That raises the question about how we are going to free people from dependency to independence. It seems to me what we have seen from the period since the passage of the last welfare bill is if you make work pay, you are going to get individuals who are going into jobs. They are going to need skills, they are going to need some training, they are going to have to have assurances that they have some daycare for their children. They don't want to lose any health care if they are able to receive it. But fundamentally—you have to make work pay. That is what the minimum wage issue is really all about.

That is why its discussion now is important. As we are looking at the trade bill, we hear a great deal about how this is going to improve the lot of workers at the lower part of the economic ladder. I daresay this legislation to guarantee an increase in the minimum wage will have a great deal more positive impact on their well-being.

This chart is about ''Working Hard But Losing Ground, The Real Value Of The Minimum Wage.'' If you were looking at where its purchasing power would be in 1968, in today's dollars it would be $8.14. We can see if we fail to act by next year, we will be right back to $4.70. We have not increased it in the period of the last 6 years. Workers are working longer. They are working harder. I will point that out in just a moment. But these are the facts.

This chart, ''All The Gains From The Last Increase,'' shows the gains in the last 6 years will be eaten away by inflation if we fail to act on this.

This chart shows what is happening in the minimum wage, and its relationship to the poverty line. As I have said many times, and as I believe the American people have demonstrated, they believe if people are going to work 40 hours a week, 52 weeks a year, they ought to have a livable wage. They should not have to live in poverty.

Americans understand fairness. When we look at this chart, what the poverty line is, and look at this other line indicating where the minimum wage is and how it has been falling, we can see individuals who work hard are still falling further and further below the poverty line, even though they are working, and working hard, trying to provide for themselves and provide for their families. The increase in the minimum wage can make a difference in the quality of life for those individuals.

The question comes up about what has been going on in the workplace. How about American workers? Let's look at this chart, ''Poor Parents Working Harder Than Ever.'' This is a comparison of the total number of hours workers are working today to what they were working 20 years ago.

Look at this chart. This is the increased number of hours per year for workers who are in the lowest 40-percent income bracket of families with children—the lowest 40 percent of family incomes in the country.

This shows 416 hours for all workers in the lower income level, the lower 40 percent, with children. They are working 416 hours more now than they were working 20 years ago; white workers are 393; Hispanic, 477; African American are 531 hours.

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

Mr. KENNEDY. I will yield for a question.

Mr. REID. It is my understanding—I want to know if the Senator agrees with me—that 60 percent of the people who draw minimum wage are women, and 40 percent of those women, that is the only money they get for them and their families; is that true?

Mr. KENNEDY. The Senator is quite correct. This is a women's issue because the great majority, 60 percent of those who receive the minimum wage, are women. And over one-third of those women have children, so it is a children's issue. It is quality of life for children. It is a family issue. We hear a great many speeches around here with regard to family issues. This is a family issue.

I remind the Senator from Nevada about what is happening out there in the workforce. In the lower 40 percent, which includes the minimum wage, they are working harder, longer, more than at any time in the history of our country. It is 10 or 12 weeks, effectively—effectively 10 weeks longer than they were working 20 years ago.

Look at productivity. Let me bring this to the attention of our colleagues. This chart shows the increase in productivity. We will hear many of the arguments: The increase in wages ought to be related to the increase in productivity. If that was the test, we would have an increase in the minimum wage of much more than it is today, if it was directly related to productivity because of the increase in productivity of low-wage earners. But that is not where we are on this. It should be, but we are not there.

The arguments are always made on the impact on inflation. We can discount that.

The loss of employment, we can discount that.

But this shows what has been happening in the workforce, about minimum wage workers increasing their productivity. Generally, we have always thought wages ought to be somewhat related to increased productivity. If people are going to work harder, work longer, work more efficiently, they ought to be rewarded. That is an American value. That is understandable.

That may apply to some workers, but it doesn't apply to minimum wage workers. That is a matter that should be remedied and we are going to try to remedy that with our particular proposal.

Just to get back to what is happening in terms of workers working longer and working harder, this is a general profile. This is from the ''Families And Work Institute and the Bureau of Labor Statistics.'' I will have printed in the RECORD the citations for all of this.

Workers now work more hours than workers in any industrial society—it is about 450 hours more than any other industrial society.

One in five Americans works more than 50 hours a week. If this trend continues, the average person will be working more than 60 hours per week in 20 years.

Half of young workers today say that not having enough time for family and work responsibilities is their biggest worry. These are young workers trying to raise their families, working longer and harder—increasing hours away from their families and children.

In addition to working longer hours in primary jobs, 13 percent of Americans are working a second job to make ends meet. The second jobs add an average of 13 hours to the work week. That is with regard to these minimum wage earners.

These are people, our fellow Americans, men and women of great dignity, who take pride in the jobs they are doing. All they want is respect for the jobs they are doing, and that is related to being compensated fairly and decently for their employment. This issue is about respect. This is about dignity of these working families. That is what this issue is all about.

This chart indicates that job growth continues even after the minimum wage is increased. We have heard these arguments. Let's look at what has happened to the increased minimum wage and what has happened to employment. This goes back to October 1996. This is just the jump in the minimum wage. The first increase was 50 cents. Then in 1997 it was 40 cents. You see the lines indicating the total number of Americans who are employed continues to increase. This is a false argument that suddenly we are going to lose jobs.

I want to bring this matter to the attention of our colleagues. Increasing the minimum wage by $1.50 is vital to the workers but a drop in the bucket of the national payroll.

Look at this: Americans earn $5.4 trillion a year. A $1.50 minimum wage increase would be less than one-fifth of 1 percent of the national payroll.

We will hear all the argument that this is enormously inflationary, that it will have a disruptive effect in terms of the economy. It is one-fifth of 1 percent of the national payroll for these workers. But it is vitally important to these individuals who are receiving it because it makes all the difference in the world in terms of their quality of life.

I want to show what our proposed minimum wage is really all about. It is at a historic low. We have a proposal that will be phased in over a 3-year period—60 cents this year, 50 cents in 2003, and 40 cents for 2004.

Let us look at the proposal in relationship to the increases we have had since 1956. As this chart shows, this is a very modest increase in terms of the increases in the minimum wage.

All we are trying to do is restore the purchasing power for working families who receive the minimum wage back to where we were 6 years ago. It is very modest. At that time, it finally passed overwhelmingly here in the Senate after we had been debating it for about 2 years. But it finally passed at that time.

Our proposal is an extremely modest one. As I pointed out yesterday, it makes an enormous difference in terms of the lives of the people who are receiving this.

When the $1.50 is totally phased in, it will amount to $3,000 for a minimum wage family. It is the equivalent of 15 months of groceries, over 8 months of rent, over 7 months of utilities, and full tuition for a community college degree.

That may not sound like a lot to Members of the Senate. It certainly doesn't sound like a lot for those individuals receiving this extraordinary tax break with the bill we passed, or who will be benefiting from the $600 billion the President is requesting of the Congress even at this time in terms of the future. But it makes an enormous difference to those working families.

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

Mr. KENNEDY. I yield.

Mr. REID. I listened to the Senator speak yesterday, and I heard one of the Senators on the other side of the aisle ask, Why doesn't the marketplace control this? Why don't we make it $1 million an hour?

Does the Senator respond the same way I do, that if the marketplace controlled, there would be people making less money than the minimum wage today?

My father worked before labor unions were of any power in this country. I can remember him telling me he would go to a mine that was hiring. He would hear they were hiring. People were working for nothing basically. There would be a labor boss. The men would be standing there wanting a job. ''I will take you. I will take you. And I will take you.''

The marketplace really doesn't take care of the American worker. Will the Senator agree with me?

Mr. KENNEDY. The Senator is quite correct. We are talking about entry-level jobs. As I pointed out, it is primarily women who are in the market, maybe having a family and exiting the market, and trying to come in and provide for their family. They work hard. When we think about who these individuals are making the minimum wage, they are teacher's aides in the classrooms. We passed the Leave No Child behind legislation.

We are giving this focus and attention. We have a difference with the administration on funding levels of that legislation. We think we need to invest in our children as a national priority. But the fact is, when you have children in that classroom—this is related as well to what is going on in the classroom—it is not only about having a well-qualified teacher, but also it is about teacher's aides. Teacher's aides are the ones receiving the minimum wage.

Men and women who work in nursing homes look after parents who fought in our world wars and lifted the country out of the Depression—the great heroes of our time. You will find more often than not that people working in those nursing homes are working for minimum wage. These are people who are caring and, as I mentioned, have a sense of pride. They are the people who clean the buildings so American enterprise can flourish in the daytime. They take tough, gritty jobs at nighttime in order to provide for their families. They are jobs in which men and women take a great deal of pride. They should be treated with respect and with dignity.

Let me point this out as a final chart. Speaker DENNIS HASTERT couldn't have said it any clearer on June 8 when he said:

> Lawmakers ought to be able to keep up with the cost of living so they can take care of their families and provide for their families like everybody else does. I think that's the decent thing to do.

So do I. That is what this minimum wage is all about.

DENNIS HASTERT has the right idea. Let us be able to provide an increase in the minimum wage so people can deal with the cost of living which is eating away the increase we passed 6 years ago so the parents can take care of their families and provide for them as everyone else does. That is the decent thing to do.

That is what this issue is about. It is, as I said before, a women's issue, a children's issue, a civil rights issue, but most of all a fairness issue. Americans understand fairness. They understand that people working 40 hours a week, 52 weeks of the year, and even longer now, for the minimum wage ought not to have to live in poverty. Their children should not have to live in poverty. This country is a country of fairness and decency and justice. This is a defining issue, I believe, about economic justice in this country.

Mr. REID. The Speaker of the House of Representatives approximately a year ago was not talking about minimum wage workers. He was talking about Members of Congress. Is that right?

Mr. KENNEDY. The Senator is correct.

Mr. REID. What the Senator is saying is that if Members of Congress are entitled to a cost-of-living increase, shouldn't the minimum wage worker be entitled to a cost-of-living increase?

Mr. KENNEDY. I do not know how you would answer that if you voted no in terms of the increase on this minimum wage, particularly since we have had four increases for Members of Congress since the last increase in the minimum wage. They were accepted by the membership. Why would we begrudge nearly 9 million hard-working Americans across this country who are working hard to provide for their families their opportunity to take care of their families as Members of Congress do with theirs?

This is an issue we are going to talk about during the course of these next few weeks. We welcome the opportunity to debate it. We welcome the opportunity to vote on it. I am enormously grateful to the leadership, Senator DASCHLE and Senator REID, for their strong commitment in this undertaking, and our colleagues. We look forward to that debate and discussion at an early time.

I reserve the remainder of my time.

Mr. REID. Mr. President, will the Senator yield any time he has remaining?

Mr. KENNEDY. Yes. I yield such time as remains to the Senator from Nevada.

Mr. REID. Mr. President, if there is no Republican seeking recognition, 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.

Mr. REID. Mr. President, we will make arrangements with Senator SNOWE, who wishes to speak. She has time. The Republicans want her to use it; and we want her to use it, too. But in the meantime, we have Senator KENNEDY here.

I ask we go to the next matter, which is, by virtue of the unanimous consent agreement, now before us.

PUBLIC HEALTH SECURITY AND BIOTERRORISM PREPAREDNESS AND RESPONSE ACT OF 2002—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the clerk will report the conference report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on 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, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by all conferees on the part of both Houses.

The Senate proceeded to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of May 21, 2002, on page H2691.)

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the time for the quorum I suggest be charged evenly to both sides.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, as I understand, there is an hour and a half evenly divided; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I yield myself such time as I might use.

Mr. President, today, the Senate considers historic legislation to enhance the Nation's preparedness for bioterrorism. This legislation has benefitted from the leadership of many Members of Congress on both sides of the aisle and on both sides of the Capitol. I thank all of our colleagues who have made such important contributions to this legislation. In particular, I commend my fellow conferees for their dedicated and effective leadership on this issue in the conference committee on this legislation. Under the skillful and effective leadership of our conference chairman, Representative BILLY TAUZIN, the conferees and their staffs have worked tirelessly to ensure that this legislation was completed in a timely manner, and I thank them for their efforts.

Our conference has reported legislation that will provide a historic $4.6 billion investment to prepare the Nation to respond effectively to bioterrorism. This is the single greatest investment our Nation has ever made in public health.

Many members of the public had never heard of the word ''bioterrorism'' before the anthrax attacks of last fall showed us all how chillingly vulnerable we are to this new form of terrorist attack. But bioterrorism was a challenge that our committee had addressed long before the terrible events of September 11 and the anthrax attacks of October.

In 1998, my colleague, Senator BILL FRIST, and I began to assess the Nation's preparedness for the new challenge of bioterrorism. We learned of the terrible loss of life that could result from a major attack using anthrax, Ebola, smallpox or some other deadly biological weapon. In the Armed Services Committee, my colleagues and I learned that biological weapons engineers in the former Soviet Union had conducted chilling experiments to make these already deadly pathogens yet more lethal through genetic engineering.

Our committee learned that our Nation's preparedness for the threat of bioterrorism was dangerously inadequate. Supplies of vaccine against smallpox were decades old and insufficient to protect the entire US population. We also learned that more and more germs were becoming resistant to the antibiotics doctors rely on to treat dangerous infections. The Nation's public health agencies were underfunded and understaffed. Rapid communication of information about dangerous disease outbreaks is an essential part of a national bioterrorism response yet many public health agencies lacked equipment as basic as a fax machine or an e-mail account.

To address these grave deficiencies in our Nation's response to bioterrorism and other public health emergencies, Senator FRIST and I—together with many of our colleagues in the Senate—introduced The Public Health Threats and Emergencies Act of 2000. Congress approved this legislation later that year.

The act was the basis for the infusion of needed resources that were provided to help prepare for bioterrorism in the supplemental appropriation at the end of last year. I commend my colleagues on the Appropriations subcommittees, Senator HARKIN, Senator INOUYE and Senator SPECTER, and our distinguished chairman and ranking member of the Appropriations Committee, Senator BYRD and Senator STEVENS, for their vision and leadership in recognizing the needs of the Nation for bioterrorism preparedness, and for providing the funds that will help our Nation prepare for this threat. I look forward to working with these distinguished colleagues on our supplemental appropriation and on funding for the initiatives authorized in the conference report for fiscal year 2003.

I wish I could say that all the deficiencies that Senator FRIST and I learned about in 1998 have been put right. Sadly, I cannot. But we have made a good start. Public health and laboratory personnel have received intensive training in identifying biological weapons. The laboratory technicians who identified the cause of the mysterious illnesses in Florida as anthrax had recently received such training. Without that preparation, it is impossible to know how long the anthrax attack would have gone undetected.

Our legislation authorized rebuilding of CDC's dilapidated and obsolete facilities in Atlanta. In 1998, we found that the laboratories and facilities of the CDC were in a shocking state of disrepair. Ceilings leaked onto sensitive equipment. Offices were scattered across Atlanta, requiring scientists to spend time fighting traffic when they should be fighting disease. Our legislation authorizes the funds needed to complete the CDC's building plan.

No Member of this body has been a more forceful and dedicated advocate for the CDC than my good friend, Senator MAX CLELAND. He has spared no effort in his determination to enhance the ability of CDC to improve the health of every American. He was one of the original sponsors of the legislation the Congress enacted 2 years ago to improve the CDC, and his leadership has been indispensable in including provisions to enhance CDC in the conference report. His vision and leadership has enabled CDC to become a magnet for new health care companies in

Atlanta, and he has been a guiding force in the development of a new business park. Through these tireless efforts, CDC has contributed not only to the Nation's health, but to the economy and prosperity of Atlanta and the entire State of Georgia. Senator CLELAND's leadership has been instrumental in adding over $300 million for CDC facilities to the supplemental appropriation.

Public health agencies have received new funds to invest in better training, improved laboratory equipment and modern communications technology. Medical researchers are using the tools of this new century of the life sciences to discover better ways to prevent or cure deadly infections.

We have come a long way since 1998, but we still have far to go. Too many communities are still underprepared for bioterrorism. Too many hospitals—crippled by savage cutbacks in their funding under Medicare and Medicaid—cannot make the investments needed to prepare for bioterrorism. Too many Americans are still at risk.

The conference report that the Senate is considering today expands and extends the legislation approved 2 years ago so that we can build on the progress we began in 1998.

The keys to responding effectively to a bioterrorist attack lie in three concepts: detection, treatment, and containment.

Detecting an attack is the key to containing it. Initiatives authorized in the conference report will improve the training of doctors to recognize the symptoms of a bioterrorist attack, so that precious hours will not be lost as doctors try to diagnose their patients. The report will accelerate development of new methods for disease surveillance, using modern information technology to provide real-time reporting of disease outbreaks. The report will also provide public health laboratories with the training, the equipment, and the personnel needed to identify biological weapons as quickly as possible.

Once an attack has been identified, we must have adequate medical supplies to contain it and treat its victims. The conference report requires the production of enough doses of smallpox vaccine to meet the needs of every American, so that the Nation will be protected if our enemies ever unleash this ancient plague. The legislation also enhances Federal stockpiles of pharmaceuticals, vaccines and other medical supplies that can be brought to the aid of communities affected by terrorism, as was done by Secretary Thompson so swiftly and effectively in the terrible aftermath of the attacks on New York and the Pentagon.

Bioterrorism is a threat to the entire Nation and it demands a national response. Our legislation authorizes $1.6 billion in grants to states to enhance bioterrorism preparedness in every state in the nation. The conference report also sets aside $520 million to enhance hospital preparedness for bioterrorism. Since bioterrorism will affect entire communities, our legislation encourages hospital planning to be integrated with community-wide planning by funding partnerships between hospitals and state or local governments. Our legislation also includes a proposal made by my friend, Representative ED MARKEY, to provide needed medications to communities living in the shadow of nuclear power plants.

The report will enhance preparedness for bioterrorism at the national, state and local levels. Because of the initiatives we approve today, American families can go to sleep tonight knowing that their security will be enhanced.

Title II of the conference report provides important, new protections against the misuse of dangerous pathogens like anthrax. These provisions are a decisive step forward for the security of our country. Once implemented, they will assure greater certainty over the possession and use of the substances which cause anthrax, plague and botulism.

Ever since the attacks using anthrax in the fall, our country has been trying to figure out how this could have happened. And we have learned that we don't even know who possesses anthrax in the United States. In response, and through the leadership of Senators FEINSTEIN, HARKIN, and DURBIN, we've added significant new authority for the CDC and the Department of Agriculture to oversee the possession of anthrax and other dangerous biological agents that could be used to harm our citizens or agriculture.

Laboratories will now have to register to possess such materials, and they will have to meet guidelines to ensure the safety and security of these materials. Individuals who work with these materials in labs will now be screened to see whether they are terrorists or might otherwise put the agents to criminal use.

Most importantly, we have enhanced the controls on these materials while preserving the ability to pursue legitimate research—research that will produce the treatments, vaccines, and tests that will protect us from these biological agents, should they ever be used against us.

In light of the anthrax attacks, we have become increasingly concerned that terrorists could use food as a delivery vehicle for one of these agents, or that terrorists could attack with biological agents capable of crippling or destroying our food supply and our agricultural economy. And so, we have given the FDA more funding and substantial new authority to protect the food we eat, and the USDA more funding to enhance the security of the food supply and agribusiness.

I am proud of these accomplishments. In the hands of the FDA, these provisions will be at work every day to better protect the health and safety of Americans. They will prevent deliberate attacks on our country, and they will help reduce our country's epidemic of foodborne illness. By some estimates, contaminated food in our country causes 76 million illnesses, 325,000 hospitalizations, and 5,000 deaths each and every year.

For many years, Senators CLINTON, DURBIN, MIKULSKI and REED have understood this problem and have long championed strong, new food safety authority and resources for the FDA. Senator DURBIN has made this a top priority throughout his congressional career in both the House and Senate. For years, Senator MIKULSKI and I have sought new authorities over imported foods.

Thanks to the provisions in this legislation, the American public will greatly benefit from what has been rightly described by the New York Times as ''the most significant expansion of federal authority over the food industry in more than six decades.''

FDA will have new authority to prevent unsafe food from entering the country, new authority to inspect food records and require additional records to assist in tracing the origins of foodborne illness, and new authority to register food manufacturers. And we've provided for grants to States for food inspections and for surveillance and detection of outbreaks of foodborne illness.

FDA also has more authority to track imported drugs, and authority to monitor more closely bulk ingredients of drugs, medical devices, and foods that are imported for export to ensure that these products are not diverted into domestic commerce.

Just as we have focused attention on securing our Nation's food supply, Senator JEFFORDS has led our efforts to secure our Nation's water supply. Thanks to Senator JEFFORDS' patient and deliberative efforts, this legislation will better protect the American public. As chairman of the Environment and Public Works Committee, our colleague worked closely with the ranking member, Senator BOB SMITH, on provisions to anticipate and prevent vulnerabilities in our water supply. Their careful work will fund and enable community water systems across the country to assess their vulnerabilities, address immediate and urgent security needs, and carefully plan for potential terrorist attack.

I am also happy to note that the conference report includes S. 1275, ''The Community Access to Emergency Defibrillation Act'' authored by myself and Senator FRIST. This important legislation has the demonstrated potential to save two of thousands of lives annually and is strongly endorsed by the American Heart Association.

I am very pleased we have reauthorized the Prescription Drug User Fee Act, PDUFA, for the second time. When I authored the Prescription Drug User Fee Act of 1992 with Congressmen DINGELL and WAXMAN and Senator HATCH, I hoped this law would provide urgently needed funds to the Food and Drug Administration to speed the review of new drugs. Before user fees

were enacted, FDA was short staffed and underfunded. Every beneficial drug delayed because FDA had insufficient staff to act promptly represented a therapeutic opportunity denied to patients and consumers.

The past decade has more than fulfilled my hopes and expectations. The FDA has done a remarkable job of reviewing new drugs in a rapid but deliberative manner. Patients have benefitted from the agency's dramatic success in speeding drug reviews, and this legislation promises to continue this track record of success.

At the same time that speedier approvals have benefitted patients, there have been growing concerns over whether faster speed to market for drugs has come with heightened risks to patients. The fact that more new drugs have reached American consumers first in the world means they are also the first to be exposed to new risks and new safety concerns. A recent Pulitzer Prize-winning investigation by David Willman of the Los Angeles Times documented the urgent need to balance rapid approval of drugs with an equal commitment to assuring safety.

This concern is substantiated by a recent General Accounting Office study which I requested on the user fee program. According to GAO, the proportion of safety-related drug withdrawals has increased for drugs approved under PDUFA II compared to drugs approved under the first PDUFA. While only 1.6 percent of drugs approved from 1993 through 1996 were withdrawn for safety reasons, over 5 percent of drugs approved from 1997 through 2000 were withdrawn due to safety. While the number of drugs involved is still small only seven in the latter period compared to two in the earlier period—this report is still an important caution and a substantial increase in our investment in drug safety is warranted.

These are the issues I have shared and discussed for years with patient advocates, consumer groups and independent scientists. And for many years, I have made clear that we must restore public confidence in the FDA's stewardship of prescription drugs. Our dramatic investments in drug reviews had to be matched by a corresponding renewal of effort in post-marketing surveillance and drug safety. Anything less would only serve to cast doubts on the integrity of FDA's regulation of drug safety.

In the past year, our committee, including Senators REED, CLINTON, BINGAMAN, MIKULSKI, HARKIN, DODD, and EDWARDS, worked closely with the Patient and Consumer Coalition and with independent drug safety experts to develop solutions. We found that our concerns were shared by our colleagues in the House, including Congressmen DINGELL, BROWN, WAXMAN AND STUPAK. Throughout congressional deliberations on the reauthorization of prescription drug user fees, we agreed upon the need for additional resources and stronger authorities for FDA. While it is important for us to bring drugs to market quickly, we agreed that this redoubles our obligation to assure the safety of those drugs.

Today, I am happy to say that is precisely what we have accomplished in this legislation.

First, the FDA's performance goals relating to the speed of approval have not changed. The many review staff hired by FDA with user fees can continue to scrutinize the safety of drugs seeking approval. The increased fees in the new agreement will be used not to further accelerate the approval of drugs, which is already the fastest in the world, but to assure that the studies underlying drug applications are given the most careful possible scrutiny to assure that the drugs are in fact safe and effective.

The public and my colleagues in the Senate should also understand that the performance goals contained in all of the PDUFA agreements are not goals for the approval of new drugs; rather they are goals for the timely review of new drugs. FDA meets these goals whether or not the agency approves or denies approval of a drug.

Best of all, I want my colleagues to know that this reauthorization is a tremendous accomplishment where drug safety is concerned. We will increase FDA's drug safety spending by over 80 percent over the life of this user fee agreement. With FDA's annual drug safety activities currently funded at $36 million, this legislation will ensure an increase of $29 million in the fifth year of this agreement, for a total of $65 million in annual drug safety funding at FDA.

To achieve this goal, we have made a fundamental change to how user fees are used. The user fee agreement includes a dramatic funding increase of $76 million over five years for FDA to plan, execute and fund drug safety ''risk management'' activities for newly marketed drugs. While these activities would be limited in scope and duration, FDA will be able to greatly expand its focused scrutiny of these drugs.

But in order to give FDA greater freedom of action, we have also mandated substantial funding increases for the agency's Office of Drug Safety. In fiscal year 2003, the Office will receive an additional $5 million, and an additional $10 million in fiscal year 2004, with increases assured in subsequent years. Since these funds will be drawn from FDA's appropriations, Congressman TAUZIN, my fellow conferees and I are committed to doing all that is necessary to ensure that these are new funds and will not be cannibalized from FDA's other essential programs and activities.

We have made other important steps to advance public health and safety. In response to the explosion of direct-to-consumer drug advertising, we have authorized an additional $27 million over five years for FDA's scrutiny of drug advertising and promotions. In response to delays in generic drug approvals, some of which arise from anticompetitive practices by the brand-name drug industry, we have authorized an additional $45 million over five years for FDA's Office of Generic Drugs to ensure that generic drugs reach the public more quickly.

We have also squarely addressed a persistent problem with the prescription drug industry. For years, drug companies would promise to complete post-market, or phase IV, clinical trials to answer important questions about their products. These commitments paved the way for reaching the market earlier. In the case of fast track drugs and drugs approved through the accelerated approval, these trials were mandatory. Yet many companies have failed to begin or complete these trials. And to respond, FDA's only—and usually unacceptable—recourse would be to withdraw a drug for market.

The industry's track record has been disappointing. According to the FDA, since 1998, only four of 109 post-market commitments have been fulfilled for fast track drugs. Only a quarter of the industry's commitments for standard drugs since 1991 have been fulfilled. And only a third of its commitments for accelerated approval drugs since 1992 have been fulfilled.

Five years ago, I urged the adoption of new authorities for FDA to enable the agency to bring these companies into compliance with the law and to ensure these essential trials are conducted in a timely way. I am very pleased that this legislation includes new authority for the FDA to publicize the failure of companies to fulfill their legal obligations to complete post-market studies. FDA will publicize such failures through their website, through 'dear prescriber' letters, and public statements on the late, uncompleted studies and the resulting, unanswered questions of clinical benefit and safety. I am hopeful that the FDA will be able to employ these new tools to bring about more responsible conduct by the industry, and consequently resolve unresolved questions of drug safety and efficacy.

I am disappointed that some of my colleagues objected to addressing in this legislation a crucial priority for children's health. The FDA has a Pediatric Rule that requires a company, before approval of a drug, to study in children the use for which approval is sought in adults. It also gives FDA the authority to require, in certain circumstances, that drugs that are already marketed be studied for their approved use in children. The Pediatric Rule has always served as a complement to pediatric exclusivity, which we recently reauthorized in the Best Pharmaceuticals for Children Act.

But today, the Rule is being challenged in court by parties who believe the drug industry should be free to decide when or whether to determine their drugs are safe and effective for

children. The Rule was recently threatened with withdrawal, but the Administration reconsidered this ill-advised step.

That is why a clear signal must be sent. This research is of critical importance to children. Without the Rule, less of this research will be conducted. And some products, such as biologicals, will not be studied at all.

With my colleagues, Senators CLINTON, DODD and DEWINE, I intend to pursue this issue in the coming months. We cannot afford to compromise the health of our children with half measures.

Finally, I am disappointed that we could not reach agreement on legislation enacting medical device user fees. In 1994, I introduced such legislation with Congressmen DINGELL and WAXMAN. But dissension within the device industry prevented us from enacting this important reform. Since then, the FDA Center for Devices and Radiological Health and suffered severe losses in its budget and staffing. Its staff has shrunk by almost eight percent since 1995 and it has effectively lost more than $34 million in its base funding.

With support of my colleague, Senator GREGG, we urged the FDA and the device industry to seek agreement on performance goals and fees. And to their great credit, the FDA and the industry reached agreement. But some in the device industry insisted on including extraneous proposals that could not be worked out in the limited time available.

Medical device user fees are a win for patients, the industry and the FDA. That is why I am committed to achieving a consensus on this issue. I believe that we can enact such legislation, so long as we can dispense with extraneous controversies and focus on the common goals of restoring the resources of FDA's device center, establishing reasonable performance goals for device reviews, and assuring that safe and effective devices are approved in a more timely manner.

The timely completion of the conference report would not have been possible without the hard work of the many staff members who worked on this important legislation. I particularly want to thank Bill Baird of Senate Legislative Counsel and Pete Goodloe of House Legislative Counsel. Both of these dedicated professionals worked many long, late hours and met many tight deadlines to allow this report to be completed.

I want to also thank Patrick Morrissey, Tom DiLenge, Brent Delmonte, Amit Sachdev, Bob Meyers and Nandan Kenkeremath from Congressman TAUZIN's staff; Katy French, Vince Ventimiglia, and Steve Irizarry from Senator GREGG's staff; Adam Gluck, Eric Juzenas, and Lowell Ungar with Senator HARKIN; Rhonda Richards with Senator MIKULSKI; Alison Taylor, Jo-Ellen Darcy, and Sean Donohue with Senator JEFFORDS; Deb Barrett and Jim Fenton with Senator DODD; Shana Christrup, Helen Rhee and Dean Rosen from Senator FRIST's staff; John Ford, David Nelson, Edith Holleman, Bridgett Taylor and Dick Frandsen from Congressman DINGELL's staff; Karen Nelson, Ann Witt and Greg Dotson with Congressman WAXMAN.

On my own staff, I want to thank David Bowen for his outstanding work on all aspects of the bioterrorism issue. He has been tireless and insightful and I know everyone involved in this effort appreciates his work.

I also want to thank Paul Kim and David Dorsey for their extraordinary efforts to assure protection of our food and water supply, as well as providing better security for potentially dangerous bio-materials in our nation's laboratories. They also worked very hard to assure that the Prescription Drug User Fee Agreement was a step forward for every patient in this country.

David Nexon, my Health Staff Director, brought his usual energy and commitment to the effort. Michael Myers, the Health, Education, Labor, and Pension Committee Staff Director, kept his hand on the tiller throughout.

The conference report is a landmark in our national response to terrorism and the security threats of this new century. Congress today sends the message in one unified and clear voice that this nation will not remain unprepared for the threat of bioterrorism. The front lines in the new war against bioterrorism will be our health care system. Today we take a historic step forward in preparing America's health care professionals to win the war against bioterrorism.

AMENDMENT NO. 3462, AS MODIFIED

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Corzine amendment No. 3462 be modified with the language at the desk; further, that the amendment be agreed to, and the motion to reconsider be laid upon the table.

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

The amendment (No. 3462), as modified, is as follows:

Beginning on page 208, beginning on line 4, strike all through page 211, line 19, and insert the following:

SEC. 1143. BORDER SEARCH AUTHORITY FOR CERTAIN CONTRABAND IN OUTBOUND MAIL.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 582 the following:

"SEC. 583. EXAMINATION OF OUTBOUND MAIL.

''(a) EXAMINATION.—

''(1) IN GENERAL.—For purposes of ensuring compliance with the Customs laws of the United States and other laws enforced by the Customs Service, including the provisions of law described in paragraph (2), a Customs officer may, subject to the provisions of this section, stop and search at the border, without a search warrant, mail of domestic origin transmitted for export by the United States Postal Service and foreign mail transiting the United States that is being imported or exported by the United States Postal Service.

''(2) PROVISIONS OF LAW DESCRIBED.—The provisions of law described in this paragraph are the following:

''(A) Section 5316 of title 31, United States Code (relating to reports on exporting and importing monetary instruments).

''(B) Sections 1461, 1463, 1465, and 1466, and chapter 110 of title 18, United States Code (relating to obscenity and child pornography).

''(C) Section 1003 of the Controlled Substances Import and Export Act (relating to exportation of controlled substances) (21 U.S.C. 953).

''(D) The Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.).

''(E) Section 38 of the Arms Export Control Act (22 U.S.C. 2778).

''(F) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

''(b) SEARCH OF MAIL NOT SEALED AGAINST INSPECTION AND OTHER MAIL.—Mail not sealed against inspection under the postal laws and regulations of the United States, mail which bears a Customs declaration, and mail with respect to which the sender or addressee has consented in writing to search, may be searched by a Customs officer.

''(c) SEARCH OF MAIL SEALED AGAINST INSPECTION WEIGHING IN EXCESS OF 16 OUNCES.—

''(1) IN GENERAL.—Mail weighing in excess of 16 ounces sealed against inspection under the postal laws and regulations of the United States may be searched by a Customs officer, subject to paragraph (2), if there is reasonable cause to suspect that such mail contains one or more of the following:

''(A) Monetary instruments, as defined in section 1956 of title 18, United States Code.

''(B) A weapon of mass destruction, as defined in section 2332a(b) of title 18, United States Code.

''(C) A drug or other substance listed in schedule I, II, III, or IV in section 202 of the Controlled Substances Act (21 U.S.C. 812).

''(D) National defense and related information transmitted in violation of any of sections 793 through 798 of title 18, United States Code.

''(E) Merchandise mailed in violation of section 1715 or 1716 of title 18, United States Code.

''(F) Merchandise mailed in violation of any provision of chapter 71 (relating to obscenity) or chapter 110 (relating to sexual exploitation and other abuse of children) of title 18, United States Code.

''(G) Merchandise mailed in violation of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.).

''(H) Merchandise mailed in violation of section 38 of the Arms Export Control Act (22 U.S.C. 2778).

''(I) Merchandise mailed in violation of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

''(J) Merchandise mailed in violation of the Trading with the Enemy Act (50 U.S.C. App. 1 et seq.).

''(K) Merchandise subject to any other law enforced by the Customs Service.

''(2) LIMITATION.—No person acting under the authority of paragraph (1) shall read, or authorize any other person to read, any correspondence contained in mail sealed against inspection unless prior to so reading—

''(A) a search warrant has been issued pursuant to rule 41 of the Federal Rules of Criminal Procedure; or

''(B) the sender or addressee has given written authorization for such reading.

''(d) SEARCH OF MAIL SEALED AGAINST INSPECTION WEIGHING 16 OUNCES OR LESS.—Notwithstanding any other provision of this section, subsection (a)(1) shall not apply to mail weighing 16 ounces or less sealed against inspection under the postal laws and regulations of the United States.''.

(b) CERTIFICATION BY SECRETARY.—Not later than 3 months after the date of enactment of this section, the Secretary of State shall determine whether the application of section 583 of the Tariff Act of 1930 to foreign mail transiting the United States that is imported or exported by the United States Postal Service is being handled in a manner consistent with international law and any international obligation of the United States. Section 583 of such Act shall not apply to such foreign mail unless the Secretary certifies to Congress that the application of such section 583 is consistent with international law and any international obligation of the United States.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on the date of enactment of this Act.

(2) CERTIFICATION WITH RESPECT TO FOREIGN MAIL.—The provisions of section 583 of the Tariff Act of 1930 relating to foreign mail transiting the United States that is imported or exported by the United States Postal Service shall not take effect until the Secretary of State certifies to Congress, pursuant to subsection (b), that the application of such section 583 is consistent with international law and any international obligation of the United States.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I thank the Senator from Massachusetts for his exceptional leadership on this piece of legislation, along with the many members of the committee I have worked with and about whom I will talk later on as I discuss the implications of this piece of legislation. Also, I thank our House colleagues who produced an excellent bill on their own. As a result, we were able to merge the best of the two which, I believe, produce a superb package, although lacking in a couple of items, as alluded to by the chairman of the committee.

It is basically an extremely positive package, and it puts us well down the road to addressing what is clearly one of the most threatening situations we have as a society, and that is the capacity of those who wish us ill—and, regrettably, there are a number of people and organizations in this world who wish us ill and would use weapons of mass destruction against us, which would include biological warfare.

We saw, of course, the devastating impact of a biological event with the anthrax incident, and the President has been speaking about this as he has been moving through Europe on his trip, that some nations in this world are continuing to develop biological weapons and may be making those weapons available to terrorists.

We as a nation, whether we like it or not, have to get ready to confront this threat. This bill will do a great deal to put us in a position to accomplish that.

The bill is structured around a variety of points, and I will go into them in specific detail, but the concept of the bill is basically to significantly improve our Federal capability to deal with a biological event and prepare ourselves with adequate vaccines and adequate research in the area of developing vaccines to confront bioterrorism and, at the same time, look to the local communities and the States and significantly improve the public health capability of the States and the local communities so that they, as the first responders, will be able to manage an event should the worst occur, and we will be able to deal with it in an effective and prompt way.

The bill makes a significant commitment of resources well beyond what we had anticipated making when we started down this road but which are necessary. In this war on terrorism, we cannot look at pricetags, we must look at results. It is going to cost a great deal to accomplish the results we need.

This bill, although long-awaited, will definitely better prepare this Nation to respond to attacks which use biological, chemical, or other weapons of mass destruction.

The bill provides grants to States and local public health agencies to assist in preparing for a biological terrorist attack. With these resources, unlike prior law, even small States such as New Hampshire are assured the ability to prepare and respond to a bioterrorist attack or other public health emergency.

Because of the importance of State preparedness and the amount of resources that have been provided, I intend to play an active role in making sure these funds are not just received by hospitals and State and local governments but that they are well spent for the benefit of the American citizenry.

An important part of this bill is ensuring that the funds are spent consistent with a State's bioterrorism plans. In addition, we have already begun oversight of the program and look forward to working with the administration and grant recipients as work under the grants begins in earnest.

Further, under section 102, we will help ensure effective communication and cooperation among the State, local, and Federal agencies by creating a new Assistant Secretary for Public Health Emergency Preparedness at HHS.

Also, the volunteer spirit has always been alive and well, especially in New Hampshire, and I am pleased this conference report includes several provisions which are designed to facilitate voluntarism in preparing for public health emergencies and especially bioterrorism emergencies.

Title I also includes a number of provisions intended to further speed lifesaving products to citizens before we are faced with another serious threat of bioterrorism.

Section 121 ensures that stockpiles of products are improved immediately so that there is an adequate supply to protect our citizens from bioterrorism and other threats. This year we provided the funding necessary to fulfill this commitment, and the Secretary is directed to improve not just the stockpile contents but the supply chain management of and local access to products.

The bill improves the Secretary's authority to, one, prioritize and do research on new vaccines and therapies; two, rely on all available forms of proof of safety and effectiveness, including animal trials; and three, accelerate approval of these products. This is absolutely critical if we are to be prepared with adequate vaccines to make sure our citizenry is protected.

Title II includes the expanded Gregg-Feinstein provisions initially passed by the Senate late last year as part of the appropriations legislation.

As the recent anthrax attack has suggested, current authorities have been inadequate to ensure the Government can track the use of biological agents and toxins such as anthrax and botulinum toxins, West Nile virus, and the like, and to protect against their misuse.

The bill makes critical improvements in the Secretary's ability to identify who is handling and doing research with these agents and toxins, to ensure they are qualified to handle these agents, and to ensure they are not restricted due to inappropriate background or current intent.

The bill also ensures that universities, laboratories, and agencies working with these agents are registered, appropriately qualified, and have adequate security in place.

Many of these agents are used in important research or for important therapeutic purposes in animals and humans. These uses must remain protected and promoted even as we protect the public from their misuse. The bill ensures important exemptions, for example, for FDA-approved products using or investigating these agents or toxins.

Title III of the bill provides the FDA with additional inspection, recordkeeping, and detainment authority to ensure the safety of America's food and drug supply and increases the number of FDA food inspectors. Senator KENNEDY spoke about this at some length.

The bill also improves our capacity to prevent, detect, and respond to an attack on American farmers, livestock, and poultry producers, and certainly Senator ROBERTS deserves great credit for that. I know he is going to be speaking in a few minutes.

Finally, it provides funds to community drinking water systems to allow them to assess any possible vulnerabilities and to institute measures to prevent tampering. Many have been concerned about having these vulnerability studies go to the EPA which does not have a solid track record of maintaining control over sensitive information. We must ensure that the EPA allocates resources and institutes procedures designed to prevent this information from falling into the wrong hands. It would do no good for us to develop these studies and then find that terrorists had been able to use these studies against us.

Conferees also succeeded in reauthorizing PDUFA, which has already been mentioned by the chairman, which has so successfully ensured patients timely access to safe, effective, and lifesaving drugs. By collecting fees from pharmaceutical companies, FDA can hire additional reviewers and support staff and speed the drug review process without compromising safety or review quality.

Under the agreement, the amount of funding FDA receives under the program will increase by over 28 percent, and in today's deficit environment this will be of significant assistance. Voluntary user fees are substantial and essential sources of revenue that the agency cannot afford to lose.

I am concerned, however, that this bill does not include some of the following items that are particularly critical to the ability of this country to rapidly prepare for, detect, or respond to biological threats, including anthrax, smallpox, and botulism.

In the antitrust area, the Senate bill included a bipartisan consensus provision supported by the Judiciary Committee that would extend protection to manufacturers of vaccines and their therapies for bioterrorism agents when the companies were engaged in discussions with the Secretary over how best to meet the unmet needs of the United States.

It is critical these companies be able to discuss frankly with the Secretary their capacities and their strengths so that they can have rapid research and develop new vaccines and drugs that protect us against bioterrorism acts. This provision was, regrettably, dropped in conference over my strong objection. I will continue to press for it in other arenas.

In many critical respects, this Nation remains unprepared for bioterrorism threats simply because the threat of unreasonable and abusive lawsuits has kept good ideas and good products from being available to our citizens. Examples include decontamination services and cleanup services for contaminated worksites, unavailable because of a threat a lawyer might sue the company.

Lifesaving vaccines also remain undeveloped for these same reasons. Respirator manufacturers risk the threat of suit when volunteers misuse a mask in the midst of the chaos during a crisis.

I intend to work for a solution this year with many of my colleagues who have expressed support for reasonable liability protections so we can bring on to the market the necessary devices and vaccines in order to address these needs and make sure our marketplace is able to respond effectively to the threat.

Finally, I note my disappointment that the final package did not include critical new user fee programs for the FDA's device on animal drug centers and accompanying reforms that would dramatically improve regulation of those products. These programs and reforms are essential to ensuring that our Nation continues to be the leader in developing lifesaving therapies and technologies.

However, I am heartened by the extraordinary bipartisan, bicameral support demonstrated for those provisions during the conference. I look forward to working with my colleagues, particularly Senator DODD, Senator HUTCHINSON, and Senator KENNEDY, in the development of a strong user fee and reform package. I understand the House intends to move this separately, and certainly I hope we will be able to do the same in the Senate.

There are a lot of people who worked very hard on this bill to make it a success. Certainly Senator KENNEDY was a leader, and he is to be congratulated for his foresight in this matter. Senator FRIST, whose knowledge in this area is unique and brings so much to the table in the Senate, was a major player in designing much of this bill; Senator ENZI and Senator TIM HUTCHINSON for their critical role in ensuring the capacity of all States, but especially rural States, to have capacity to prepare for attacks. Senator SUSAN COLLINS played a critical role in developing the Senate food supply safety provisions, a role reflected in a long history working to pass such legislation. Senator HUTCHINSON also played the single most critical role in the provision protecting America's agricultural livestock and poultry provisions. His animal enterprise provision, which will protect our folks working on the next generation of lifesaving vaccines and medicines, is absolutely essential.

I am also pleased with the inclusion in this bill of so much of Senator HUTCHINSON's legislation concerning improvement in the ability to bring antibioterrorism products to the American citizen; Senator SESSIONS for his tremendous effort with regard to the minor use, minor species provisions, which would have provided safe and effective drugs for minor animal species for which therapies are currently unavailable.

Unfortunately, this provision was not included in the final bill, but it is sound policy and I will continue to support his efforts and to pass this legislation; Senator ROBERTS whose attention to the issue of farm policy and the effect of bioterrorism issues relative to our farm community was absolutely critical to the design of this bill.

At a staff level, I have an exceptional staff. They have worked thousands of hours, days and nights, and I thank them very much. Vince Ventimiglia, Steve Irizarry, and Katy French did a superb job. I also thank the majority staff led by David Nixon, and the many people he has working with him. Also, I thank Dean Rosen on Senator FRIST's staff.

I yield 10 minutes to the Senator from Kansas, Mr. ROBERTS.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. ROBERTS. I thank the Senator for yielding. The completion of the Bioterrorism Preparedness Act conference report, in my view, represents an absolutely vital and significant step forward for our Nation as we work to protect ourselves from any kind of a terrorist attack involving bioterrorism.

I also had the privilege of being chairman and now ranking member of the Emerging Threats Subcommittee of the Armed Services Committee. We had witness after witness and commission after commission. We asked them: What keeps you up at night? Each and every time when we tried to prioritize the threat that faced this country, bioterrorism was listed as No. 1.

I thank Senator KENNEDY for his leadership with regard to this bill. I echo the comments by Senator GREGG, who has been extremely helpful and led the effort on our side. I especially thank Senator FRIST whose expertise and leadership with the Centers for Disease Control and the Department of Health and Human Services, plus his personal expertise, is second to none. If he is not the godfather of this bill, he is indeed the godprince. So I thank him for those efforts.

This bill also represents a significant advancement in helping to protect agriculture and our Nation's food supply from a possible agroterrorist attack. The legislation contains language based on numerous provisions I introduced in the bill some time ago. It was called the Biosecurity for Agriculture Act. I think that was last fall.

Specifically, the bill provides funding authorization for $190 million for expanded agroterrorism research in 2002 and such sums as necessary in the future years.

This language will allow us to significantly expand our research capabilities to deal with these threats. It will allow us to expand existing research partnerships between the Department of Agriculture and many of our land grant universities to develop first-responder capability in case we have an agroterrorist attack. It is going to create many additional partnerships. It will increase the coordination between the Department of Agriculture and the intelligence community, and undertake research to develop what we call rapid field test kits that will allow us to make a determination of the possible introduction of any pathogen or disease within minutes or hours instead of days or weeks, as often occurs, as of today.

In addition, the bill also includes language similar to that I introduced to authorize funding for the upgrades of the Department of Agriculture research facilities at Plum Island, NY, Ames, IA, Laramie, WY, and Athens, GA. These facilities really represent the frontline in the Department of Agriculture's research efforts to prevent disease outbreaks in the United States.

Why is the inclusion of this provision in this particular bill so important? I am not aware of any specific threat, but the possibility of agroterrorism or

food security attacks is very real, and it has increased since September 11.

Second, we know the former Soviet Union had developed literally tons of biowarfare agents that were to be aimed at the North American food supply. Many of these agents are still housed in unsecured facilities. I have been there. Senator LUGAR has been there. Many of the scientists are simply unemployed and are willing to work for the highest bidder, and that is a grave concern.

Third, we know several of the September 11 hijackers had significant agricultural training. It would be very easy to introduce a disease such as foot and mouth disease or Karnal Bunt, and the effects would be devastating to our grain supply and our livestock production. Our exports would be lost and consumer confidence would simply plummet. Food shortages would occur in our Nation's cities.

This is particularly frightening when we realize that agriculture is one of the few sectors of the economy with a trade surplus. Using 1999 numbers, agriculture and agribusiness-related industries accounted for approximately 22 million jobs, almost 17 percent of the gross domestic product. The overall contribution to the Nation's GDP in 1999 was $1.5 trillion. That is at risk. And the cheap U.S. food supply kept the total portion of the individual income spent on food to about a dime or 10 percent—one dime out of the consumer's disposal income dollar for that so-called market basket of food. A terrorist attack would certainly endanger that.

The importance of this sector to our economy, and our national security, cannot be underestimated. We must take the steps to protect our agricultural producers, our farmers, our ranchers, and our food supply. This bill represents a very important step.

I thank my colleagues who have worked with me on this issue. I thank the staff of the HELP Committee in working with my staff and those on the Agriculture Committee. I thank them for their assistance, including these provisions in this legislation.

I yield back the remainder of my allotted time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, we have learned a lot about terrorism since September of last year. We have learned that terrorists prey on vulnerability. Our vulnerability becomes their target. This bill reduces our vulnerability when it comes to this threat of bioterrorism and thus reduces the likelihood of an attack by reducing our vulnerability and reduces the potential damage an attack may cause by improving and strengthening our response.

We have learned the goal of a bioterror attack is not only to hurt people directly but to paralyze them, to cause panic. This bill will calm the nerves and keep order in the event there is another bioterror attack.

This bill addresses prevention and preparedness, as well as response. Indeed, this bill touches all areas of preparedness: Protecting our food and water, boosting medical stockpiles, and supporting our local communities and public health infrastructure.

This bill emphasizes the local response and local preparedness. It recognizes that it is local people who will respond in the event of a bioterror attack. It is about whom you call when you suspect something, whom you call if you are worried about bioterrorism: The family doctors, the emergency workers, the health care professionals. Today, with this legislation we make the first people on the scene our first priority.

Over 3 months after the tragedies of September 11 and slightly more than 60 days after the anthrax attacks, Congress provided a record $3 billion in emergency bioterrorism funding. This was in December of last year. This was a historic investment. As we have learned since that time, it must be only a downpayment toward ensuring that America is fully prepared to respond to bioterrorism and other public health risks.

Today, we take another important and very necessary step toward securing our Nation with the Public Health Security and Bioterrorism Preparedness and Response Act. It is a cohesive and comprehensive framework to improve our public health system and thereby reduce our vulnerability.

I, too, thank Senator KENNEDY and Senator GREGG for their leadership and their tremendous contributions to this conference report. I thank our colleagues in the House of Representatives, primarily Chairman TAUZIN and Representative DINGELL, for their huge and important efforts. Yesterday's overwhelming vote in the House in favor of passing this conference agreement demonstrates this legislation is truly broad and bipartisan.

There is no question we live today in a more dangerous world, much more dangerous than we envisioned before September 11, much more dangerous than we had envisioned before the anthrax-laden letters were delivered across the east coast. We are not unprepared for a bioterror attack, but we are clearly underprepared. This bill goes a long way in boosting that preparedness and reducing the vulnerabilities.

We know terrorists around the world, including al-Qaida, are intent on using biological weapons against us. We know more than a dozen nations—including Iraq, North Korea, Libya, Syria—have the capability to produce chemical and biological weapons, and many have stockpiled such biological weapons in the past. We know thousands of Soviet scientists who have the expertise to develop biological weapons are, today, unemployed, and potentially available to the highest bidder.

Yes, the risk is real. We know the risk is increasing. The National Intelligence Council warns:

> The biological warfare capabilities of state and non-state actors are growing worldwide. This trend leads us to believe that the risk of an attack against the United States, its interests and allies will increase in the coming years.

This bill is the foundation and framework for our response.

Iraq launched a robust biological program in 1985 and has admitted to producing large quantities of agents and weapons, including 19,000 liters of botulinum—in fact, 10,000 liters loaded into munitions—and 8,500 liters of anthrax—and 6,500 were loaded into munitions. During the gulf war, Iraq weaponized 100 bombs and 15 missile warheads with botulinum, and 50 bombs and 10 missile warheads with anthrax.

Nonstate actors are also a threat. CIA Director George Tenet has been quoted recently in the New York Times as saying: Documents recovered from al-Qaida facilities in Afghanistan show that Osama bin Laden was pursuing a sophisticated biological weapons research program. U.S. forces discovered a facility in southern Afghanistan near Kandahar that was being built to produce biological agents.

Our vulnerabilities remain high. This bill addresses reducing those vulnerabilities. Most public health departments in the United States do not have staff fully trained in bioterrorism. A recent report showed that one-third of public health departments serving 25,000 or fewer people had no Internet access, and one-quarter of public health staff had no electronic or e-mail. Today more than 99 percent of food imported into this country is never inspected.

The American people, with passage of this legislation, should rest easier, knowing that our Government is taking the steps necessary to respond to this threat at the local level, at the State level, and at the national level. This legislation will ensure that we continue to act both rapidly and appropriately to secure the Nation against future attacks on our freedom.

What does the bill do? The conference agreement provides the resources necessary to improve the training of those first responders, to those doctors, to nurses, to public health officials at the local level. They are the first line of defense. The bill authorizes $300 million both in 2002 and 2003 to strengthen the capabilities of the Centers for Disease Control and Prevention and modernize its facilities. The bill enhances our national research capabilities and helps speed the development of needed drugs, of needed vaccines, diagnostic tests, and other priority countermeasures. And the bill helps ensure that our national strategic pharmaceutical stockpile is adequate to meet the needs of America.

The October anthrax-laden letters underscored the importance of coordination, the importance of communication. The conference agreement puts in place structures to ensure improved

government coordination, as well as improved collaboration between government and the private sector. The legislation helps us develop the state-of-the-art communication infrastructure so we can more readily and more rapidly identify and treat infectious disease outbreaks. It also helps ensure that our children and other vulnerable populations are better prepared.

This conference agreement will significantly improve our ability to protect our water supply, our food supply, our Nation's agriculture, and it will help better track and regulate the use of dangerous pathogens within our borders.

The bill focuses on what happens at the local level, at the community level. If you are suspicious, if an attack occurs, you pick up the telephone, you call somebody, or go to a local facility. This bill underscores the importance of support at the local level.

The legislation will provide significant new resources, $1.6 billion in the year 2003 alone, to strengthen our State and local public health systems. We have underinvested in our public health infrastructure in the last 30 years in this country.

As the title of the bill makes clear, this legislation will not only improve our ability to respond to bioterrorism but to other public health risks, and emergencies as well, whether they be from other intentional acts of terrorism, nuclear attacks, chemical accidents or attacks, or from naturally occurring infectious disease outbreaks, the so-called dual use of the investment that we put in public health today.

I am proud to be part of this legislation. I believe that years from now America will look back upon this bill as landmark legislation, a landmark achievement, a turning point in our commitment to strengthening our defenses, focusing on biological threats.

As has been mentioned by my colleagues, I am very pleased with the reauthorization of what is called the Prescription Drug User Fee Act. This important law helps make it possible for the Food and Drug Administration to hire additional manpower and expertise to speed the drug approval process so consumers can benefit more quickly in a safe way from life-saving drugs.

I am also pleased this agreement includes the Frist-Kennedy Emergency Access to Defibrillator Act, an act which has passed the Senate earlier this year, a provision which will provide annual grants to deploy lifesaving cardiac heart defibrillators in more public buildings.

My colleague, Senator GREGG, has already recognized so many people who have participated in such an admirable way to this bill. There are items that I, too, would like to have included in this particular bill that are not in the final package, items that I think we must continue to address in the Senate and in committee. I believe we need more certainty if private industry truly is to become a partner in combating bioterrorism. To harness the genius, to harness the resources of private companies in these efforts, we should continue to find ways to protect companies from frivolous lawsuits and provide pharmaceutical research companies and others the certainty that they will not face antitrust enforcement simply because they are collaborating with the Government and their business partners to more rapidly and more rationally develop vaccines and other countermeasures.

This is a solid bill. It combines sound policy and enhanced resources to better prepare our Nation and to provide security to the American people. Once again, I commend Senator KENNEDY for his dedication and leadership. In many ways, this legislation builds upon a foundation we began about 3 years ago as we began, in a bipartisan way, to develop this issue of bioterrorism. He and I agree that protecting the American people from bioterrorist attacks and other public health threats and emergencies does require a robust, a reinvigorated public health system.

I also thank and commend the ranking member of the Senate HELP Committee, Senator GREGG, as well as the other Senate Republican conferees he has previously mentioned, Senator ENZI and Senator TIM HUTCHINSON, for the tremendous work he is doing in the agricultural and rural elements of the bill. Other Members, Senators ROBERTS, DEWINE, COLLINS, and HATCH, also were instrumental in drafting this important legislation.

Finally, it is difficult to pass legislation of this magnitude without the assistance and diligence of dedicated staff. Most of those staff members have been recognized already. I do want to thank members of my own staff, in particular Dean Rosen, Helen Rhee, Shana Christrup, and Doug Campos-Outcalt, a fellow in my office. I would also like to recognize the contributions of Vince Ventimiglia, Katy French, and Steve Irizzary of Senator GREGG's staff; David Nexon, Paul Kim, David Bowen, and David Dorsey of Senator KENNEDY's staff; Raissa Geary of Senator ENZI's staff; Kate Hull of Senator HUTCHINSON's staff; and Mike Seyfert and Lisa Meyer of Senator ROBERTS' staff.

Finally, with this bill we will take away one of the most formidable weapons in the terrorist arsenal, and that is our own vulnerability.

I yield the floor.

Mr. KENNEDY. Mr. President, I yield 7 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 7 minutes.

Mrs. CLINTON. I thank the chairman for yielding me that time. I, too, wish to add my words of gratitude for the work that has been done on this bipartisan, comprehensive bioterrorism legislation. Under the leadership of Chairman KENNEDY and Ranking Member GREGG, and Senator FRIST, as well as a number of others of our colleagues, we are about to pass legislation that I think will make a significant difference in the health, safety, and preparedness of our Nation. Americans know we cannot wait for another bioterrorism incident such as the one we suffered last fall with respect to the anthrax attacks before we take action to protect ourselves.

This bill contains a number of critical provisions that will improve national, State, and local preparedness. The authorization of a national stockpile of vaccines, antibiotics, and other drugs necessary in the case of an outbreak or other incident is absolutely essential.

Furthermore, the emphasis on public health is long overdue, as Senator FRIST so eloquently stated. This bill will invest over $1 billion in grants to our States to assure the adequate planning that is necessary to improve State and local public health system preparedness.

I know all of us were surprised when we learned that many public health offices were more in the early 20th century with respect to their equipment and communications capability than in the early 21st century. They didn't have fax machines or e-mail capabilities. One of the problems we encountered with respect to our efforts to get ahead of the anthrax outbreaks and attacks was, in fact, the inability to communicate at different levels of government.

The underinvestment in our public health infrastructure has been unacceptable. Now we are about to reverse it. This is long overdue and to be applauded.

I also appreciate the bill authorizing $520 million to equip hospitals to respond to bioterrorism.

After 9–11, when we had our hospitals on alert to try to take care of what we at the time thought would be thousands of injured people—unfortunately, it turned out to be thousands of deaths and relatively few people who were injured—we found we were not prepared because we could not perform many of the functions that were necessary, not only to respond to the attacks but the aftermath.

For example, many of the first responders went, after their duties at the Ground Zero site, to be decontaminated. There was no decontamination system. Many ended up at our hospitals in New York and were in very cramped and totally insufficient situations to try to decontaminate them before they went back to Ground Zero.

That is just one example of what we determined was absolutely unacceptable, given the threats we currently face. So we will be providing training and other provisions to promote the development and production of treatments and what is necessary for our hospitals to be prepared.

I also applaud the inclusion of strong provisions to safeguard our food supply

and to provide for the protection of our children. We are finally coming into the recognition that we have not protected our food supply, now that we are in a global marketplace, the way we need to. These provisions that are included are ones that I and others have long believed were absolutely essential to establishing a registration system for food manufacturers, to give the FDA records inspection authority to trace back investigations, to provide for prior notice of imported food, to allow the cross-utilization of inspectors—both from USDA and FDA—to provide grants for surveillance and protection, and to improve the surveillance of diseases affecting both animals and humans.

I am very pleased, too, that this bill contains provisions I introduced in legislation, along with Senator DODD and Congresswoman SLAUGHTER from New York, to address the special needs of children.

We know children have special vulnerabilities, and we also know biological and chemical agents can have a particularly bad and different effect on children because children are lower to the ground where we have gases that are dense and inert. We have other challenges in dealing with what happens to our children dealing with a bioterrorism attack. We have therefore established a national advisory commission on children and bioterrorism, and we will do much more to try to provide guidance on how best to protect our children.

I also applaud the provision of $100 million to keep Plum Island, off the coast of New York, at its current biosecurity level and to modernize and improve the security of the facilities.

Also, I think it is essential we are adding to our security at water systems and expanding the availability of potassium iodide for communities near nuclear powerplants, such as Indian Point near where I live.

While we have taken such strong steps related to bioterrorism and children and food security and water security, I do have to express a disappointment that we were unable to include the codification of the pediatric rule that would require the testing of drugs that might be prescribed for our children. Senators DODD and DEWINE and I have introduced legislation to bring this about. Unfortunately, we were unable to attain support to have it included. But we will be taking steps, through a markup at the committee level and then with legislation, to try to ensure that the drug manufacturers to whom we have given access to an improved streamlined drug approval process—which we all support—also will be assuring us that the drugs needed by our children are safe and properly labeled.

This is a very good bill. There obviously are some features that should be included to make us stronger in the future, but I applaud my colleagues, and particularly those who shepherded it through the conference, for making us, today, safer than we would have been otherwise.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Will the Chair advise us as to the present status?

The PRESIDING OFFICER. The Senator from New Hampshire has almost 11 minutes remaining, and the Senator from Massachusetts has almost 10 minutes remaining.

Mr. GREGG. I yield 5 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

Mrs. HUTCHISON. I thank Senator GREGG and Senator KENNEDY for pursuing this bill. I certainly support it. As part of the fight against terrorism, we must dedicate the resources to the growing threat of bioterrorism. This legislation enhances the capabilities of Federal, State, and local governments to coordinate emergency preparedness efforts, to stockpile vaccines and medical supplies, to modernize biosecurity facilities, and try to ensure the safety of America's health and food supply.

I worked with my colleague, Senator PAT ROBERTS, to address the concerns about our food supply and vital agricultural economies. The agricultural bioterrorism provisions in this legislation will authorize the Department of Agriculture to strengthen its capacities to identify, prepare for, and respond to the bioterrorist threats to our farms, ranches, and food processing, packaging, and distribution facilities and systems.

We have a clear priority to ensure the safety of our food and to maintain public confidence. To do so we must identify and quickly control the threat to our food supply, currently the world's safest, most abundant, and affordable.

During the cold war, we knew the Soviet Union had bioweapons that included bioagents aimed at agriculture. Following the gulf war, we know our soldiers showed evidence of possible exposure to chemical and biological weapons. From the terrorist attacks on Japan's subway system with sarin gas to the recent anthrax attacks here in the United States, the public is now acutely aware of bioterrorist threats.

This bill is critical, both for the results it will achieve and the reassurance it will provide.

The Department of Agriculture will be expanded to enhance inspection capability, implement new information technology, and develop methods for rapid detection and identification of plants and animal disease.

The U.S. Department of Agriculture's Veterinarian Services will also be authorized to establish cooperative agreements with State animal health commissions and private veterinarian practitioners to enhance their ability to respond to outbreaks of any animal disease.

This bill directs the Department of Agriculture to establish a long-term program of research to enhance biosecurity of U.S. agriculture.

America's universities that have demonstrated expertise in animal and plant disease research in coordination with State cooperative extension programs will provide the resources and expertise that will prove invaluable in the war on agricultural bioterrorism.

The front lines of this war on terrorism lie on our own shores, farms and fields, and the States where food is produced. However our States are vulnerable, they will meet the challenge, and they will help us in this war on bioterrorism because they will be able to detect the first evidence of an attack to protect our citizens, our economy, and our food supply.

I urge my colleagues to support the bill before us today. I appreciate the hard work that went into making it come to the floor and making it the priority that it should be for our country.

I thank the Chair. I yield the floor.

MEDICARE PROVISIONS IN BIOTERRORISM

Mr. BAUCUS. Mr. President, some of the provisions in the bioterrorism bill have not received much attention. These provisions affect Medicare, Medicaid and the Children's Health Insurance Program, or CHIP.

What we have done here is to give the HHS Secretary the ability to waive certain requirements in the face of a bioterror event or other public health emergency.

For example, the bill would give the Centers for Medicare and Medicaid Services the ability to pay providers for services rendered in good faith during an emergency, even if certain paperwork or other regulations are not followed.

In short, the bill gives our federal health programs the flexibility they need to operate in times of emergency, while ensuring accountability if the waiver authority is ever used. The administration asked Congress for these provisions, and Senator GRASSLEY and I both agreed that they are needed.

I also want to add that the Medicare and Medicaid provisions in this legislation were hammered out together in a bipartisan and bicameral fashion. Although Senator GRASSLEY and I were not conferees, our staffs worked extensively with the conference staffs to negotiate these provisions.

In fact, all of the authorizing Committees, both sides of the aisle and both House and Senate, worked together on these provisions.

Mr. GRASSLEY. Mr. President, allowing items within the jurisdiction of the Finance Committee to be added in conference is not something I do lightly. It is critical that we follow regular order, and that committees of jurisdiction hold hearings and examine proposals before the Senate acts. This is, however, an exceptional situation.

In light of the current threats to our nation, we must make these changes to

make our Federal health care programs more flexible, and more responsive to patients, in times of crisis. In my view, this is important enough to make an exception to our general rule of asserting our committee's jurisdiction. Also urgent are two provisions that stabilize Medicare managed care plans, which many seniors have come to rely on.

And as Senator BAUCUS mentioned, our staffs worked closely with the conferees' staffs to make sure that we were comfortable with the provisions that were included.

Mr. BAUCUS. The Senator is right. And briefly, in addition to the waiver provisions that affect Medicare, Medicaid and CHIP, this legislation includes a provision that will suspend the Medicare+Choice ''lock-in'' requirement for three years.

Current law requires Medicare beneficiaries to remain in their managed care plan for the full year. HMOs and beneficiary advocacy groups have both urged Congress to suspend this requirement as a way to stabilize this program.

While I appreciate the argument that a plan and a beneficiary should be required to make a full one-year commitment, I don't believe that this is the time to implement the lock-in requirement. Plans are pulling out of the Medicare program every year. Thousands of beneficiaries have lost the plans in their area. Because of the current instability in the program, it is my view that Congress should wait until the program is more stable before we implement the lock-in.

Mr. GRASSLEY. I agree, and believe that we have got to take other steps to ensure that seniors understand the choices they have even before the lock-in is in place. I have always believed that informed health care choice is the key to a successful Medicare+Choice system. That is why I fought hard in the 1997 Balanced Budget Act for the National Medicare Education Project, which required CMS—then called HCFA—to start a 1–800 number and to send out detailed plan comparison materials to every senior every year. I think this program has been a success, and I intend to push for additional funding for it this year. But Medicare education needs even more improvement, especially before seniors get locked-in to a specific plan for a whole year. So I think it is important that this bill delays the lock-in requirement. I would also like to point out that our doing so today is in sync with recent recommendations from the Advisory Panel on Medicare Education.

Finally, the bill gives health plans an additional three months to assess their costs before making a decision to participate in the Medicare program. Because of exceptional circumstances with respect to timing, we needed to make this change to the so-called ''ACR filing date'' now—prior to the time the Finance Committee acts on Medicare legislation. As I have mentioned, I am not normally willing to make exceptions to Finance Committee jurisdiction, but the circumstances here justify such an exception in this case.

Mr. BAUCUS. Let me summarize by saying that I agree with my good friend Senator GRASSLEY, that every so often there are circumstances that warrant an exception to our jurisdictional concerns, and this is one of them.

Mr. GRASSLEY. I believe that bodes well for our future work together on Medicare legislation in the Finance Committee.

Mr. BAUCUS. Yes, indeed. I look forward to working together in a bipartisan and bicameral fashion on all the other Medicare, Medicaid, and health issues that the Congress will be working on this summer and fall.

Mr. AKAKA. Mr. President, I rise today to give strong support to H.R. 3448, the Public Health Security and Bioterrorism Preparedness and Response Act. The Nation is looking to Congress to provide the building blocks to prepare for and respond to bioterrorism. H.R. 3448 takes several good steps to coordinate and strengthen Federal programs and help states and communities prepare for bioterrorism and other public health crises. As an original cosponsor of the Senate companion bill, I am proud to support the final product. The work that the bill managers and their staff have done in preparing this important legislation is to be commended.

H.R. 3448 provides $1.1 billion in funding for grants to state and local governments to prepare response plans, buy equipment, and train health care workers for bioterrorism and other public health emergencies, and an additional $520 million for community hospitals. The Act authorizes funding and establishes safety procedures for scientists to use pathogens for vaccine and disease research. H.R. 3448 builds up many of the Nation's resources that have been weakened from years of neglect and also addresses several new concerns.

Early detection of a biological threat is critical in minimizing the number of people exposed to an agent and the extent that the agent or disease will spread. New tools capable of detecting small quantities of infectious agents in food, water, air and other vectors are needed. For this reason, I introduced S. 1560, the Biological Agent-Environmental Detection Act of 2001. I am pleased to see provisions of my bill included in H.R. 3448, especially the authorization of funding to improve testing, verification, and calibrating of new detection and surveillance techniques and tools. Scientists and engineers in our universities and national labs are conducting exciting research on air and water monitoring and developing satellite-based remote sensing technologies to identify weather patterns that contribute to the spread of infectious disease and biological or chemical attacks. I am convinced that these men and women can develop robust, effective, and accurate detection methods.

Creating a critical line of defense against bioterrorism must involve health care professionals. Through hearings and discussions with health care providers and bioterrorism experts, it is clear that our doctors and nurses are not trained to recognize or respond to bioterrorism. For this reason, Senator ROCKEFELLER and I introduced S. 1561, Strengthening Bioterrorism Preparedness Through Expanded National Disaster Medical System Training Programs. I am pleased that H.R. 3448 includes our proposal to use the existing emergency communication infrastructure, disaster training program, and community partnerships within the nation's 163 Veterans Affairs hospitals to train VA and Department of Defense staff and local health care providers in recognizing and treating victims of biological weapons.

This is but one way in which the Department of Veterans Affairs serves the nation in bioterrorism preparedness and public health. The $133 million dedicated to VA will expand these efforts and is well deserved.

Congress has not forgotten the role our local and community hospitals will play in such a crisis. We also are working to give our medical professionals, public health officials, and emergency managers the earliest possible warning of pending outbreaks. The problems we face with bioterrorism are not new, nor are they related solely to bioterrorism. Our hospitals lack the capacity to handle even a handful of extra patients during flu season, let alone hundreds of people seeking critical care during an intentional epidemic. Passing the Public Health Security and Bioterrorism Preparedness and Response Act is only the first step in making America safer. Now we can provide the hard working men and women in public service, academia, and private industry with the resources needed to continue protecting this country from bioterrorism.

Mr. WELLSTONE. Mr. President, I rise today to support the Public Health Security and Bioterrorism Response Act. This act represents a critically important turning point in the readiness of our public health system to respond to the challenge of bioterrorism. In many places in our Nation the public health infrastructure has been underfunded and understaffed. The anthrax attack has demonstrated that our system can be overwhelmed by a bioterrorist attack. This bill provides essential assistance to our network of local and state health departments, public health laboratories, hospitals and health care facilities so that they can protect all of us in the event of further bioterrorist attack, or of other infectious disease outbreaks.

We in Minnesota have long been aware of the dangers of bioterrorism thanks to the efforts of Mike Osterholm, head of the Center for Infectious Disease Research and Policy

at the University of Minnesota. I am very glad that this bill is providing for the kind of bioterrorism preparedness our nation needs.

This bill provides block grants to states to improve public health departments and to get the equipment they need, and to help local governments safeguard their communities from these threats. The bill also provides grants to hospitals and other health care facilities to improve their abilities to respond quickly and effectively to a bioterrorist attack. I am pleased that the authorization for our hospitals has been increased from $370 to $520 million. I am also glad this bill emphasizes getting funds to the local level. That is very important. In fact, I would have even gone further in setting aside funds specifically for localities. I am also glad that the antitrust exemption in the Senate bill has been dropped from the conference report.

As Chair of the Subcommittee on Employment, Safety and Training, I am particularly glad that this bill recognizes the threat of bioterrorism in the workplace. Virtually all of the anthrax attacks involved places where people work, including media offices, the U.S. Postal Service and here in the Congress. I am especially happy that this bill includes language which I had suggested to direct the National Institute of Occupational Safety and Health to expand research on the health and safety of workers who are at risk for biological threats or attacks in the work place.

Finally, I am particularly pleased that my provisions regarding mental health were included in this important bill. We know from the outstanding hearings on mental health and terrorism, chaired by Senator KENNEDY in the HELP Committee, that the preparedness and response activities for the mental health consequences of bioterrorism are as important as all other public health initiatives this Congress can support. Recent press reports citing research on the psychological consequences of exposure to terrorist attacks, as well as the necessity of dealing with ongoing threats, have demonstrated clearly that mental health is an integral part of our ability to respond appropriately to bioterrorism attacks.

I am particularly pleased that Public Health Security and Bioterrorism Response Act established mental health response preparedness as one of the primary goals in our national initiative The mental health provisions in the bill will support federal, state, and local efforts to enhance the preparedness of public health institutions to coordinate mental health services. The bill also establishes as one of the primary responsibilities of the federal Working Group on Bioterrorism and Other Public Health Emergencies to make recommendations regarding the preparedness of public health institutions and emergency service personnel to detect, diagnose, and respond appropriately with regard to mental health needs in the aftermath of a biological threat or attack.

A special focus on children's mental health was established through a required National Advisory Committee on Children and Terrorism, whose responsibilities include making recommendations regarding the preparedness of the mental health care system to respond to bioterrorism as it relates to children. Similarly, a required Emergency Public Information and Communications Advisory Committee will include experts on behavioral psychology among its members and will make recommendations on appropriate ways to communicate public health information regarding bioterrorism. The bill also includes mental health training as one of the designated funding activities, specifically to enhance the training of health care professionals to recognize and treat the mental health consequences of bioterrorism or other public health emergencies. And finally, the bill authorizes funding for mental health counseling programs to be coordinated by the Department of Veterans Affairs to develop and maintain various strategies for providing mental health counseling and assistance to local and community emergency response providers, veterans, active duty personnel, and individuals seeking care at Department VA medical centers following a bioterrorist attack or other public health emergency. The VA program also includes funding for training and certification programs.

We know one for thing for sure. It is a mistake to believe that bioterrorism events cannot have lasting impact on the mental health of the individuals who experience them. Let us not repeat the mistakes that were made in the aftermath of the Vietnam war, when the trauma experienced by veterans and their families was ignored or trivialized until well after the optimal time for treatment was past. We have learned from the outstanding research funded by the National Institute of Mental Health and the Department of Veterans Affairs regarding the severity of the trauma-related disorders and the effective ways in which it can be treated. We must ensure that all federal, state, and local public health efforts to respond to and prepare for bioterrorist attacks take advantage of this knowledge.

I do not believe that mental health problems are a widespread or inevitable consequence of bioterrorist attacks. But as we heard from the experts at the HELP Committee hearing, we should not underestimate the severe impact that these events have on people's sense of identity and safety, and how the multiple losses and horrific experiences they go through has the potential to affect them for a long while. There have been many reports in the media of the heightened sense of anxiety and vulnerability throughout our country. These feelings are normal and I have confidence that most Americans will be able to deal with these crises. But I also firmly believe that the Federal, State, and local governments can play a major role in helping people to understand what has happened to them, and establish programs for mental health services for those who will need it. We in Congress are doing our part by the inclusion of these mental health initiatives within this bill.

In closing, this bill represents an essential step forward in safeguarding both the physical and mental health of our nation in the event of further bioterrorist attack.

Mr. HARKIN. Mr. President, last year, the weakness of our Nation's ability to respond to a bioterrorist attack was exposed. To properly prepare for the future, we must begin to think of our Nation's public health system as the front lines in our battle against terrorism. Unfortunately, our troops were inexperienced, our radar was out of date, and we were short on ammunition. Right now we don't have enough vaccines to protect every American. Public health officials were without the tools and training they need to detect an outbreak and rapidly respond.

Prudence demanded action. That is why Senator SPECTER, Senator BYRD and I crafted and passed a $3.6 billion bioterrorism initiative to reverse this alarming trend. As a result of this effort, our Nation's defenses against bioterrorism has improved since September 11 and the anthrax attacks of last October, but much more still needs to be done.

As chairman of the Labor-Health and Human Services Appropriations Subcommittee, I held several hearings with a broad variety of people, ranging from leaders of the Federal Government to first responders to our local public health workers.

As a conferee for the bioterrorism bill, I'm proud of the bipartisan work we have been able to achieve on this plan to boost our Nation's bioterrorism prevention and preparedness. The initiatives included in this conference report will build on the Harkin-Specter bioterrorism plan that President Bush signed into law in January, and will aggressively ramp-up efforts to keep America the safest country in the world.

I am especially supportive of the provisions in this conference report that I proposed in a seven-point plan I released following the anthrax attack last fall.

Specifically, the measure will:

Increase training for public health and medical officials: State and local officials, as well as doctors, nurses and other health professionals will be trained in diagnosis and treatment of bioterrorism exposure, as well as rapid communication to colleagues on case exposure and the identification of trends.

Bolster vaccine stockpiles: Currently our stockpile of small pox vaccines could only vaccinate about 25 percent of Americans, and our anthrax vaccine

stockpiles are also vastly inadequate. This legislation will increase funding to increase supplies and improve systems of transport to make sure that the appropriate pharmaceuticals can quickly get where they are needed.

Ensure that there are round-the-clock disease investigators in every state: A number of states have no full-time experts charged with identifying and dealing with infectious diseases. Federal support can be used to ensure that every single state has at least one professional in charge of detecting disease and notifying proper authorities.

Increase hospital surge capacity: The conference report will increase funding for planning and staffing to meet possible high-volume cases of infectious disease exposure. Funds would be administered through an innovative grant program that provides support for wide-ranging initiatives that will improve state and local hospital preparedness for response to bioterrorism and other public health threats.

Improve surveillance and information sharing capacity at all levels of government: The legislation will ensure that all local health departments have access to the Health Alert Network. Currently, health departments in some states don's have fax machines and Internet access. Funding will expand the Health Alert Network so that health professionals are able to quickly key in on outbreaks and share their information around the country and the world.

Expand food safety inspections: Through this bill, every domestic and importer of processed foods must register with the Food and Drug Administration, FDA, farms, restaurants and nonprofit food establishments like soup kitchens are exempted. Also the FDA's authority is expanded to allow them to stop any food or product that may present a public health risk and allows the agency to ban importers who repeatedly violate food safety regulations. Lastly, the FDA is given authority to inspect food processing establishment's records related to food safety. Currently the FDA can only get such records through court action.

Create and maintain a comprehensive database of the locations of biohazardous pathogens: Finally, this legislation will for the first time require that the U.S. Department of Health and Human Services and Agriculture closely regulate and register the possession, use and transfer of the most dangerous pathogens like anthrax and small pox. Security standards for these facilities will be established, and all people with access to the agents will be screened. Facilities with these pathogens will be inspected, and violation of these rules will be punishable by strict criminal and civil penalties.

Again I am very pleased to support this conference report and I look forward to continuing to work in a strong bipartisan process with the President, Secretary Thompson and the rest of the administration to make sure adequate funding is provided for these critically important initatives.

Mr. HUTCHINSON. Mr. President, the Senate is going to pass landmark legislation today bolstering our Nation's efforts to prepare against future bioterrorist threats and attacks. As a member of the joint House-Senate bioterrorism conference committee, I am pleased to support this conference report.

Eight months ago, five U.S. citizens died due to anthrax, buildings were shut down, and thousands of Americans were tested for possible exposure. Our country learned first hand about the need for improved knowledge about biological weapons and agents—how to detect them, what to do in the case of exposure, and the need for accelerated research and development of countermeasures to defend against such agents.

The Public Health Security and Bioterrorism Preparedness and Response Act provides for the development of vaccines and drugs to defend against biological agents or toxins, improvement of public health emergency response efforts, tightening of requirements for individuals who use and possess biological agents or toxins, enhancement of protections for our food supply and agricultural research facilities, and the development of emergency response plans and security upgrades for our Nation's water systems.

I would like to particularly highlight provisions in the conference report to speed approval of vaccines and drugs developed as countermeasures against biological weapons, improve security at facilities where such countermeasures are researched and developed, and strengthen federal penalties for acts of sabotage against such facilities.

These provisions I introduced as part of freestanding legislation last November, S. 1635, along with Senators GREGG and FRIST. I believe that these provisions are at the heart of our preparedness for future bioterrorist threats and attacks.

I am thankful to my fellow Senate and House conferees for working with me to include a proposal I offered to provide grants for proficiency testing of laboratory personnel in identifying biological agents and toxins. Laboratory personnel will be on the front lines of our detection efforts, and we must make sure they can identify biological toxins and agents.

All States, including Arkansas, will benefit from grants to improve planning and State preparedness efforts, enhance laboratory capacity and educate and train health care personnel. I am also pleased with the inclusion of $5 million in grants for small community water systems in order to conduct vulnerability assessments, prepare emergency response plans, and make security upgrades.

In summary, this is comprehensive legislation and it is needed legislation. The Public Health Security and Bioterrorism Preparedness and Response Act lays the foundation for significant changes in America's infrastructure, training, and response programs to protect our Nation's citizens against deadly weapons, particularly biological and chemical agents.

Mr. JEFFORDS. Mr. President, today we will have the opportunity to act positively on one of the most important pieces of legislation that we will consider in this Congress—the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. I am pleased that we are able to vote today on this most vital piece of legislation. Many of our colleagues have worked very hard on this legislation but would like to take this opportunity at the outset of these comments to acknowledge the work of Senator KENNEDY, and Senator FRIST for originally introducing this bill in the Senate, as well as Congressman TAUZIN and Congressman DINGELL for their work in the House.

From the events on September 11, and the anthrax incidents here in our Capitol and around the country, we know first hand that terrorist attacks on America continue to pose a real threat. We are not immune to the cowardly attempts by well-armed and well-financed groups who intend harm upon us, and we must continue to stand strong against those that resent our nation's unyielding commitment to preserve freedom throughout the world.

Today, Congress is taking a step in the right direction. The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 solidifies the emergency measures taken last fall by Congress to safeguard the health of all Americans. The Act greatly enhances our ability to prevent and detect bioterrorist threats, and it gives us the resources we need in order to effectively care for our citizens in the event that another biological attack takes place on American soil.

The act is a comprehensive, interdepartmental effort to ensure the safety of American families. This legislation will ensure proper communication across Federal agencies so that all of our available resources are put to their best use. As the cornerstone of our emergency response to public health threats, hospitals will be provided ample resources in order to ensure their preparedness in the event of a biological attack. In addition, we have greatly enhanced our ability to track labs and individuals who possess materials that could be used in bioweapons aimed at people or the food we consume, and there are strong measures taken to further protect the food supply throughout America.

A primary focus of our efforts is to ensure a National Pharmaceutical Stockpile, and to increase production of vaccines for some of the most deadly diseases, including smallpox. There are also provisions for more timely FDA review of generic drugs, and it reauthorizes the Prescription Drug User

Fee Act, PDUFA, an important measure to ensure that newly developed drugs are made available to those who need them most in a safe and timely fashion.

I am also pleased that this bill includes language requiring drinking water systems across the country to assess their vulnerability to terrorist attack and to develop emergency response plans to prepare for and respond to such attacks. We all hope there is no need for implementation of these plans, but information leads to preparation, and I am pleased to have a bill today that recognizes the crucial importance of assessing and addressing potential vulnerabilities.

As chairman of the Committee on Environment and Public Works, I have worried about the lack of information within the Federal agencies about the security of our Nation's critical infrastructure and facilities. For instance, I am aware of one provision in the Clean Air Act which requires the Department of Justice to assess the vulnerabilities of chemical plants. This provision was enacted years before the tragic events of September 11th, but the assessment is not yet complete. And recently, in the wake of criticism that our government should have been more prepared for terrorist attacks, I read a chilling statement from a government official: ''People are saying we didn't connect the dots. It's awfully hard to connect the dots if people don't give you the dots.''

I do not doubt that industry, communities, local and State governments and emergency responders are taking security measures seriously. But important provisions in this bill will enable our government to ''connect the dots,'' that is, to understand the safety of our Nation's water supply. The substantial funding in this bill will provide enhanced resources for completion of vulnerability assessments quickly, and in a thorough manner. And by requiring that these assessments be provided to the Environmental Protection Agency, we will have the ability to evaluate the security needs of our drinking water systems and to measure our national preparedness for potential threats against our water supply.

In addition, we have addressed the concern that some information in these assessments may be sensitive in nature. Although we recognize that it is most often community knowledge and involvement that is most effective in addressing a community's needs, we also recognize that information in the wrong hands can endanger a community. This bill balances these competing concerns by exempting the content of the assessments from the Freedom of Information Act, by requiring implementation of protocols to secure and limit access to the documents at the EPA, and by imposition of criminal penalties upon persons designated by the EPA Administrator to have access to the documents in EPA's possession who knowingly or recklessly disclose those documents. It is important to note, however, that there is not a restriction on EPA's discussing the content of the assessments with persons who may benefit from information about the security of our nation's water supply, such as state and local officials, nor is there restriction intended by this bill upon a water system's voluntarily sharing information with other systems, emergency responders or communities. Our attempt to provide a safeguard against broad disclosure of sensitive information does not lead us to conclude that our citizens should not have the information they need to protect and inform themselves.

Finally, I had hoped that this bill would encompass wastewater systems in addition to drinking water systems. I intend to pursue comparable legislation for wastewater systems in this legislative session.

This legislation reflects a remarkable effort that drew from the jurisidictions of several Senate and House Committees including the Health, Education, Labor and Pensions, the Energy and Commerce, Finance, Ways and Means, Agriculture, Judiciary and my own Environment and Public Works. The many Members from these Committees and the conferees are to be commended for their contributions.

Once again I want to acknowledge the yeoman's work done by our staff. In particular I want to recognize HELP Committee staff including, David Nexon, Paul Kim, David Bowen and David Dorsey from Chairman KENNEDY's office; Vince Ventimiglia, Steve Irizarry and Katy French of Ranking Member, Senator GREGG's office; and the staff of Senator FRIST, including Dean Rosen, Helen Rhee and Shanna Christrup, and Doug Campos-Outcalt. Credit also goes to Debra Barrett, Raissa Geary, Adam Gluck, Kate Hull and Rhonda Richards. Finally, I want to acknowledge my own staff, Sean Donohue, Eric Silva, Allison Taylor and Jo-Ellen Darcy who worked diligently to ensure that appropriate public health safeguards were part of this measure, including environmental provisions that will help provide for the safety of our public water systems.

Mrs. FEINSTEIN. Mr. President. I rise in strong support of passage of the conference report for H.R. 3448, the Public Health and Bioterrorism Response Act.

This legislation will make our Nation better prepared for bioterrorist threats and other public health emergencies.

That is why I am pleased that this bill includes funding to bolster the National Pharmaceutical Stockpile, including enough smallpox vaccine to protect every American.

We must ensure that there are sufficient vaccines, drugs, and medical supplies available to protect Americans against any potential biological attack. I believe this bill moves us one step closer to protecting every American from this threat.

It is also crucial that we assist our States and local hospitals and health departments in beefing up their systems, including training personnel and first-responders on how to respond to a bioterrorism attacks.

This legislation includes $1.6 billion for fiscal year 2003 to address these needs.

I am particularly pleased that the conference report includes a provision which I sponsored along with Senator JUDD GREGG, R-NH, establishing strict new controls for laboratories that handle anthrax, smallpox, and more than 30 other deadly pathogens.

These provisions are the product of extensive negotiations with a number of other Senators including, Senator FRIST, KENNEDY, HARKIN, and DURBIN, as well as House Conferees, and the administration.

The threat of biological attacks became front page news last fall, when deadly anthrax attacks killed five people, infected 23 people, 11 with inhalation anthrax and 12 with cutaneous anthrax, and shut down a Senate office building for 3 months.

The FBI has poured extraordinary resources into apprehending the perpetrator. Over the past 5 months, FBI agents have interviewed more than 5,000 people and offered a $2.5 million reward. Unfortunately, it has been unable to locate a single witness, fingerprint or a match to the handwriting found on the envelopes.

We still do not know when or if the perpetrator will be found.

It became clear during the investigation of the anthrax attacks that the regulations governing these dangerous substances were too lax.

Our government did not keep track of who possesses these materials.

No special registration was required to possess these agents.

Nor were background checks conducted on the laboratory personnel who handled or had access to these agents.

Under these security conditions, a rogue employee or outside terrorist group could easily gain access to some of the most dangerous pathogens on Earth.

To close these loopholes, I introduced the Deadly Biological Agent Control Act last fall with Senator JON KYL, R-AZ, and a similar provision was approved as part of the fiscal year 2002 Department of Defense Appropriations bill.

I am pleased that key portions of this legislation were included in the final comprehensive bioterrorism package.

The conference report has the following key provisions: All labs that possess these dangerous agents would have to get registered with the Department of Health and Human Services or the Department of Agriculture, for animal pathogens.

The registration process would include rigorous background screening by the Department of Justice of any laboratory employees intending to handle the agents.

Anyone who possesses these agents without obtaining a registration will be subject to 5 years in Federal prison.

The legislation also creates, for the first time, a national database of dangerous pathogens, so that the characterization, location and use of these agents can be tracked.

Tighter controls of these agents are critical because they can be converted into weapons of mass destruction.

In addition, to make sure that this list of dangerous agents is kept up-to-date, it must be reviewed a minimum of every two years.

We need these strong measures because in the wrong hands, these biological agents can be converted into weapons of mass destruction.

According to the calculation of some experts, biological weapons are pound for pound potentially more lethal even than thermonuclear weapons.

For example, the World Health Organization estimates that 50 kilograms of the virus that causes the plague, aerosolized over an urban city of 500,000, would incapacitate one fifth of the population and kill 55,000.

A 1993 report by the U.S. Congressional Office of Technology Assessment estimated that between 130,000 and 3 million deaths could follow the aerosolized release of 100 kilograms of anthrax spores upwind of the Washington D.C. area, lethally matching or exceeding that of a hydrogen bomb.

In sum, I believe it is critical that these laboratory security provisions were incorporated into this bioterrorism bill.

Any comprehensive bioterrorism preparedness package would be incomplete without addressing laboratory security here in the United States.

These controls are reasonable and necessary, given the extraordinary threat posed by biological and chemical weapons.

Ms. LANDRIEU. Mr. President, I would like to take this opportunity to thank the members of the bioterrorism conference committee who have worked tirelessly over the last few months to craft this comprehensive response to our Nation's needs in bioterrorism. I rise today to make one point for the record in regards to this legislation. Following the September 11th attacks, Secretary Thompson, under the authority granted to him by Section 319 of the Public health Services Act, provided resources to rebuild and replenish our Nation's emergency health care providers who were directly affected by this terrible disaster. In sum, the Secretary awarded over $35 million in grants to hospitals, ambulance companies, and other first responders who responded or stood ready to respond to the health needs of those injured in the attacks on the World Trade Center and the Pentagon. These awards were made in recognition of the contributions that these providers made, regardless of their ownership. I commend the Secretary for this action.

Disaster strikes without respect to hospital ownership. By exercising his discretion to award grants to all hospitals who responded, both private and public, Secretary Thompson recognized this important point and more importantly, fulfilled the statutory purpose of Section 319, providing continued access to necessary acute care, Nationally, there are 5,194 hospitals, and of those approximately 1,200 are for-profits. That is one out of every four hospitals. In many markets, for-profit hospitals—not the tax-exempts—serve as the safety net or sole-community providers and that makes them 100 percent of the market in their communities. In my home State, approximately ⅓ of the hospitals are for-profit. If a bio-terrorist attack were to ever happen in Louisiana, I can guarantee you that our investor-owned hospitals will play a critical role in the response. Those who are affected by a bio-terrorist attack will go to their local hospital for help; they will not check first to see how the hospital is being run.

I am pleased that the conferees added language in this bill to strengthen the Secretary's authority to act as he did in this regard following September 11th. I hope that this administration and the administrations that follow will continue to recognize the important role that all of our hospitals play in the delivery of emergency health care.

Mr. CRAIG. Mr. President, I understand we have one more speaker on our side who is on the way to the floor. I guess there are about 5 minutes remaining.

Mr. KENNEDY. Mr. President, I yield myself 5 minutes.

I wish to comment on the efforts of our friend and colleague from New York, Senator CLINTON, on the pediatric drug labeling rule.

As Senator CLINTON pointed out, this issue is of great importance to herself, Senator DODD, and Senator DEWINE. Senator DODD, who is chairman of the Children's Caucus, Senator DEWINE, and Senator CLINTON have worked very effectively on the question of pediatric drugs, particularly on the recent reauthorization of pediatric drug exclusivity.

I had hoped we would be able to secure the Pediatric Rule in this conference, but we were unable to do so. The research which would flow from this important rule is critical to children. That is why the FDA and the Administration took another look at their proposal to suspend the Rule. It was very wise of them to review that decision and to keep the Rule in place. But with the litigation ongoing, it is still being challenged. This is something we in the Senate will give focus and attention to in the very near future.

I have spoken with Senator DODD, Senator DEWINE, and Senator CLINTON. They know that we will address the Pediatric Rule in our committee in the near future. We will talk to our colleagues about the timing. But we will try to address it in the near future. We thank them for their continued interest.

So my colleagues understand what is at stake, let me repeat: without the Rule, there will be less research conducted on the impact of many drugs on children, and some products will not be studied at all.

Again, I give my colleagues the assurance that we will pursue this issue in the coming months. We can't afford to compromise children's health.

Mr. President, during consideration of the bioterrorism legislation, there were a number of items which our colleagues raised which were included, a great majority of which were strengthened and which we were able to include in the conference report.

I talked with Senator CARNAHAN about the importance of developing a Web site on bioterrorism so that accurate and good information would be available and accessible to people across the country. This has been included. It will provide important, accurate information to the public as a result of Senator CARNAHAN's legislation. We are certain this will be helpful to families, not only in her State but across the country.

Senator TIM JOHNSON had some important proposals on agricultural bioterrorism. Those provisions were added to strengthen the food safety aspects of our legislation. We have included those, not least of which calls for the President's Council on Food Safety to develop in a timely but collaborative manner a national strategy for food security.

Senator WELLSTONE had major proposals on enhancing the FDA's ability to protect the public health. We included many of those, particularly those strengthening oversight of drug safety and drug promotions.

Senator DASCHLE was enormously interested in how we were going to protect America's farm families. We have many additional protections included in the legislation dealing with agroterrorism, such as mad cow disease, which are very important. His work with Senator ROBERTS led to a broad increase in resources and requirements for USDA.

How much time remains on our side?

The PRESIDING OFFICER (Mr. WYDEN). The Senator from Massachusetts has 6 minutes 10 seconds. The Senator from New Hampshire has 6 minutes 50 seconds.

Mr. CRAIG. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally charged.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, for the information of the membership, we

understand Senator COLLINS will be coming in a few moments. After she speaks, we intend to yield back the remaining time and move to a vote. I anticipate we will have a vote on the conference report in probably about 10 minutes. We will ask for the yeas and nays. So Members should be alerted that we will proceed in that manner.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, in a moment, I will yield to Senator COLLINS. But let me, again, thank the chairman for the expert and professional way in which he handled this bill and moved it through the process. It is not the beginning; it is not the end; it is the middle of the process. But as a result of this bill, we will have put in place the mechanisms to produce the vaccines we need as a nation in order to protect ourselves from some of the most virulent biological agents with which we might be attacked—a very important step.

As a result of this bill, we will begin the process of significantly upgrading all the public health capabilities across this Nation, whether it is in large States, small States, large cities, small cities. That is very critical because, as we learned so well in the instance of 9–11, the public health capability of dealing with a crisis is one of the core elements of the first responder, the first line of defense when it comes to a situation resulting from someone attacking our Nation, especially with a biological or chemical agent.

So these two basic streams of effort, which are the core of this bill—the bill has a lot more in it, but that is the core of this bill—are going to make, I believe, a dramatic and significant difference in our capabilities as a nation to handle the threat which we, regrettably, confront now of someone using a biological or chemical agent against us as a nation.

Mr. President, I yield up to 5 minutes, if she wishes it, if I have it, to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 4 minutes.

Ms. COLLINS. Mr. President, first, I begin by thanking Senator KENNEDY, Senator JUDD GREGG, Senator BILL FRIST, and all of those who have worked so hard to bring this important legislation to the floor.

I am convinced that the bioterrorism bill to which we are about to give final approval will make a real difference in our Nation's ability to detect and, in the unfortunate event, respond to a bioterrorism attack.

I am particularly pleased that the legislation includes food safety provisions which I have advocated for some time.

In 1998, in my capacity as chairman of the Senate Permanent Subcommittee on Investigations, I conducted a 16-month investigation into the safety of imported food. What we found was truly frightening. We discovered that the FDA inspects fewer than 1 percent of all shipments of imported fruits and vegetables. And we discovered that the safety net for ensuring that imported food was, indeed, wholesome and safe was deeply flawed.

We found that an unscrupulous shipper could very easily ship tainted food from one port to another without detection. If the system was that vulnerable to an unethical shipper, think what a determined terrorist could do.

So I am convinced the provisions included in this bill will make a real difference in helping to ensure the safety of our food supply.

I note that the Secretary of Health and Human Services, Tommy Thompson, recently testified before the HELP Committee that one of his greatest concerns was the vulnerability of our food supply.

I believe the provisions that are included in this bill will help to ensure that our food supply is safe from a terrorist attack.

We have a long way to go in the war against terrorism, but this major bioterrorism legislation is an important step in securing the United States of America.

Again, I commend the two leaders of our committee and all of those who have worked so hard to bring us to agreement on this important legislation.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, finally, again, I thank my colleague, Senator GREGG, and Senator FRIST, Senator COLLINS, and all of our Members for their cooperation and their help.

I urge our colleagues to vote in favor of the conference report.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. KENNEDY. I yield the remainder of our time.

Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

All time is yielded back.

The question is on agreeing to the conference report. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—98

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Ensign	Miller
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Boxer	Graham	Reed
Breaux	Gramm	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Harkin	Sarbanes
Campbell	Hatch	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Jeffords	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Corzine	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Dodd	Lott	Wyden
Domenici	Lugar	

NOT VOTING—2

Helms	Inouye

The conference report was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. REID. Mr. President, we have a number of Senators who indicated they wish to speak. We thought we would be able to start the vote earlier, but we cannot. Each time we get real close, someone else raises an objection. The Republican side does not want us to start on this now for obvious reasons. I can appreciate that.

We have a number of Senators desiring to speak. I assume we should arrange some time. Senator BINGAMAN desires 10 minutes.

Mr. BINGAMAN. Ten minutes would be fine.

Mr. NICKLES. I believe we have a couple of people. I suggest we try and accommodate speakers until 5:40, and then Senator BYRD wants to speak, and then there will be a motion to table and we will start a series of rollcall votes.

Mr. REID. Senator BYRD will speak before 5:40.

Mr. NICKLES. Yes.

Mr. REID. Senator BINGAMAN will speak for 10 minutes, then Senator

SNOWE will speak for 10 minutes. Senator BYRD, how much time would you require?

Mr. BYRD. Seven minutes.

Mr. REID. We can get you 10 minutes.

Mr. NICKLES. Senator SNOWE would like 15 minutes, Senator SANTORUM would like 5 minutes, and I would like 5 minutes on the Byrd amendment.

Mr. REID. So that is 25 minutes—it doesn't work.

Mr. NICKLES. If the assistant leader will yield, 20 minutes on each side should accommodate everyone's request.

Mr. REID. Senator BINGAMAN 10 minutes; Senator BYRD has 10 minutes, and would like his 10 minutes prior to the vote occurring.

MAKING TECHNICAL CORRECTIONS TO H.R. 3448

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 117, which is at the desk, and submitted earlier by Senator KENNEDY.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res 117) to correct technical errors in the enrollment of the bill.

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The concurrent resolution (S. Con. Res. 117) was agreed to, as follows:

S. CON. RES. 117

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of 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, the Clerk of the House shall make the following corrections, stated in terms of the page and line numbers of the official copy of the conference report for such bill that was filed with the House:

(1) On page 1, after line 6, insert before the item relating to title I, the following:

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(2) On page 40, line 3, insert before the semicolon the following: ''(including private response contractors)''.

(3) On page 75, line 18, strike ''subsection (c)(1)'' and insert ''subsection (c)''.

(4) On page 75, line 25, strike ''paragraph (3)(B)'' and insert ''paragraph (3)(C)''.

(5) On page 87, strike lines 11 and 12 (relating to a redundant section designation and section heading for section 143).

(6) On page 264, line 11, insert before the period the following: ''and with respect to assessing and collecting any fee required by such Act for a fiscal year prior to fiscal year 2003''.

The PRESIDING OFFICER. The Senator from New Mexico.

ENERGY BILL CONFERENCE

Mr. BINGAMAN. Madam President, last Friday, May 17, marked the 1-year anniversary of the release of President Bush's National Energy Policy. And the day after tomorrow, May 25, will mark the one-month anniversary of the Senate's completion of its consideration of the Energy Policy Act of 2002. I believe that it is appropriate to take stock of where we were 1 year ago, where we are today, and what we need to do next to move this process forward.

One year ago, when President Bush released his National Energy Policy Plan, his proposal was little more than a glossy brochure. The summary of all the recommendations in the President's Plan, which appeared as the first appendix in his report, amounted to a mere 17 pages of text. Most of these recommendations were stated in very broad terms, and only about 20 actually related to legislation. A classic example of the recommendations in the President's Plan is the following one relating to electricity reform. Here is the electricity recommendation in last year's plan, in its totality:

The NEPD Group recommends that the President direct the Secretary of Energy to propose comprehensive electricity legislation that promotes competition, protects consumers, enhances reliability, promotes renewable energy, improves efficiency, repeals the Public Utility Holding Company Act, and reforms the Public Utility Regulatory Policies Act.

That was it for electricity. Now those 44 words include some very good thoughts. I am sure that a lot of work went into developing them. But it wasn't something that Congress could immediately turn around and send to the President's desk for signature.

So, over the last year, we have done a tremendous amount of work in Congress, and especially in the Senate, to put real flesh on the bones laid out in the President's plan. In the Senate Energy Committee, we held over 2 dozen hearings in this Congress on various aspects of energy policy, seeking to get broad and inclusive input into our bill.

In the case of electricity, instead of the 44 words contained in the President's plan, the Senate developed and passed 80 pages of legislative text on electricity reform. Our provisions sought to give real meaning to the general principles of protecting consumers, promoting competition, and promoting renewable energy. We had a lot of help and input from the Administration, but the work was really done here in the Senate.

We are now at the beginning of the next phase in the legislative process. That is conference with the House of Representatives. We have a lot of work to do, but it cannot begin until the leadership of the House of Representatives decides who will represent them in a conference.

I have to confess that I am getting a little frustrated at the delay in moving to this next phase. When the Senate passed its bill, the House majority whip put out a press release calling this body a bunch of ''do-nothing Daschlecrats'' and stating:

Now, it's important that we move quickly to work out the differences between the House and Senate bills.

I agree with the second part of his comments, but his own colleagues in the House of Representatives apparently do not. Senators DASCHLE and LOTT named our Senate conferees on May 1. After three weeks of silence from the House on who their conferees might be, it seems that all we are getting from the House is a lot of delay.

And there is a tremendous amount of work to be done to have a successful energy conference, even before we sit down around a table somewhere.

First, we will have to decide how the conference will be organized, including how it will be chaired. We seldom go to conference on energy bills. The last conference on an energy bill, the Alaska Power Administration Sale and Asset Transfer Act, took place 7 years ago, in 1995. The House of Representatives chaired that conference. If one accepts the notion that conference chairmanships alternate between the Houses, then that means that it is now the Senate's turn to chair an energy conference.

And, judging from both the lack of forward motion from the House on naming their conferees and some of the informal comments from the House leadership on their vision of what a conference would look like, I think that there might be some important advantages to Senate chairmanship of the conference.

A number of leading members of the House of Representatives seem to be of the opinion that there should be a lot of televised meetings of conferees. I have nothing against openness, but I don't think that lots of televised meetings would be conducive to actually getting an energy bill out of conference. My prime mission in chairing a conference would be getting a bill, not getting Nielsen ratings. We should regard the time that conferees are actually present in the same room as a limited resource, to be used to promote forward motion, and not grandstanding.

Second, there have been rumblings that some in the House leadership might prefer to delay a conference until September. There are so many complex issues to be dealt with in this bill that delay would result in no conference report. I would prefer to see us begin work as soon as the organization of the conference itself was worked out, much along the lines of how issues were dealt with during past energy conferences.

I am very much looking forward to learning whom we are supposed to be negotiating with from the House of Representatives. I'm not going to initiate discussions with the House of Representatives, though, that might be regarded as attempts to pre-conference

the bill, or parts of it, prior to knowing who all the legitimate participants will be from the House.

But once the House has made its selection, I would propose that the conferees from both Houses take the following three key steps.

First, we should get the conference leadership from both Houses into a room to get the organization and ground rules of the conference set down as our first order of business.

Second, we should have the appropriate Senate and House staffs meet to work out a mutually agreed-to side-by-side presentation of the bills, so that there is common agreement as to which proposals are similar enough to be paired up in the negotiations. For the tax provisions, the Joint Committee on Taxation has already prepared a draft side-by-side that can be reviewed by both sides. We need to get the corresponding treatment for the energy policy provisions done in a consensual manner between the two Houses.

Third, we will have to decide whether there will be subconferences; and if so, how many; and what each will encompass.

What I have just laid out is a substantial amount of preparatory work that is now on hold. And time is slipping away from us in this Congress. If we adjourn in early October, as is likely, then we may have only 12 or 13 weeks of session left in this Congress. That is less time than one might think, and there will be a lot of other issues that will occupy the time and attention of leading members of this conference.

I hope we can get started with the critical organizational phase of the discussions as soon as possible. But there is no way that can happen, without knowing who the conferees from the House will be. I urge my colleagues in the other body to give this high priority so that the real work can begin.

Mr. MURKOWSKI. I wonder if my friend will yield for a question.

Mr. BINGAMAN. I will be glad to yield for a question.

Mr. MURKOWSKI. Recognizing the extended effort that was gone through in the time sequence we spent on the floor, I am sure my friend from New Mexico would agree, had we been able to proceed within the committee process, having the educational activities associated within the committee structure as opposed to on the floor of the Senate, it would have saved us a lot of time. Nevertheless, I think my friend from New Mexico would agree this was a dictate by the Democratic leadership.

I think he would also agree that the House did move on their energy bill much earlier than we were able to because we had to go through the floor process. I think my friend would agree the general understanding is the House intends to name conferees as soon as we return from this recess.

Mr. BINGAMAN. Just to respond, the point my colleague makes is one he made numerous times during the debate of the energy bill here on the Senate floor. Clearly, that is his point of view.

We were able to produce a bill. I think it is a far superior bill to the one the House produced last summer.

The main point I am trying to make is we cannot move any further down the road toward enacting an energy bill unless we get a conference. It has been a month since the Senate passed its bill. It is time the House appointed their conferees.

Madam President, let me go ahead with the second of the issues I want to deal with, and that relates to retirement security. How much time remains, Madam President?

The PRESIDING OFFICER. The Senator has 2½ minutes.

RETIREMENT SECURITY

Mr. BINGAMAN. Briefly, what I want to do is summarize these four points.

Retirement security is an issue that is of great concern to virtually all Americans. I believe there are four essential issues embedded in it which we need to begin dealing with in this Congress.

There has not been much interest on the part of the administration in dealing with these issues. If there has been, I missed it. But I believe Congress needs to take the initiative to begin dealing with it. The four issues I believe deserve the greatest attention are:

First of all, We need to recognize that everyone who works in this country ought to be entitled to a pension of some sort—a pension, a 401(k), some kind of provision for their retirement in addition to Social Security. I think that should be a goal to which we should all agree.

Second, all workers should have a right to secure retirement savings. We should eliminate the problems of mismanagement of people's retirement savings that we saw in the case of Enron. Senator KENNEDY has put together legislation we have reported out of the HELP Committee that tries to close some of those loopholes, eliminate some of those abuses, and deal with the looting of retirement savings that unfortunately has occurred and is permitted under current law.

Third, all workers must have pension portability. This is a difficult issue but an important one. Most workers will have somewhere between 10 and 15 jobs during their career. That is the way of the modern economy. We need to be sure they can move their pension from job to job and not lose their pension benefits because they are forced to change jobs in midcareer.

Fourth, all workers should have retirement benefits comparable to those of the highest paid executives in the company. We cannot have one set of rules for the top management and a different set of rules for the rest of the people in the employ of that corporation. We need to have comparable tax provisions so there is not a set of tax provisions that allows for the putting away of postretirement income for the top executives of the company while the average worker of the company is denied a reasonable pension.

Last week I came to the floor to talk about our Nation's gap in pension and retirement plan coverage.

Although Enron has been the focus of much of our attention, we cannot ignore the disturbing trend that pension coverage in our country has not budged from roughly 50 percent coverage over the past 30 years. Minorities, particularly Hispanics, fare significantly worse with 73 percent of all Hispanics in the private sector not having a retirement or pension plan. Quite simply, we must do more.

In light of Enron and other corporate abuses, it is patently evident that we must strengthen our retirement and pension laws so that employees' retirement savings are given real protections. We must protect the retirement savings of our workers from unscrupulous executives who are willing to use their positions to enrich themselves at the expense of the employees. We must also be sure that employees are protected from various conflicts of interest that allow accountants, analysts, and employers to act in their own self-interest and financial well being instead of the best interests of the employees. In particular, we must be sure that we do not change the law to expose employees to new conflicts of interest, as would occur if we allowed conflicted investment advisers to invade the secure world of ERISA protected retirement plans. Of course, all of these protections don't mean much if employees do not have the ability to diversify out of employer securities so that they are not financially ruined when there is an economic downturn or their employer goes out of business. Sadly, the House-passed bill does not provide any of these protections in any meaningful way.

Although we have made great strides in the past several years, we still have more to do to be sure workers with traditional pension plans are able to take their savings with them when they move on to a new job. While retirement plans are more portable than traditional pensions, we must still make sure that employees have the right to take what is theirs with them if they change employment. In these cases, plan portability is not the only issue, concerns over vesting and the ability to diversify out of employer stock are equally important.

Finally, we need to ensure that executives of companies do not walk away from a business with millions in benefits when the employees are sent home with a retirement account full of worthless employer stock. It is fair that executives have more money in their retirement accounts—that is one of the benefits of being a higher salaried employee. What isn't fair, though,

is when executives have millions in deferred compensation and other executive benefits that have been funded by tax-preferenced vehicles like corporate owned life insurance none of which is available to the workers. If a benefit does not meet non-discrimination rules, it is unclear to me why a company should be able to be fund these executive benefits through tax-preferred chicanery.

As we move into the 21st century it is important that we take note of the state of our private retirement system and work to improve it. Too many Americans still do not have any pension or retirement coverage. That must improve. We must also strengthen our retirement system to provide employees with real protections for their retirement savings—not symbolic changes as proposed by the House and Administration. We must provide our workers with increased pension portability and true ownership of all their retirement assets. Finally, we must change our laws so that companies are not able to take advantage of loopholes in the Tax Code that give them significant tax relief when funding executive retirement benefits that are not available to the workers. We will need much than proposed by the administration and passed by the House if we want a world where ''what's fair on the top floor should be fair on the shop floor.'' I hope my colleagues from across the aisle are ready to match legislation with their rhetoric. If not, unfortunately, this Congress will come to a close with workers once again getting the short end of the bargain.

These are very important issues. When we return after this week-long recess, I hope we can put some serious effort into dealing with them. I commit to proposing some legislation to try to help move us in that direction.

My time has expired, so I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

ANDEAN TRADE PREFERENCE EXPANSION ACT—Continued

Ms. SNOWE. Madam President, I rise today to speak in support of the compromise trade package that is now before the Senate and to praise both sides for recognizing the need of retaining the linkage of trade promotion authority (TPA) and trade adjustment assistance (TAA) during floor consideration.

I would first like to commend Chairman BAUCUS and Ranking Member GRASSLEY for their efforts in crafting this package.

Not only have they worked in a bipartisan manner to ensure that it is the product of principled compromise, but they have also sought to ensure that many of my concerns regarding the deficiencies of past extensions of trade authority—most notably, a lack of accountability and consideration of the needs of small businesses—have been addressed. In the same manner, both agreed to a critical expansion of the existing TAA program while also including provisions I advocated to accelerate assistance to dislocated workers and provide them with greater options in the utilization of these benefits.

I would also like to thank Senator BAUCUS and Senator GRASSLEY for their tenacity as we worked through the health care provisions in the TAA package during the last four weeks. Their commitment to this effort made it possible for the three of us to develop this agreement, and while both sides have made significant concessions to finalize this deal, we believe these health care provisions are a solid contribution to the TAA package.

At the beginning of the TPA–TAA debate in the Senate, everyone believed the fight over health care would doom Senate passage, but together we have proved them wrong. On that note, I would also like to commend the staff of both Senator BAUCUS and Senator GRASSLEY who worked so hard to develop this compromise against tremendous odds.

The Finance Committee has been working on the TPA and TAA legislation for nearly a year now, and, as a member of that committee, I have been extensively involved in its development. Through hearings and markups, along with numerous discussions, we have extensively debated this legislation—and will likely continue to do so until the final vote.

My decision to support this package, and the TPA section in particular, was by no means a foregone conclusion, as I have opposed trade agreements and fast-track authority in the past. I did so because I never felt they struck the proper balance between free and fair trade, and I have been concerned that both Republican and Democrat administrations approached the enforcement of U.S. trade laws not with vigor, but with benign neglect.

However, when the Finance Committee marked up this fast-track legislation in December, I supported it precisely because it does strike the appropriate balance, and because of this administration's commitment to aggressively enforce our trade laws so that American workers aren't undermined by unfair trade practices.

Furthermore, while some oppose linking TPA and TAA as contained in this trade package, my support is contingent on this linkage and I have repeatedly emphasized the importance of joining these proposals that are inextricably joined. TAA would not even exist if not for the fact that trade agreements impact U.S. jobs, so attempting to bifurcate TAA and TPA is like trying to divide the ''heads'' from the ''tails'' on a coin—sure, it may be possible, but the end product won't be worth one red cent!

We must never forget that in the engagement of trade there is a downside—chiefly, that real lives are affected—people not just statistics. When Americans become unemployed due to increased imports or plant relocations to other countries, it is because of trade agreements negotiated by the government of the United States and passed by Congress. Therefore, we have no obligation to also work toward forging a system that provides these trade-impacted Americans with the new skills needed to gain new employment.

And lest anyone question the need or value of the program, consider the fact that TAA has served not only as a lifesaver but also as an opportunity-creator for individuals to be retrained so they can re-enter the workforce as quickly as possible. Since October 1997 to today, 9,200 Mainers have benefitted from TAA. Nationally, during this same time-frame, almost 1 million people were covered by TAA. In Maine right now, 1,102 people are receiving TAA benefits.

In fact, in Maine it's been a whole litany of closings from a variety of industries since NAFTA: Carleton Woolen Mills lost 600 jobs, Dexter Shoe Company lost 550 jobs, Kimberly-Clark lost 450 jobs while Mead Paper lost 472 jobs and G.H. Bass footwear lost 355 jobs, as did Cole-Haan Manufacturing, while Eastland Shoe Manufacturing lost 250 jobs and Saucony closed with 110 workers, and just recently, Hathaway Shirts, one of the oldest and last remaining domestic shirt-makers, with 300 workers. Many of these people turned to TAA.

The final provisions of the legislation before us were in question up until the last minute, but they make vital improvements and expansions to the program, including several I have fought for. Specifically, besides consolidating the current TAA and NAFTA–TAA programs into one, more efficient program, the bill includes my proposal to speed up assistance to displaced workers by decreasing the TAA petition time for certification from 60 days to 40 days. Reducing this time by 20 days will allow people to get on with their lives that much quicker.

The bill also includes my proposal to create a new pilot program under the Small Business Administration (SBA) that will test how TAA can help those seeking to start their own business by assisting with development plans without the loss of their TAA benefits. It also allows for customized, employer-sponsored training programs where a worker can learn a specialized skill while on the job.

And the legislation also establishes a performance accountability and reporting system. A concern expressed to me by Maine officials has been that, without taking into account the economic conditions of the states, good systems could be erroneously judged bad due to an economic downturn of a state. By factoring-in this new criteria, we ensure that such a vital component of the overall picture is part of the equation.

Beyond these provisions, the TAA legislation also recognizes the fact that it is not only people but communities

that can be adversely impacted by job loss or plant relocations. It does so by creating a new Office of Community Trade Adjustment at the Economic Development Administration (EDA) that will work closely with state and local officials to develop a strategic plan when a community suffers massive layoffs. The Office can dispense grants that could prove critical in getting these communities back on track.

Moreover, this bill addresses another issue that has created problems in my state this year—the current budget for training assistance. Since last year, Maine has run short of training funds by approximately $2.7 million, forcing them to apply for five different Department of Labor National Emergency Grants and potentially causing a freeze in retraining assistance. By providing $300 million in funding, this shortfall will be fully addressed.

And we didn't stop there. Not only does this funding level address State shortfalls, but it also ensures expanded coverage for secondary workers affected by trade. Specifically, under the compromise developed by Senators GRASSLEY and BAUCUS, secondary workers with a direct relationship to the downsizing or closing of a plant will be covered by TAA, while so-called downstream workers covered now under a Statement of Administrative Action as part of the NAFTA–TAA program will also be covered through the SAA's codification.

And, as I stated earlier, bipartisanship also prevailed on the contentious health care issue. Since the end of last year, the health care provision seemed to be the one that would divide us and perhaps even bring down this trade package. Well, Madam President, through the hard work and dedication of many offices, this obstacle has been averted.

The health care compromise included in this agreement provides a 70 percent tax credit for trade-impacted workers to continue their health coverage for themselves and their family. This tax credit is ''advanceable'' so that people will receive this assistance immediately rather than paying up front to get a tax refund later. The tax credit is also refundable and, as such, provides the full level of the tax credit regardless of whether the individual will owe any taxes that year.

Trade-affected workers can use this tax credit toward the cost of COBRA health coverage from their former employer, if that is available, or they can purchase private health coverage through purchasing groups, state high-risk pools, or other group purchasing arrangements established by the states. Workers can also use the tax credit toward their current private health coverage.

Through these and other provisions, what we have before us today is a bill that recognizes that our desire to trade is dependent on our ability to assist those adversely affected by trade. An expanded TAA program will be part and parcel of an extension of trade negotiating authority—and American workers will be provided with the assistance they need and deserve.

In that light, as the world grows ever closer, the implications of our trade agreements are more critical—and more magnified—than ever before. As I mentioned earlier, my past opposition to fast-track, due to concerns about the balance between free and fair trade and our enforcement of our trade laws, have been addressed in this bill.

The bottom line is that enforcement is an inseparable component of free and fair trade. If you don't believe me, just look at the record. In the past, when free trade and fair trade have been treated as mutually exclusive, import-sensitive industries in Maine and America were decimated by foreign competitors. Why? Because foreign businesses enjoyed the benefits of a lack of reciprocity in trade agreements—foreign industry subsidies—dumping in the U.S. market—and non-tariff trade barriers. That's why, as a Member of the House in 1986, I lamented that we were running up ''the white flag of surrender in the international marketplace.''

The ''white flag'' is perhaps best represented by the shoe industry, which is one that has borne the brunt of our trade policies. In 1986, for example, it experienced an 82 percent import penetration with over 750 million pairs of shoes entering this country annually. Japan, on the other hand, allowed only 1 million pairs of shoes to be imported and Brazil had a 100 percent tariff effectively barring imports. The U.S. industry filed a trade relief petition under section 201, and a five year temporary quota was recommended by the International Trade Commission (ITC), but the Administration did not act on it. In short, we abandoned our workers, our industry and our trade policy in the pursuit of free trade.

And the surrender of our rights under our own trade laws has had serious consequences in the lives of real people. In Maine alone, we lost nearly 15,400 manufacturing jobs since NAFTA's inception, including 2,400 textile jobs, 6,000 leather products jobs, 500 apparel jobs, 3,700 paper and allied products jobs, and 4,800 footwear jobs, excluding rubber footwear, and 5,200 manufacturing jobs so far just this year. We failed those people because we abdicated our responsibility to take a balanced, comprehensive and integrated approach to trade.

That is why I worked to ensure that the ATPA legislation contains at least a 15 year tariff phaseout for rubber footwear, which is supported by the domestic industry. As it was originally written, the ATPA would have signaled the end of our rubber footwear industry by setting a precedent for all other countries. How? By matching this tariff phaseout to the seven years left under the NAFTA, other countries in future agreements would unquestionably seek the same.

During negotiations over NAFTA, the U.S. industry fought to be excluded but grudgingly accepted a 15 year phaseout as a recognition of their import-sensitivity. This is exemplified over the past decades by the decrease we've seen in jobs in this industry from 26,000 workers in the early 1970s to 2,600 today. And I might add, more than a third of those remaining jobs are located in Maine. So to have subjected this industry to the same phase-out date as that required by NAFTA would have put them at yet another debilitating disadvantage by depriving them of another eight years of adjustment. So when it comes to ATPA, to do anything but provide at least the 15 years prescribed under NAFTA would have been unconscionable.

And while we cannot bring back these or other jobs that were lost due to the miscues of the past, we can learn from those miscues and apply the lessons to our present and future actions. We can change our approach at the negotiating table. We can enforce existing trade laws.

In the real world, we have to acknowledge that there are many nations that don't care about labor or environmental standards. And that creates a tilted playing field where it's harder for us to compete. In that regard, this bill makes significant progress on the issues of labor and the environment and I believe it is both a necessary and important distinction that separates this proposal from prior approaches to fast track. The bill before us today not only sets as an overall objective the need to convince our trading partners not to weaken their labor or environmental laws as an inducement to trade, but it also requires the enforcement of existing labor and environmental laws as a principal negotiating objective.

The legislation also recognizes the need to take steps to protect the import sensitive textile and apparel industry. It calls for reducing tariffs on textiles and apparels in other countries to the same or lower levels than in the U.S., reducing or eliminating subsidies to provide for greater market opportunities for U.S. textiles and apparels, and ensuring that WTO member countries immediately fulfill their obligations to provide similar market access for U.S. textiles and apparels as the U.S. does for theirs.

And this legislation includes new negotiating objectives to address the issue of foreign subsidies and market distortions that lead to dumping. As a result, many industries stand to benefit from the adoption of this legislation, including the forest and paper, agriculture, semiconductor, precision manufacturing, and electronic industries of my home state. According to Maine Governor Angus King the fast track approach is, ''On balance—beneficial to Maine. There might be some short term problems, but in the long run, we have to participate in the world economy.

And Maine has been participating. From 1989 to 1999, total exports by

Maine companies increased by 137 percent from $914 million to $2.167 billion, with the largest industry sector for trade being semiconductors—employing about 2,000 in Maine. The computer and electronics trade, which includes semiconductors, accounted for 33 percent of Maine's exports in 1999, followed by paper and allied products at 17 percent.

The Maine industries that benefit from exports have also seen job gains in the state. From 1994 to 1999, the electrical and electronics industry had a job gain of 2.3 percent and the agriculture, forestry and fishing industry saw a 19 percent increase in jobs. In 2000, Maine's exports supported 84,000 jobs.

And two other Maine industries—the import-sensitive salmon acquaculture industry that was the target of dumping by Chile, and the rubber footwear industry that's been severely impact by past trade agreements—stand to benefit from commitments I've received from the administration to stand firm on antidumping laws and to negotiate aggressively on their behalf in future agreements.

I have also worked in the Andean Trade Preference Act (ATP) to provide the rubber footwear industry with a comparable tariff provision to that which they received in the NAFTA. The original ATPA further threatened this industry by giving the four Andean nations a tariff phase-out schedule that was only half as long as the 15-year schedule contained in the NAFTA. I am pleased that this legislation now contains this same 15 year phaseout because without this we would be setting a precedent that would be demanded by other countries as well.

These measures and commitments represent a significant strengthening of our resolve and our ability to utilize existing remedies to protect American industries and workers. This comes not a moment too soon, as the success of our economy relies more than ever on fair and freer trade—U.S. exports accounted for one-quarter of U.S. economic growth over the past decade, nearly one in six manufactured products coming off the assembly line goes to a foreign customer, and exports support one of every five manufacturing jobs.

Given these facts, it is understandable concern that the U.S. has been party to only 3 free trade agreements while there are more than 130 worldwide. Since 1995, the WTO has been notified of 90 such agreements while the U.S. only reached one in the trade arena, the Jordan Free Trade Agreement. In contrast, the European Union (EU) has been particularly aggressive, having entered into 27 free trade agreements since 1990 and they are actively negotiating another 15. Perhaps not surprisingly, the Business Roundtable reports that 33 percent of total world exports are covered by EU free trade agreements compared to 11 percent for U.S. agreements.

Why should these facts raise concerns? Because every agreement made without us is a threat to American jobs. Nowhere is this better exemplified than in Chile which signed a free trade agreement with Canada, Argentina and several other nations in 1997.

Since that time, the U.S. has lost one-quarter of Chile's important market, while nations entering into trade agreements more than captured our lost share. According to the National Association of Manufacturers (NAM), this resulted in the loss of more than $800 million in U.S. exports and 100,000 job opportunities. One specific industry affected was U.S. paper products which accounted for 30 percent of Chile's imports but has since dropped to only 11 percent after the trade agreements were signed.

We need to look to the future of our industries and open doors of opportunity in the global marketplace. In order to do so responsibly, we need to learn every economic lesson possible from the past, and this package provides for not only a study I requested of the economic impact of the past five trade agreements, but also an additional evaluation of any new agreements before TPA is extended.

And we need to make sure that everyone who can benefit from these agreements can get their foot in the door. Small businesses, for example, account for 30 percent of all U.S. goods exported, and in Maine more than 78 percent export, so I am pleased this bill includes my proposals placing small businesses in our principle negotiating objectives.

Small businesses also face the biggest hurdles to engaging in international trade, even as it provides them with best opportunity for growth. So we must ensure their views and needs are addressed in any agreement reached, and I want to thank the chairman and ranking member of the Finance Committee for including my provision to create an Assistant U.S. Trade Representative for Small Business and my proposal requiring the USTR to call for a small business advocate at the WTO in order to ensure that small businesses have advocates at the table during all negotiations.

Finally, the package now includes consultation rights for the House and Senate Committees with oversight of the fishing industry. As the past chair and current ranking member of the Commerce Subcommittee on Oceans and Fisheries, I can tell you that the actions of other countries with regard to fishing plays a crucial role in ensuring our industry has a level playing field on which to compete. Last year this country exported $11 billion worth of edible and nonedible fish products, and in Maine the industry, which is our 5th leading exporter, generates 26,000 jobs.

The bottom line is international trade is inextricably linked to the economic future of the United States. The adoption of this comprehensive package will ensure that trade agreements will be pursued in a fair and balanced manner to the benefit of all Americans while also recognizing the need for expanded assistance for those who lose their jobs due to trade, and I urge its adoption. Thank you. I yield the floor.

Mr. REID. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time under the quorum call be charged equally against both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SANTORUM. Madam President, I rise to voice my support for the pending legislation, the trade promotion authority, as well as the TAA, a bill that is before us, the Trade Adjustment Assistance Act. While it is not a perfect bill by any stretch of the imagination, it is important in two respects. It promotes trade and it gives the President the opportunity to craft free trade agreements and open markets.

Pennsylvania, for example, had exports in 2000 to the tune of $24 billion. We export to over 204 foreign destinations. It is a very important part of Pennsylvania's economy, and it would be vitally important for Pennsylvania if we could open markets particularly with South America. We can begin to structure free trade agreements.

Several South American countries, for example, are very big users of the Port of Philadelphia. Free trade agreements would mean a lot to businesses in Philadelphia, as well as our transportation industry in Pennsylvania, which is a big part of the Pennsylvania economy.

We have tremendous opportunities in Pennsylvania with our manufacturing base, our high-technology industries, our agriculture, to export not just to South America but around the globe.

This is a great opportunity for this administration to structure deals, to bring down tariffs, and to allow us to compete better in the global marketplace.

While I do have some concerns about the Trade Adjustment Assistance Act, I do believe it is important for us to pass a trade adjustment assistance act that does deal with some of the downsides. I think there are a lot of upsides, a lot of good, quality jobs. But there will be some who will lose their jobs, and we need to be there to be helpful, to deal with those who are hurt by the actions of the Federal Government, by trade agreements that result in people losing their jobs.

In the end, there is no question that trade is a net positive for this country. It will improve the quality of life for millions of Americans, and not just for

those who will get better paying jobs because of trade but also people will be able to get better quality goods and less expensive goods as a result of trade with countries around the world.

So this is a win-win, in my opinion. We will be taking care of those who will be hurt and, at the same time, we will be expanding opportunities for millions of people and create a better way of life for our citizenry here at home.

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

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

Mr. DASCHLE. Madam President, we are about to begin a series of votes on amendments that have been pending on the trade package. I urge Senators to stay on the floor and to respect the need to discipline ourselves in regard to the amount of time allocated for the votes. Oftentimes, 10- or 15-minute votes turn into half-hour votes. So, please, stay on the floor. We have at least 8, perhaps as many as 10, rollcall votes that will be occurring momentarily.

UNANIMOUS CONSENT REQUEST—S. 2551

Mr. DASCHLE. Prior to that, I urge our colleagues to consider the final piece of business. I am pleased the distinguished chair of the Appropriations Committee is on the floor. He and I have had many conversations with regard to the need to pass the supplemental.

The President has admonished the Senate to complete our work on the supplemental before Memorial Day. I have indicated to Senator BYRD that that would be my desire, to complete our work on the supplemental prior to Memorial Day. And I indicated on the Senate floor earlier today it would be my hope that we could complete our work.

Obviously, there are many pieces of legislation that await us when we return.

So for a lot of reasons, the fact that this money is going primarily to defense and homeland security—we have seen warnings now issued in the last couple of weeks with regard to the need to respond even more consequentially to our homeland security requirements—I think the urgency of the bill is very much in evidence.

Madam President, I ask unanimous consent that immediately following the disposition of the trade bill, the Senate proceed to the consideration of S. 2551, the Senate supplemental appropriations bill; that there be 10 hours for debate on the bill, equally divided between the chairman and the ranking member of the Appropriations Committee; that all amendments be relevant to the bill and limited to 30 minutes of debate, equally divided in the usual form, with the amendment debate time counting toward the 10-hour cap; and that upon the disposition of the amendments, the bill be read a third time and passed, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN.—and I will object—first of all, I believe it is the procedure in the Congress for all revenue bills to be passed by the other body first. Isn't that correct? We would wait for the other body to proceed with their completion of the appropriations bill, which they have not done.

Madam President, just last night my office received these two documents: one at 50-some pages and the other 50-some pages, which is an explanatory statement of the recommendations of the Senate committee. We have not had a chance, obviously, to go through that long appropriations bill.

I noticed, among other supplemental appropriations, there is $5 million for individual quota fishing loans. I knew we were in an emergency here in the country—these fishing loans for halibut, I guess there is a halibut problem up in Alaska of which, unfortunately, the Nation has not been made aware.

But buried in this bill are other ''emergencies,'' such as the halibut emergency for $5 million. There are fundamental changes made in the aviation loan program which was passed overwhelmingly by this body for the airlines, which really has nothing to do with supplemental appropriations. There are many other policy changes, as is the practice of the Appropriations Committee—as is the practice.

I am not going to agree to any unanimous consent request. This bill has been over since April. We just got it last night. And you expect us to agree to 10 hours of debate and passing this bill? No. No. It is disgraceful.

We are going to change the way we do business around here. The appropriators are going to understand that there are other Senators who need to be involved when in an emergency supplemental appropriations bill there are policy changes which have nothing to do with any national emergency—whether they be a change to the aviation loan program or whether they be an emergency for halibut.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. Madam President, let me respond briefly, because I know the distinguished Republican leader would like to make a comment as well.

With regard to the House action, of course, we wouldn't complete our work on the bill until the House has done its work. We expect that will be done shortly. We have done similar appropriations work on many occasions in the past. We need to move forward.

As I said, there is an urgency to many of the provisions of this legislation. We are talking about defense and homeland security in particular.

I would also note that this bill is subject to amendment. Senators wishing to offer amendments would be entitled to do so.

I am disappointed we were not able to get the unanimous consent agreement. I think it does again delay our chances to complete this work and to get it done in a way that accommodates the President's request and our appreciation for the urgency of addressing this work.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. LOTT. Madam President, we received this request at approximately 5:28 this afternoon. I will make a couple of points with regard to the legislation, some of it with regard to what Senator MCCAIN was just saying.

I understand the Senate bill was reported last night and we were only able to get a copy of the measure earlier today. Senator MCCAIN and others are going through the bill to see exactly what its present condition is. It is obviously in the legislative process. It is different from what the President had requested. It is different from what the House passed. Therefore, we need to make sure we know exactly the present condition of what is in the bill.

For instance, the President asked for this supplemental for defense and homeland security, about $27.1 billion. The House-passed bill that we have not yet received is at approximately $29.4 billion. This bill is approximately $31 billion.

Mr. MCCAIN. Will the Senator yield for a question on that?

Mr. LOTT. I am glad to yield.

Mr. MCCAIN. Isn't it the Senator's recollection that when this side of the aisle was in the majority, the other side always insisted that the appropriations bills come over from the House before the Senate would be allowed to act? Is that not the recollection of the Senator?

Mr. LOTT. I know in the past my colleagues on the other side insisted we wait on the House appropriations bill in order to provide a defense of germaneness. So that has been the practice; the Senator is correct.

I understand we are going to get the House bill later tonight, but it may be, actually, in the morning before we get it. I also understand that no report was filed with the bill, although there is some sort of explanatory statement. Perhaps that will be helpful and maybe that is intended to be in place of the report. That is a concern, too.

The consent that was propounded asked for debate and amendment limits before Members even really knew what

we would be amending. It puts us in a very difficult position.

Having said all of that, certainly this measure is vitally important. I have already been talking to Senator DASCHLE about what is the best way to go to it, what is the earliest time we could go to it. Even if we took it up and some wanted time later on tonight or tomorrow, it looks to me as if it would take quite some time to get it done. We would not be able to get into conference with the House before we come back from the Memorial Day recess.

I am hoping we could go ahead and talk back and forth and try to get agreement that when we come back from the recess, if we don't get some agreement worked out otherwise, it would be the pending business or we would quickly get a process so we could start work on it Monday when we come back or Tuesday, the 4th, and hopefully get agreement relatively quickly, even with amendments, once people know what they are amending, and then be able to get it right on in to the conference with the House.

Clearly, we do need to get this done. I must say that it has been a slow process. The request from the administration was slow coming. The bill coming from the House has been slow. Now here we are right up against this recess. It has not been the best way to do it.

It is about $4 billion more than what the President asked. I am sure the mix within that $31 billion has been changed. We need to take a look at it. Hurriedly, we have been trying to go through what has been added. Clearly, a lot of it is not national defense or homeland security related: things such as the senior farmer's market nutrition program, money for a national polar orbiting operating environmental satellite system, some amount of money for attorney retention allowance for the District for attorneys that, even though they got a bonus for staying with DC, they subsequently became union members and were not entitled to the bonus. This would say they can keep the bonus. There is U.N. population fund language in here which always causes a fuss.

Just looking hurriedly over the amendments on agriculture, justice, commerce, DOD, education, a lot of issues that would not be described in any way as relating to national defense and homeland security, we need a little time to review all this and see what amendments may be necessary.

I must say—I know Senator BYRD understands this—I always am very antsy about proceeding without Senator STEVENS being around when we are doing appropriations bills. So that is a factor, too.

UNANIMOUS CONSENT REQUEST—S. 2551

Mr. LOTT. Madam President, I ask unanimous consent—this is a modification of the earlier request—that the Senate would proceed to the House supplemental appropriations bill on Monday, June 3, at a time to be determined by the majority leader after consultation with the Republican leader so we could get to this bill immediately upon our return.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Madam President, I object, for two reasons. First, it seems to me the whole issue is urgency. We are talking about defense and homeland security. If there is any urgency to making the commitment to getting the work done, it ought to be now, not a week or 10 days from now.

Secondly, we don't know when the House will produce the bill. Perhaps the House will complete its work; perhaps it will not. We know we have a job to do. As we have done on so many other occasions, we have done our work and waited for the House to act. If the House completes its work, perhaps that is something we can do. But we are not in a position to know what the House is going to do. Obviously, it would be very difficult for us to build a consent agreement around House action that may or may not take place.

I do object. I do recognize, as the Senator from Mississippi, the distinguished Republican leader, has noted, we will have to reach some agreement. If it can't be done now, it will have to be done soon. It is disappointing that it cannot be done now.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. I want to mention just an example of why we need to go through this legislation. It has just been pointed out to me, here is $2 million in this bill, which is entitled ''Supplemental Appropriation Act for Further Recovery from and Response to Terrorist Attacks on the United States''—that is the title of this legislation——

Other related agencies, Smithsonian Institution construction, $2 million: the committee recommends an amount of $2 million within construction to initiate the planning and design of an alcohol collection storage facility. The Smithsonian holds the largest collection of this kind in the world, and at present a large portion of it is stored in the National Museum of Natural History. The Smithsonian has requested this amount and the fiscal year 2003 budget estimate indicates it is a most important safety and security project.

Given this information, the committee has advanced the appropriation of funds required in planning and design in order to accelerate the project.

All of those bugs that are stored in alcohol in the Smithsonian—when we are trying to recover from and respond to the terrorist attacks on the United States by moving some alcohol encased bugs from one facility to another—this is another example of why in the world we need to examine this legislation.

The Senator from Pennsylvania is going to be recognized. There is a provision in this bill that is far more serious than moving bugs stored in alcohol for $2 million. That has to do with the aviation program. The legislation was passed by this body overwhelmingly because of the danger of airlines going bankrupt, and now one major airline at least will not be eligible for loans because there is not enough money there and we are going to see major airlines in America go bankrupt if we don't avoid that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Madam President, I want to pick up on what the Senator from Arizona said. He is ranking member on the Commerce Committee. They worked diligently on putting together the aviation loan program. One airline has access to the program, and that happens to be America West. There is another airline that is on the brink of bankruptcy that is hemorrhaging money right now, but it has brought in a management team to restructure the airline. Part of this restructuring plan is US Airways' access to this fund. What is in the appropriations bill will deny them access to this fund until the fall of this year, which may be too late for them to be able to get the adequate capital to continue operation. We may be bankrupting an airline that serves the whole northeastern quadrant of the United States for I don't know what reason.

I have no idea why this provision is in here, but we are pulling the rug out from under an airline that was probably the airline most affected by 9–11. This is the airline with its hub at Reagan National, which was shut down and flights were restricted. This is an airline that flew out of New York, and it served the area most impacted by 9–11. And now we have an appropriations bill that is going to probably deny them survival. It is the most impacted airline by 9–11 and we have a bill here that is supposed to help us recover from 9–11, and it may be the death knell of the airline.

The bottom line is, this bill is not ready for passage. There are serious changes that must be made in this legislation for this bill to go through the Senate.

ANDEAN TRADE PREFERENCE EXPANSION ACT—Continued

Mr. REID. What is the order before the Senate?

The PRESIDING OFFICER. The last 10 minutes of debate are reserved by the Senator from West Virginia.

The Senator from West Virginia is recognized.

AMENDMENT NO. 3527

Mr. BYRD. Madam President, what is the question before the Senate?

The PRESIDING OFFICER. Amendment No. 3527 by the Senator from South Carolina to amendment No. 3447 offered by the Senator from West Virginia.

Mr. BYRD. Madam President, the purpose of my amendment is because we are on the verge of passing fast-track legislation that would tie the hands of Senators who wish to amend trade agreements that come before Congress. It is imperative that we as members of the legislative branch become more active in the negotiation of those agreements. We must establish the means for Senators and Representatives to be consulted on trade negotiations in order to allow them to advise the administration on how to best protect the interests of their constituents.

Based upon the trade act of 1974, members of the Senate Finance Committee and the House Ways and Means Committee are able to serve as congressional advisers for trade policy. Members of those committees can also exercise oversight on the implementation of trade agreements. But the rest of the Members of the Senate and the House are left out in the cold when it comes to being able to sit in on important trade negotiations and being consulted on the contents of a trade agreement before it is sent to Congress for approval.

My amendment corrects this situation by enlarging the congressional oversight group so that the group would be comprised of 11 Senators and 11 Representatives who do not serve on the Finance Committee or the Ways and Means Committee. The congressional oversight group can then serve with the members of the committee of jurisdiction to advise negotiators in the executive branch on how to craft a trade agreement that promotes fair trade practices and protects the interests of our constituents.

My amendment does not take any powers away from the committees of jurisdiction. To the contrary, the amendment contains specific language that directs the cochairman of the congressional oversight group to open their meetings and to share all information with members of the Finance Committee and the Ways and Means Committee.

These committees and the congressional oversight group should work together to promote consultation between the executive and legislative branches on trade agreements. I do trust the Finance Committee to consult with other Senators on the contents of trade agreements, but as Ronald Reagan once said, ''Trust but verify.''

Let the committees of jurisdiction do their work, but let us also allow a broader membership of the House and Senate to participate in the consultations on trade agreements. The particular needs of our individual States may not be apparent to members of the Finance Committee.

Incidentally, Madam President, proponents of the fast-track bill have argued that we need to pass this legislation to allow the President to negotiate trade agreements. But the President already has the power to negotiate agreements with foreign countries. We do not need legislation to give the President his inherent powers.

What fast track really does, however, is to cut out the Senate and the House of Representatives from proposing amendments to trade agreements. If Congress cannot amend trade agreements, it is all the more important for Members of Congress to become more involved in the negotiating process by broadening the membership of the congressional oversight group, as my amendment does. Congress may have a better chance at influencing prospective trade agreements to take into account the interests of our constituents. I urge my colleagues to vote for the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Madam President, I advised my colleague from West Virginia several hours ago that I was going to move to table his amendment.

I ask unanimous consent to speak for 2 minutes.

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

Mr. NICKLES. Madam President, one, I didn't want to speak against the amendment of my friend and colleague and move to table it without him having a chance to make his presentation.

I happen to be a member of the Finance Committee, and the Finance Committee does have principal jurisdiction over trade. If we are going to have a trade advisory committee that would advise the administration and is composed of members appointed by the Senate President pro tempore, with the advice of the leaders, as proposed in this amendment, it also says to exclude members of the Finance Committee. I cannot imagine doing that. It sets up a separate committee, but we have a committee of jurisdiction that deals with trade. Now it says we are going to have a separate committee that will do the same thing. We don't do that in Appropriations or in the Judiciary Committee or Energy or in any other committee.

I think the committee process needs to work. This is as if to say let's have a duplicate committee outside of the Finance Committee. I think it is a serious mistake, a bad precedent. Maybe we should have two committees for everything, and if somebody doesn't like what comes out of the original committee, we can go to the other committee. I cannot imagine legislation that says let's have a separate committee and exclude members of the Finance Committee. I urge my colleagues to support a motion to table the amendment.

I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

The PRESIDING OFFICER (Mr. DAYTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 32, as follows:

(Rollcall Vote No. 125 Leg.)

YEAS—66

Allard	DeWine	McCain
Allen	Domenici	McConnell
Baucus	Durbin	Miller
Bayh	Ensign	Murkowski
Bennett	Enzi	Murray
Biden	Fitzgerald	Nelson (NE)
Bingaman	Frist	Nickles
Bond	Graham	Roberts
Breaux	Gramm	Rockefeller
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Cantwell	Hutchinson	Smith (OR)
Carper	Hutchison	Snowe
Chafee	Inhofe	Specter
Cochran	Jeffords	Stevens
Collins	Kyl	Thomas
Conrad	Lieberman	Thompson
Craig	Lincoln	Thurmond
Crapo	Lott	Voinovich
Daschle	Lugar	Warner

NAYS—32

Akaka	Feingold	Mikulski
Boxer	Feinstein	Nelson (FL)
Byrd	Harkin	Reed
Carnahan	Hollings	Reid
Cleland	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Corzine	Kerry	Stabenow
Dayton	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Leahy	Wyden
Edwards	Levin	

NOT VOTING—2

Helms	Inouye

The motion was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

Mr. DASCHLE. I ask that the following votes be limited to 10 minutes each.

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

The Senator from Montana.

Mr. BINGAMAN. I call for regular order.

The PRESIDING OFFICER. The question recurs on amendment No. 3448.

Mr. BINGAMAN. 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 that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, there is no time under the rule for Senators to speak before their amendment is called up. I ask unanimous consent that Senator BYRD, who has two amendments, be given 5 minutes on each of those

amendments; and following that, we have 2 minutes, equally divided, on each amendment.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Reserving the right to object, let me see if I understand. For this amendment, we are saying 5 minutes on each side, and all subsequent amendments 2 minutes on each side.

Mr. REID. One minute on each side.

Mr. NICKLES. I won't object.

Mr. BUNNING. I object.

The PRESIDING OFFICER. The objection is noted.

Mr. BYRD. 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 dispensed with.

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

Mr. REID. I renew the unanimous consent request. I renew my unanimous consent request as amended by the Senator from Oklahoma.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

Mr. BYRD. Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. The Senate will be in order. Conversations will be taken off the floor so the Senator can be heard.

AMENDMENT NO. 3448

Mr. BYRD. Mr. President, this bill prevents the Senate from enacting a resolution of disapproval——

The PRESIDING OFFICER. The Senator will suspend.

The Senate will be in order. Conversations will be taken off the floor. May we have quiet in the Chamber so the Senator can be heard.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, this bill prevents the Senate from enacting a resolution of disapproval against a trade agreement that it finds objectionable, unless the Finance Committee chooses to report such a resolution to the full Senate. A resolution of disapproval enacted by the Senate would withdraw the application of fast track procedures to any bill the President submits to the Congress to implement a trade agreement.

Although, at first glance, the bill before us appears to permit a Senator to introduce a resolution of disapproval rejecting fast track procedures applied to a trade agreement that is brought back to the Senate by the President, the reality is that such a resolution most probably would never come to the floor of the Senate for a vote.

This is because the bill states that, once a resolution of disapproval is introduced and referred to the Senate Finance Committee, it will not be in order for the full Senate to consider the resolution if it has not been reported by the committee. In other words, a disapproval resolution cannot be forced to the floor through a discharge of the Senate Finance Committee. The way this bill is currently written, if a resolution of disapproval is not reported out of the Senate Finance Committee, it might as well never have been introduced. The resolution may simply lie there until it dies.

This means that, so long as the Senate Finance Committee endorses the President's agreement, the views of the rest of the Senate are irrelevant. Enacting fast-track in this bill prevents the Senate from exercising its Constitutional responsibility to reject or modify trade agreement that are not in the best interests of the American people.

It is imperative that every Senator retain his or her right to introduce a resolution of disapproval that can be considered in the light of day by the full Senate. To this end, my amendments require that, upon introduction, any resolution of disapproval—including an extension resolution of disapproval—will be referred not only to the Senate Committee on Finance, but also to the Senate Committee on Rules and Administration. The Rules Committee is essential to this process, because it is charged with making the rules and procedures that govern this institution, and its expertise is essential to our enforcement of commitments undertaken by our trading partners in the trade agreements negotiated by the President.

Under these amendments, each of these committees will be required to report the resolution of disapproval that has been referred to it within 10 days of the date of its introduction and, if either of these committees fails to report the resolution of disapproval within that time, either of these committees shall automatically be discharged from further consideration of the resolution. The resolution shall then be placed directly on the Senate calendar. Once the disapproval resolution is placed on the Senate calendar, any Senator may make a motion to proceed to consider that resolution, and the motion to consider the resolution shall not be debatable.

If enacted as currently written this bill would effectively cut a majority of Senators out of the trade regulation process, preventing them from correcting sweeping changes in trade law that could unfairly affect the lives of their constituents who rely on the Senate to protect their interests.

I can't support surrendering the rights and prerogatives, the duties and responsibilities of the Senate to any President, Democrat or Republican. We in the Congress have an obligation to strike down trade agreements that adversely affect the American people. But it is impossible for us to do so if we do not provide ourselves the opportunity to adequately review, debate, amend, or reject their provisions as we are rightly empowered to do under the Constitution of the United States. These amendments ensure that we retain the power to modify or reject trade agreements that are not in the best interests of the United States and, in so doing, protect the economic well-being of the Nation and of the people we represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I strongly oppose this amendment. It does away with the very purpose of this legislation before us, and that is to give the President credibility at the negotiating table and to have a process by which Congress will consider the results of negotiation. So it strikes at the disapproval resolution process. This amendment adds language, then, directing the procedural disapproval resolutions be referred to the Committee on Rules and Administration. The effect of the amendment on trade promotion authority is threefold.

The PRESIDING OFFICER. The Senator will suspend.

Senators kindly take conversations off the floor so the Senator can be heard. The Senator has a right to be heard.

Mr. GRASSLEY. First, it wrests control over consideration of procedural disapproval resolutions from the Finance Committee and gives it to the Committee on Rules and Administration; second, to make procedural disapproval resolutions open for debate with automatic discharge from committee of jurisdiction; third, to provide for an unlimited number of procedural disapproval resolutions to be considered during any given session of Congress.

The intent is clear. It is an attempt to weaken trade promotion authority and create multiple and unlimited opportunities to derail trade promotion authority procedures during any given session of Congress. If the amendment is agreed to, a single Senator can put forward a resolution which would stop a particular trade negotiation in its tracks. We all know there are some Senators who do not like trade promotion authority and do not even like international trade. Should this amendment be agreed to, you can be assured that the Senate will be considering multiple procedural disapproval resolutions during any Congress.

Let us be clear. This amendment is designed to weaken trade promotion authority procedures, procedures which have effectively worked for over 50 years in advancing international trade interests. It really comes down to this: Either you believe in the proven effectiveness of the trade promotion authority procedures or you do not. If you do, then I strongly urge you to oppose this clever yet potentially devastating amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, all Senators should be aware that we have 10-minute votes scheduled. The leaders have both indicated they would like the votes to be completed shortly after the 10-minute time. Everyone should be aware of that or they will not be counted.

Mr. GRASSLEY. I move to table.

Mr. NICKLES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 32, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—66

Allard	Enzi	McConnell
Allen	Feinstein	Miller
Baucus	Fitzgerald	Murkowski
Bennett	Frist	Murray
Bingaman	Graham	Nelson (NE)
Bond	Gramm	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Harkin	Shelby
Campbell	Hatch	Smith (NH)
Cantwell	Hutchinson	Smith (OR)
Chafee	Hutchison	Snowe
Cleland	Inhofe	Specter
Cochran	Jeffords	Stevens
Collins	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Lieberman	Thurmond
Daschle	Lincoln	Torricelli
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Ensign	McCain	Wyden

NAYS—32

Akaka	Dodd	Levin
Bayh	Dorgan	Mikulski
Biden	Durbin	Nelson (FL)
Boxer	Edwards	Reed
Byrd	Feingold	Reid
Carnahan	Hollings	Rockefeller
Carper	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Conrad	Kerry	Stabenow
Corzine	Landrieu	Wellstone
Dayton	Leahy	

NOT VOTING—2

Helms	Inouye

The motion was agreed to.

AMENDMENT NO. 3449 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized. There are 10 minutes of debate on the amendment, evenly divided.

Mr. BYRD. Mr. President, I ask unanimous consent to withdraw the second amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 3451

Mr. BAUCUS. Mr. President, what is the regular order?

The PRESIDING OFFICER. The regular order is amendment No. 3451 offered by the Senator from West Virginia.

Mr. BAUCUS. I am sorry, amendment number?

The PRESIDING OFFICER. Amendment No. 3451 offered by the Senator from West Virginia.

Mr. BAUCUS. Mr. President, I make a point of order that the amendment is not germane.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

The Senator from West Virginia.

AMENDMENTS NOS. 3452 AND 3453 WITHDRAWN

Mr. BYRD. Do I have some remaining amendments?

Mr. BAUCUS. Yes.

Mr. BYRD. I thought I had withdrawn them. If I have not, I ask unanimous consent that I may withdraw them.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Montana.

AMENDMENT NO. 3458, AS MODIFIED

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Durbin amendment No. 3458 be modified with the text of amendment No. 3505, and that the amendment be considered and agreed to, and the motion to reconsider be laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3458), as modified, was agreed to, as follows:

After section 3201, insert the following:

SEC. 3204. DUTY SUSPENSION ON WOOL.

(a) EXTENSION OF TEMPORARY DUTY REDUCTIONS.—

(1) HEADING 9902.51.11.—Heading 9902.51.11 of the Harmonized Tariff Schedule of the United States is amended by striking ''2003'' and inserting ''2005''.

(2) HEADING 9902.51.12.—Heading 9902.51.12 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking ''2003'' and inserting ''2005''; and

(B) by striking ''6%'' and inserting ''Free''.

(3) HEADING 9902.51.13.—Heading 9902.51.13 of the Harmonized Tariff Schedule of the United States is amended by striking ''2003'' and inserting ''2005''.

(4) HEADING 9902.51.14.—Heading 9902.51.14 of the Harmonized Tariff Schedule of the United States is amended by striking ''2003'' and inserting ''2005''.

(b) LIMITATION ON QUANTITY OF IMPORTS.—

(1) NOTE 15.—U.S. Note 15 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking ''from January 1 to December 31 of each year, inclusive''; and

(B) by striking '', or such other'' and inserting the following: ''in calendar year 2001, 3,500,000 square meter equivalents in calendar year 2002, and 4,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater''.

(2) NOTE 16.—U.S. Note 16 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking ''from January 1 to December 31 of each year, inclusive''; and

(B) by striking '', or such other'' and inserting the following: ''in calendar year 2001, 2,500,000 square meter equivalents in calendar year 2002, and 3,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater''.

(c) EXTENSION OF DUTY REFUNDS AND WOOL RESEARCH TRUST FUND.—

(1) IN GENERAL.—The United States Customs Service shall pay each manufacturer that receives a payment under section 505 of the Trade and Development Act of 2000 (Public Law 106–200) for calendar year 2002, and that provides an affidavit that it remains a manufacturer in the United States as of January 1 of the year of the payment, 2 additional payments, each payment equal to the payment received for calendar year 2002 as follows:

(A) The first payment to be made after January 1, 2004, but on or before April 15, 2004.

(B) The second payment to be made after January 1, 2005, but on or before April 15, 2005.

(2) CONFORMING AMENDMENT.—Section 506(f) of the Trade and Development Act of 2000 (Public Law 106–200) is amended by striking ''2004'' and inserting ''2006''.

(3) AUTHORIZATION.—There is authorized to be appropriated and is appropriated out of amounts in the general fund of the Treasury not otherwise appropriated such sums as are necessary to carry out the provisions of this subsection.

(d) EFFECTIVE DATE.—The amendment made by subsection (a)(2)(B) applies to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2002.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 3461

Mr. BAUCUS. Mr. President, once again, will the Chair please state the regular order?

The PRESIDING OFFICER. Amendment No. 3461 offered by the Senator from New Jersey.

Mr. BAUCUS. I thank the Chair.

Under the agreement, there is 1 minute equally divided?

The PRESIDING OFFICER. Two minutes equally divided.

The Senator from New Jersey.

Mr. CORZINE. Mr. President, this amendment is offered by myself and Senator DODD and others. It is an important and simple request for our trade negotiators to respect the role of Congress and elected State and local officials to determine the nature and scope of significant public services.

Regardless of my colleagues' view on TPA, it is one thing to delegate congressional authority on trade negotiations, but it is a serious leap beyond that to delegate constitutional responsibilities of elected officials when it comes to determining what public services should be privatized.

This amendment would establish as a principal negotiating objective that

trade agreements should not include a commitment by the United States to privatize significant public services, such as Social Security, national security, public health and safety, and education.

This is simple and straightforward. We should not be turning over, to the delegation of unelected trade negotiators, determinations about issues such as Social Security and national security. That should be determined here, with debate on the floor of the Senate and the House of Representatives, and by duly elected officials. Straightforward, simple.

Mr. President, as I have explained, my amendment establishes as a negotiating objective that trade agreements exclude commitments by the Untied States to privatize significant public services. The amendment specifies four types of public services that represent core functions of Government and that are specifically protected. These include national security, Social Security, public health and safety, and education.

I want to make clear for the record, however, that these four areas are not the only types of public services that would be protected by my amendment. Since this legislation establishes only broad negotiating objectives, not highly detailed requirements, I have not listed each and every affected public service with great specificity. However, it is my intention that the amendment would apply to a wide range of public services. These include, for example, public transportation, public utilities, the Untied States Postal Service, and law enforcement, as well as other significant public services provided at the federal, state and local levels.

For a public service to be protected under the amendment, it would have to be ''significant.'' This is designed to ensure that the amendment not be interpreted too broadly to apply to even small and relatively marginal types of services. For example, if a local government decides to maintain a small snack bar at a local pool, I would not conclude that this is a significant public service that could not be opened to private competition. However, the provision of water or sewer services, which are provided on large scales by a substantial number of municipalities, and are important for the protection of public health, would be covered.

In any case, again note that the amendment deals only with trade negotiating objectives. It would not completely tie negotiators' hands or trigger any lawsuits. It simply says that our objective should be to leave the provision of significant public services as a decision for elected officials, not distant, unelected trade bureaucrats.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I oppose this amendment. And what troubles me most about the amendment is that it unnecessarily carves out privatization of particular service sectors from negotiations. These service categories include national security, Social Security, public health and safety, and education, as well as other significant public services.

This language is so broad that it could be used by our trading partners to close off market access to U.S. service exports. This situation could be especially troublesome in the telecommunications sector where many of our trading partners maintain government-owned telecom companies.

Including this language, which is very sweeping, in the trade promotion authority bill could severely undermine our ability to open these markets. That is why I ask my colleagues to reject the amendment.

Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Kansas (Mr. BROWNBACK), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

The PRESIDING OFFICER (Mr. NELSON of Florida). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 47, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—49

Allard	Enzi	Miller
Allen	Fitzgerald	Murkowski
Baucus	Frist	Nelson (NE)
Bennett	Gramm	Nickles
Bingaman	Grassley	Roberts
Bond	Gregg	Santorum
Breaux	Hagel	Sessions
Bunning	Hatch	Smith (NH)
Burns	Hutchinson	Specter
Campbell	Hutchison	Stevens
Chafee	Inhofe	Thomas
Cochran	Kyl	Thompson
Craig	Lincoln	Thurmond
Crapo	Lott	Voinovich
DeWine	Lugar	Warner
Domenici	McCain	
Ensign	McConnell	

NAYS—47

Akaka	Dorgan	Lieberman
Bayh	Durbin	Mikulski
Biden	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Byrd	Feinstein	Reed
Cantwell	Graham	Reid
Carnahan	Harkin	Rockefeller
Carper	Hollings	Sarbanes
Cleland	Jeffords	Schumer
Clinton	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerry	Stabenow
Corzine	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dayton	Leahy	Wyden
Dodd	Levin	

NOT VOTING—4

Brownback	Inouye
Helms	Shelby

The motion was agreed to.

AMENDMENTS NOS. 3463, 3464 AND 3465 WITHDRAWN

Mr. BAUCUS. Mr. President, on behalf of Senator HOLLINGS, I withdraw amendments Nos. 3463, 3464, 3465.

The PRESIDING OFFICER. Without objection, the amendments are withdrawn.

Mr. BAUCUS. Thank you, Mr. President. What is the regular order?

AMENDMENT NO. 3470

The PRESIDING OFFICER. Amendment No. 3470 by the Senator from Louisiana, Ms. LANDRIEU.

The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I want to begin by thanking the chairman and ranking member of this committee. I do support the underlying bill. I have tried to be helpful through this process in passing this bill.

However, there are maritime workers in our Nation who have been adversely affected because of a recent ruling. They are not entitled to benefits under this bill. Instead of picking up employment checks, or paychecks, they will be picking up unemployment checks, unless this amendment passes. So for port communities such as New Orleans and Houston and New Jersey and New York and Seattle, where maritime workers could qualify, this amendment will help. It only costs $10 million. It lasts for only 3 years. Out of an $8 billion bill, our maritime workers deserve some help. They have earned it; they deserve it. That is what my amendment does.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I make a point of order that the Landrieu amendment No. 3470 violates section 311(a)(2)(B) of the Congressional Budget Act of 1974.

Ms. LANDRIEU. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable section of the act for the purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Alabama (Mr. SHELBY) and the Senator from Kansas (Mr. BROWNBACK) are necessarily absent.

The PRESIDING OFFICER (Mr. CORZINE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 46, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—50

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Graham	Reed
Boxer	Harkin	Reid
Breaux	Hollings	Rockefeller
Byrd	Hutchison	Santorum
Cantwell	Jeffords	Sarbanes
Carnahan	Johnson	Schumer
Carper	Kennedy	Snowe
Cleland	Kerry	Specter
Clinton	Kohl	Stabenow
Conrad	Landrieu	Torricelli
Corzine	Leahy	Wellstone
Dayton	Levin	Wyden
Dodd	Lieberman	

NAYS—46

Allard	Enzi	Miller
Allen	Feingold	Murkowski
Bennett	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Bunning	Gramm	Roberts
Burns	Grassley	Sessions
Campbell	Gregg	Smith (NH)
Chafee	Hagel	Smith (OR)
Cochran	Hatch	Stevens
Collins	Hutchinson	Thomas
Craig	Inhofe	Thompson
Crapo	Kyl	Thurmond
Daschle	Lott	Voinovich
DeWine	Lugar	Warner
Domenici	McCain	
Ensign	McConnell	

NOT VOTING—4

Brownback	Inouye
Helms	Shelby

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Montana.

AMENDMENT NO. 3521

Mr. BAUCUS. Mr. President, I do not see Senator JEFFORDS. On behalf of Senator JEFFORDS, I offer amendment No. 3521.

The PRESIDING OFFICER. The amendment is pending.

Who yields time?

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I do not think there is any objection to this amendment. This is in proper order, and I ask for it to be accepted.

Mr. BAUCUS. I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 3521.

The amendment (No. 3521) was agreed to.

AMENDMENT NO. 3467

Mr. BAUCUS. Mr. President, it is my understanding the next amendment is No. 3467 by Senator WELLSTONE.

The PRESIDING OFFICER. The Senator is correct.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I am a first-generation American. My father fled persecution from Russia, and I am always most proud of our country when we promote human rights.

This is an amendment that simply says surely one of our objectives should be to promote human rights and democracy, and we call on our trading partners to strive to meet these human rights standards.

There are somewhere in the neighborhood of 70 governments in the world today that systematically practice torture. At the very minimum, we can at least say one of our objectives in trade policy will be to promote human rights and democracy. That is all this amendment does. I think it means our country leads with our own values. I think it is important we make that statement, and I hope there will be a strong vote in favor of the amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Opportunity is the greatest of human rights anywhere in the world. Trade is all about opportunity, so this whole bill is all about human rights. This amendment upsets a carefully crafted bipartisan compromise dealing with these complex relationships between international trade, workers' rights, and the environment, and it does so by undermining the fundamental purpose and proven effectiveness of our trade promotion authority.

This amendment offers vague new standards stating that the countries should strive to protect ''internationally recognized civil, political, and human rights,'' without even defining those rights. It sets our negotiators up for failure and jeopardizes this bill.

If we really want to promote democracy and human rights abroad, then we should all oppose this amendment and pass the bill because history shows that time and again open markets help foster a more open political system and the human rights that go with it. Mexico is an example. There is Taiwan and South Korea, all sorts of examples of human rights being better today than they were 50 years ago, all because of more open markets and international trade.

I yield back my time.

The PRESIDING OFFICER. All time has expired.

The Senator from Nevada.

Mr. REID. Mr. President, following the vote on the Wellstone amendment, we will immediately go to a vote on the substitute that is now before the Senate. I ask if that needs a rollcall vote because we are going to have to vote on the bill itself, so I do not know if we need to vote twice. I again ask, do we need a rollcall vote? I ask Senators to make that decision during the time we are voting on the Wellstone amendment. It would seem to me this would be a good time to voice vote that and wait until there is final passage on the bill itself.

The PRESIDING OFFICER. Is there objection?

The Senator from West Virginia.

Mr. BYRD. Reserving the right to object, Mr. President, earlier today I saw some language that indicated that the committee, in an amendment—I assume it was going to be included in the managers' amendment, or under the rubric of ''technical amendments''—was making direct appropriations. I ask the manager of the bill right here and now, is there any amendment in either the technical amendments or the managers' amendment that purports to make a direct appropriation?

Mr. BAUCUS. I inform the chairman of the Appropriations Committee, the answer is no, there is not.

Mr. GRASSLEY. I have the list in front of me. As I recall discussions of this list, I don't remember anything that has any appropriations in it whatsoever and it is not our intent to appropriate money in these amendments.

Mr. BAUCUS. If I might further respond to my good friend from West Virginia, I have just been informed we don't believe there are any such provisions, but we are scrubbing it right now to make sure. We don't believe, at this point.

Mr. BYRD. Mr. President, I think we ought to have a quorum call so we can take a good look and be absolutely sure.

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. I ask unanimous consent that the order for the quorum call be rescinded.

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

VOTE ON AMENDMENT NO. 3467

The PRESIDING OFFICER. The question is on agreeing to the Wellstone amendment.

Mr. WELLSTONE. I want a vote.

Mr. DURBIN. I ask for the yeas and nays.

Mr. BAUCUS. I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second on the motion to table? There is a sufficient second. The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from Connecticut (Mr. LIEBERMAN), are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Alabama (Mr. SHELBY), and the Senator from Kansas (Mr. BROWNBACK), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 53, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—42

Allard	Cochran	Gregg
Allen	Craig	Hagel
Baucus	Crapo	Hatch
Bennett	DeWine	Hutchison
Bond	Domenici	Inhofe
Breaux	Ensign	Kyl
Bunning	Enzi	Lott
Burns	Frist	Lugar
Campbell	Gramm	McCain
Chafee	Grassley	McConnell

Miller	Santorum	Thomas
Murkowski	Sessions	Thompson
Nickles	Smith (NH)	Thurmond
Roberts	Stevens	Warner

NAYS—53

Akaka	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Reed
Byrd	Graham	Reid
Cantwell	Harkin	Rockefeller
Carnahan	Hollings	Sarbanes
Carper	Hutchinson	Schumer
Cleland	Jeffords	Smith (OR)
Clinton	Johnson	Snowe
Collins	Kennedy	Specter
Conrad	Kerry	Stabenow
Corzine	Kohl	Torricelli
Daschle	Landrieu	Voinovich
Dayton	Leahy	Wellstone
Dodd	Levin	Wyden
Dorgan	Lincoln	

NOT VOTING—5

Brownback	Inouye	Shelby
Helms	Lieberman	

The motion was rejected.

Mr. WELLSTONE. Mr. President, I ask to vitiate the yeas and nays on the amendment.

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

The question is on agreeing to amendment No. 3467.

Without objection, the amendment is agreed to.

The amendment (No. 3467) was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding we are now at the point where we could vote on the substitute; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. It is my understanding the chairman of the Appropriations Committee has met with the chairman and ranking member of the Finance Committee and they have worked out the problem that existed. Is my understanding correct?

Mr. BYRD. Mr. President, may I respond?

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. The language is being changed so it makes a reference to an authorization, not to an appropriation. It earlier made appropriations in this bill. That was not the intent, Mr. BAUCUS has assured me. That change has been made now, and the full understanding between the chairman of the Finance Committee and myself and the ranking member of the Finance Committee is that there was no intent to make an appropriation. Therefore, I have no objection to the request by the majority whip.

The PRESIDING OFFICER. The Senator from Montana.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Mr. President, I send a technical amendment to the desk amendment and ask unanimous consent that it be agreed to, and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. MURKOWSKI. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

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

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

AMENDMENT NO. 3548 TO AMENDMENT NO. 3401

Mr. BYRD. Mr. President, if I may have the attention of Senators, several references to appropriations have been found in the language. But I am constrained to believe, on the assurances of the distinguished chairman of the Finance Committee and the ranking member, that these were inadvertences. So we have stricken several of them.

Just to make doubly sure that this bill does not make any appropriations, I offer the following amendment, which, is agreed to, would save a lot of time:

At the end, add the following:

''Notwithstanding any other provision of this Act, no direct appropriation may be made under this Act.''

I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3548) was agreed to.

Mr. BYRD. I thank all Senators.

U.S. TRADE LAWS

Mr. BAUCUS. Mr. President, last year, nearly two-thirds of the Senate sent a letter to President Bush emphasizing that new trade agreements must not weaken trade remedy laws such as antidumping and countervailing duty law.

The fast track bill we are considering today reemphasizes that point. Section 2(c)(9) of the bill instructs the President to preserve, in all trade negotiations, the ability of the United States to enforce rigorously its trade remedy laws and to avoid any agreement that would require weakening of the current U.S. antidumping, countervailing duty and safeguard remedies.

Today, I would like to make two key points about this provision. First, the Committee on Finance regards strict adherence to the section 2(c)(9) directive as critical in advancing the economic interests of the United States in future trade agreements. The bill's language here is unambiguous in the sense that, rather than establishing preservation of our trade remedy laws as simply a ''negotiating objective,'' it bluntly states that the President ''shall'' preserve those laws.

Second, the negotiating instruction encompasses any weakening of the existing remedies, whether at the level of statute, regulation or agency practice. This means that the President ''shall'' reject any new international rule or obligation whose acceptance would lead to relief under our existing trade laws becoming more difficult, uncertain, or costly for domestic industries to achieve and maintain over time.

I am very concerned about the Administration's decision in Doha last year to put U.S. trade laws on the negotiating table. Many of our trading partners have only one goal to weaken our trade laws so they can gain an unfair competitive advantage. A number of WTO Members have put forward some specific proposals. I want to highlight today a few examples of new international obligations that have been proposed by WTO Members, and that would obviously result in a weakening of U.S. trade laws, including: One, a ''public interest'' rule politicizing and encumbering the administrative processes under which these laws are currently applied; two, a requirement to exempt from trade remedy measures items alleged to be in ''short supply'' in the domestic market; three, a so-called ''lesser duty'' rule limiting antidumping and countervailing duties to some amount less than the calculated margin of dumping or subsidy, such as the amount supposedly necessary to offset the injury; and four, any extension of faulty dispute resolution models such as Chapter 19 of the NAFTA.

Mr. President, there are other examples, but these are some of the key concerns that I have and I know many of my colleagues share. I also want to emphasize that this is very much a bipartisan issue. Members on both sides of the aisle feel strongly about protecting U.S. trade laws. And along those lines, I believe my good friend and ally in protecting U.S. trade laws, would like to express some of his concerns about this issue.

Mr. ROCKEFELLER. I certainly share the Senator's concern regarding the potential for new trade agreements to weaken U.S. trade remedy laws, in particular the antidumping and countervailing duty laws. These essential laws level the playing field on which our firms and workers compete internationally, and serve the crucial function of offsetting and deterring some of the most harmful unfair trade practices affecting international trade today.

The steady leadership the Senator has provided on this issue has been admirable, and I certainly hope the message has gotten through. It would be a serious mistake indeed to think that an agreement or package of agreements can be successfully presented to

Congress for approval, under fast-track rules or otherwise, if it includes any weakening changes to our trade remedy laws.

I believe the Senator has accurately captured the general definition of a ''weakening'' change, and I agree fully with the examples he has laid out. I want to ask about some other proposals which have already surfaced at this early stage of the WTO negotiations, and which in my view must be rejected under the standard set out in section 2(c)(9).

These proposals include:

One, changes to the rules for ''sunset'' reviews of antidumping and CVD measures which would make it more difficult to keep relief in place; two, additional constraints or criteria for dumping calculations, in areas where current WTO rules and U.S. law vest discretion in the administering authority; and, three, special rules and standards that would make it easier for a particular group of countries, such as developing countries, to utilize injurious dumping or subsidies as a means of promoting their own industries at our expense.

Am I correct in my view that accepting any such changes, as some trading partners have requested, would weaken our existing trade remedies?

Mr. BAUCUS. Yes, those are certainly changes that would weaken our current remedies, and which would fail the test set out in section 2(c)(9). I also understand that my colleague and friend, Senator ROCKEFELLER, who has worked very closely with me on the defense of our trade remedy laws over the years, has some points to add concerning section 2(c)(9).

Mr. ROCKEFELLER. I also wish to clarify with my colleagues that section 2(c)(9) is a ''no weakening'' provision, and not a ''no net weakening'' provision. In other words, the President is directed to reject any new international obligation whose acceptance would impair our current trade remedies in the way you have described—by making relief costlier, more uncertain, or otherwise harder to achieve and maintain over time. An agreement that includes such changes must be rejected, and it is no answer—insofar as section 2(c)(9) and the intent of the Congress is concerned—to contend that the agreement in question also includes some ''strengthening'' provisions.

That would include any revisions that intended to ''strengthen'' the disciplines governing other countries' trade laws, including those in the developing world.

I personally believe that until the United States has a documented record of challenging those foreign trade laws at the WTO—and for some inexplicable reason we do not—there is no justification for saying existing WTO rules are not sufficient to ensure due process and transparency in foreign trade laws.

Additionally, I think it is important to clarify that this negotiating directive does not preclude U.S. negotiators from addressing the very serious shortcomings that have become apparent in the operation of the WTO dispute settlement system. As explained in the Finance Committee's report on the TPA measure, in a series of decisions involving trade remedy measures, the WTO Appellate Body and lower dispute settlement panels have fabricated U.S. obligations which our negotiators never accepted and have blatantly disregarded the discretion which the Uruguay Round negotiators intended for national investigating authorities to retain.

These WTO tribunals have violated their mandate not to increase or reduce the rights and obligations of WTO Members; have imposed their preferences and interpretations, and those of a biased WTO Secretariat, on the United States and on other WTO Members; and have issued decisions with no basis in the legal texts they supposedly were interpreting.

I believe this may be because other countries have been far more aggressive about challenging our trade laws at the WTO than we have been in challenging theirs. The effect has been to upset the careful balance achieved in the Uruguay Round by adding new, and wholly unwarranted, constraints on the use of trade remedies.

Before we vote on the bill, am I correct in understanding that section 2(c)(9) does not preclude a forceful U.S. agenda to address the problems plaguing WTO dispute settlement?

Mr. BAUCUS. The Senator is perfectly correct. I might add that the TPA bill includes several additional provisions designed to ensure a forceful U.S. response to the WTO dispute settlement problem, and section 2(c)(9) presents no barrier whatsoever in that regard.

LIVESTOCK AND MEAT PRODUCTS AS PERISHABLE AND CYCLICAL PRODUCTS

Mr. ENZI. Mr. President, I rise to enter into a colloquy regarding the coverage of trade promotion authority. My understanding is that TPA includes special provisions regarding perishable and cyclical products. It is my understanding that this language would clearly cover livestock and fresh meat products as they are perishable and cyclical agricultural products.

I believe that the language and the coverage are clear, but want to make sure that our negotiators are well aware of our intent and coverage of this legislation and the expectations we have for inclusion in future trade agreements.

Reasonable people know that fresh meat is perishable, but many people may not be aware that livestock can be perishable as well. Cattle ready for slaughter, for example, must be processed within two to three weeks of reaching their optimal weight. Once above the optimal weight, cattle gain fat and not muscle. With this quality loss, livestock producers suffer drastic price discounts that can wipe out their profits. Clearly meat production and livestock are also cyclical. Again, taking cattle as an example, the price follows a 10-year-cattle-cycle—the expansion and contraction of the nation's cattle herd have historically affected cattle prices.

Mr. DASCHLE. Mr. President, I rise in support of my colleague's interpretation. It seems quite clear to me. This is important to the meat and livestock industry. For example, TPA addresses eliminating the practices of foreign governments that adversely affect the trade of perishable and cyclical products, and the elimination of such practices in the livestock and meat sector would be to the advantage of U.S. producers. No reasonable person would suggest that the definition of perishable and cyclical agricultural products would fail to cover livestock and meat production.

TPA also calls for improving import relief mechanisms to recognize the special characteristics of perishable and cyclical products, which would include livestock and meat. Such improvements to import relief mechanisms could include faster and more effective time frames for imposing import relief measures as well as improved means of determining industry support in import relief investigations. Along the same lines, TPA provides that U.S. import relief measures for perishable and cyclical agricultural products should be as accessible and timely as those of other countries.

TPA also states that the U.S. Trade Representatives, prior to commencing negotiations concerning agriculture, shall work to develop a position on perishable and seasonal products that will lead to an international consensus on the treatment of these products in dumping and safeguard investigations ''and in any other relevant areas.'' I understand that livestock and meat production would be included in these negotiations as they are clearly covered under the definition of perishable and cyclical agricultural products.

Mr. GRASSLEY. Mr. President, I thank my colleagues for their comments and I agree completely with them that the definition of perishable and cyclical agricultural products includes livestock and meat production. It is clear to me that there can be no other reading of the legislation and I believe that our colleagues intended for these products to be covered. We expect our negotiators, to include these products under these provisions.

Mr. BAUCUS. Mr. President, I also agree with my colleagues, views on this important issue. The intention of the members on this matter is clear: The definition of perishable and cyclical agricultural products includes livestock and meat production.

ENFORCEMENT OF PROPER LABELING OF BASA FISH

Mrs. LINCOLN. Every authorization of fast-track authority since the Trade Act of 1974 has been accompanied by a strong confirmation of Congressional

intent that U.S. law will be vigorously enforced to ensure that the increased trade enabled by agreements reached under the negotiating authority is fair.

This year, Congress has responded to a failure to enforce existing law by twice enacting provisions to ensure that imported species of fish are not illegally passed off in the U.S. market as ''catfish.'' The Food and Drug Administration has consistently authorized only North American Freshwater Catfish to be marketed as ''catfish'' in the United States, a practice that has existed commercially for over thirty years. U.S. law now prevents other species from using the term catfish in labeling or advertising. Let me be clear, the vast majority of this imported species of fish has never, and I repeat, never, reached American consumers under any legal name. It has reached the consumer in significant quantities only being misbranded as ''catfish.''

Congress most recently addressed this illegal misbranding in the farm bill, known officially as the Farm Security and Rural Investment Act of 2002, which was signed by the president last week. The fraud of misbranding seafood is referred to as ''economic adulteration.'' Under U.S. law, economic adulteration is illegal at every level of commerce. Misbranding at the time of importation, or changing a legal name after importation, is a violation of U.S. law. These laws have simply not been enforced. The relevant provision in the 2002 farm bill now makes it clear that false labeling or advertising of another species of fish as ''catfish'' is illegal. There is also an original provision in the 2002 farm bill that applies to seafood, including the species that have been misbranded as ''catfish.'' These provisions of law are a clear expression of congressional intent that applicable law must be vigorously enforced.

This is a necessary condition to the success of open trade.

I would like to confirm that in granting Trade Promotion Authority for trade agreements, Congress intends that: Government agencies with relevant enforcement authority will exercise their authority sua sponte to prevent the illegal practices that have plagued our catfish industry; effective enforcement action will be undertaken at all levels of trade to prevent the economic adulteration that has adversely affected U.S. catfish farmers and the consuming public; and enforcement action will include addressing violations of law with respect to misbranding and other improper labeling, Customs marks of origin, including misbranding that indirectly indicates a false origin, false or misleading representations in advertising and other practices.

We recognize that problems occur when our markets are open. However, our enforcement authorities must address those problems quickly and effectively in order to ensure that the increased competition from imports into our market is on fair terms. It is only fair competition that provides the benefits we seek for our economy, and that helps our producers remain internationally competitive.

Mr. BAUCUS. I can confirm the Senator's understanding, and I would like to express my personal support with respect to preventing the unfair practices that have threatened our U.S. catfish industry. Our clear intent is that U.S. law be fully enforced, not only as it concerns our catfish farmers but all U.S. producers, to ensure that trade is fair.

CERTIFICATION OF TRADE-AFFECTED INDUSTRIES

Mr. BAUCUS. Mr. President, I want to take a moment to talk with Senator GRASSLEY about the trade adjustment assistance bill and the important amendments that have been offered by Senators BAYH and EDWARDS.

These amendments would provide automatic certification for trade-affected industries. I believe that the Secretary of Labor already has the discretion to certify particular industries under the TAA program. And I believe that she would have the discretion under the TAA bill we are now considering.

Mr. GRASSLEY. As the Senator knows, I support the trade adjustment assistance program, and recognize that—beyond some individual companies and workers—there are also particular industries that face dislocation as a result of trade. The recent finding by the International Trade Commission regarding the steel industry further emphasizes this point. In that vein, there appears to be a need for further coordination between ITC determinations and Federal assistance given to workers impacted by trade.

Mr. BAUCUS. This is an important issue. As a Senator EDWARDS has spoken about many times, the textile industry has been adversely affected by increased imports and by companies shifting production overseas.

And the steel industry, as Senator BAYH has emphasized, suffers from a flood of unfairly trade imports. Indeed, many steel products are covered by the President's recent decision to impose restrictions under our safeguard laws.

So in this case, the ITC has already made a finding of trade-related injury. I would encourage the Secretary of Labor to expeditiously implement procedures regarding industry-wide certification.

Mr. GRASSLEY. I agree there needs to be a stronger tie between ITC findings and worker assistance—specifically Trade Adjustment Assistance. It is my understanding that the ITC is currently required to notify the Secretary of Labor of any affirmative injury determination, and that the Secretary must give expedited consideration to petitions for TAA certification by workers in the domestic industry.

Mr. BAUCUS. In closing, let me add that I appreciate the help of you and your staff in working to reach a bipartisan compromise on this package. I hope we can continue to move together in a bipartisan fashion.

Mr. GRASSLEY. I am also pleased that we were able to come to agreement on a bipartisan trade package. It was the right thing to do for our nation's farmers, workers, and companies.

Mr. VOINOVICH. Mr. President, I rise today in support of an amendment which recognizes the importance of the automotive industry to the U.S. economy and to our international trade agreements. The auto industry is a cornerstone of the U.S. economy, directly or indirectly supporting one out of every 15 jobs in America. Auto manufacturing and related industries account for 6.5 million jobs nationwide, nearly a quarter million of which are in my home state of Ohio. Ohio boasts the 2nd highest auto industry employment in the country, and that industry represents $22.6 billion in wages and benefits for Ohioans. Furthermore, the production assembly line that characterizes the modern automobile industry was invented in the American Midwest and is now used in factories across the globe.

Currently, the U.S. automotive market is the most open and competitive in the world. Our allies in Europe and our trading partners in developing nations alike have free access to American markets and consumers. Unfortunately, that is not true for American auto manufacturers. United States companies face significant pre-meditated trade barriers in the same countries that enjoy free trade and exports to the United States. In fact, the automotive industry trade deficit has accounted for one-third of the total U.S. trade deficit since 1992.

These results do not represent the intent or spirit of the free trade agreements signed in recent years, such as NAFTA and GATT, and the time has come to remove the barriers to free and open trade for American automobile manufacturers.

I know firsthand how difficult it is to open trade for American auto manufacturers. I vividly recall the free trade mission that I led in 1997 to South Korea. I spent two days with top government leaders and private sector groups urging them to open their markets to non-Korean made automobiles. Quite frankly, although they listened, I felt I was talking to a brick wall and received absolutely no satisfaction whatsoever. On the contrary, the Korean officials were proud to report that their imports doubled yet the actual number of those imports was a mere fraction of Korea's total auto sales.

That was 1997 and today—May 22, 2002—5 years later there has been no progress since I visited. Mr. President, I would have hoped that things would have improved. Last year, South Korea exported more than 1.5 million vehicles to the world, while importing only 7,747. Also last year, South Korea exported more than 618,000 vehicles to the U.S., while importing a mere 2,854 from

the U.S. In fact, South Korea sells more cars in the U.S. per day than U.S. manufacturers sell in South Korea all year.

In addition to unfair trade regulations, the Korean authorities use another barrier to prevent their citizens from buying American cars: intimidation. According to auto industry sources, Koreans caught driving American-made cars can anticipate such punitive measures as getting pulled over by the police, being subject to more parking violations, and even experiencing more frequent and severe tax audits than their neighbors who drive Korean-made automobiles. Why would any Korean citizen choose to drive an American vehicle when faced with consequences like these?

Currently, the Baucus-Grassley TPA bill includes 14 major objectives for U.S. trade negotiators. The first of these objectives is to expand competitive market opportunities for U.S. exports in foreign markets by reducing or eliminating tariff and nontariff barriers that prevent U.S. goods from entering these markets. Our amendment states that as trade agreements are negotiated in the future, U.S. trade negotiators should specifically aim to open up export markets for U.S. automakers and vehicle parts manufacturers.

Opening up export markets for U.S. automakers and parts manufacturers is critical, because in the future, the majority of growth in these industries will not be in the U.S., but in the developing nations of Asia, Latin America, and Eastern Europe. Our amendment will tell trade negotiators that they need to make sure that U.S. automakers are in a position to compete fairly in these high-growth markets.

Today, sales of new passenger vehicles account for nearly 4 percent of total U.S. GDP. Clearly, the automotive industry is important to the economic growth and stability of our economy and we must take action to protect and strengthen an industry so vital to our nation.

Our amendment will make a difference for American manufacturers, consumers and our economy as a whole. Without it, one of America's most important manufacturing industries could soon take second place to foreign competitors. Opening new markets for our products helps create jobs and stimulate our economy, both of which are especially important as we seek to move out of recession. I urge my colleagues to join in this growth and vote for this amendment.

Mr. BUNNING. Mr. President, I rise today in support of the trade promotion authority bill.

I am glad that we are finally debating this legislation. For years, the Senate has given lip service to the need for TPA. It's about time we got down to it.

I believe in free and fair trade, and I believe that TPA is crucial to our nation's economic future, and it has the potential to benefit the United States greatly. Trade creates better jobs. It creates economic opportunity. And while some people see free trade as a zero-sum game where there are winners and losers, they're wrong. Healthy trade makes winners out of everyone and enables nations to make the best use of their resources. Strong, vibrant trade provides a rising tide that lifts all boats.

We understand this in Kentucky. Last year, we sold over 48.8 billion worth of exports in more than 100 nations abroad. This includes over $1 billion in agricultural products. Mr. President, this provided a real and meaningful boost to our local economy.

Best of all, countries that trade together do not fight and are less likely to work against each other. Instead, trade helps bring nations together in working toward a common goal of mutual economic benefit instead of armed conflict. In the wake of September 11th, this is more important than ever.

The United States needs Trade Promotion Authority. It expired almost eight years ago, and our trade policy has been adrift since them. If America is going to continue as the world's economic superpower, and to remain fully engaged in the international marketplace, we need to give President Bush the ability to effectively negotiate trade agreements with other nations.

Currently, the United States only has three preferential trade compacts; the North American Free Trade Agreement with Canada and Mexico; a free trade agreement with Israel; and, our trade agreement with Jordan. But in recent years our trading partners around the world have at last count entered into almost 150 preferential trade compacts.

These are missed opportunities for us. Other nations are talking and negotiating. They are enacting treaties to help their economies and their peoples. But, we are being left behind.

Passing a good, clean TPA bill would give us a chance at getting in on the action. It would lead to better paying jobs for our workers, and give them the opportunity to prove once again that they are the best and most productive in the entire world. Only by passing TPA and entering into new and better compacts will we be able to knock down discriminatory, unfair trade barriers and to increase the flow of goods and services we can sell abroad.

If we want a seat at the negotiating table. If we want to offer more economic opportunity to American workers, we have to pass TPA. If we don't, we will literally be missing the boat.

Until we pass TPA, other nations are going to be very hesitant about entering into compacts with us. No other country is going to want to negotiate with a President who then has to submit a treaty to a Congress which has the power to nitpick every single line of an agreement to death. Trade treaties are complex, interwoven agreements. Each individual bit is not perfect. But taken together as a whole, they typically promote our national interest.

I am sure that if every Member of Congress has their way, they would rewrite line by line provisions in each of the major treaties we have passed in recent years. That sort of politicking might play well to individual constituencies back home, but it doesn't serve the larger economic interest of America.

To my colleagues who don't like TPA and think that it is an unwise delegation of congressional authority, I have to disagree with them. Passing this bill still gives every single member of Congress the right to support or oppose a treaty they don't like. Under TPA, I have voted for treaties I like, and against treaties I don't like. It might not be the perfect way to legislate, but it is effective and fair.

Every President since Gerald Ford has had TPA. I supported TPA—or ''fast track'' or whatever you want to call it—for President Reagan. I supported it for the last President Bush. I supported it for President Clinton. And I support if for our current President. I voted for it the last time I had the opportunity, in 1998 when it came to the floor and lost in the other body.

And I support TPA now.

Like I said before, TPA is not perfect, but it's effective. And the bill in front of us today is not perfect.

I have supported amendments to help steel workers and textile workers that failed on the floor. I wish they hadn't. In Kentucky, we have a good steel industry, and I want to nourish it along. It's been hard hit in the last few years by the dumping in the United States of cheap foreign steel that has unfairly and illegally cut the legs out from under our domestic producers.

In south-central Kentucky, many of my constituents who used to work in the textile mills have been left high and dry when companies moved abroad in the wake of NAFTA, by the way an agreement that I opposed under the old fast-track rules.

I would like to do more in this bill for them. Workers in those industries need our help. They show that all trade agreements aren't perfect.

We are at least including some meaningful trade adjustment assistance in the package to help those who are forced to transition to different jobs because of trade. Expanded trade usually leads to better jobs for workers. But they often need smart, effective assistance to make the change to new occupations. I support trade adjustment assistance to help them. The last time Congress considered TAA provisions was in 1998 when the other body looked at this issue. I was a member then, and I voted for $1 billion in trade adjustment assistance for dislocated workers. Fortunately, this type of assistance often helps workers move more quickly back into the workforce.

I support the training and education provisions in this legislation. They will help. Will they be enough? I don't know.

As for the rest of the TAA package, I believe there are some problems with

the structuring of the new health and wage benefits that I would like to see cleaned up in conference.

After years of budget surpluses, we are back to looking square in the face of a budget deficit in 2002 and beyond. Now the pending legislation proposes to add potentially billions in new entitlement spending to the deficit each year. A budget crunch is not the time to guarantee new entitlements no matter how well intentioned they are.

By passing this legislation before us now, we would be cutting off our nose to spite our face, encouraging free trade and more economic activity on the one hand, and growing the federal budget deficit by leaps and bounds on the other hand. That doesn't make economic sense, and that sort of contradiction would eventually catch up to us and lead to even bigger problems.

Also, if you read the fine print of the health and wage sections, I think you will find that it is so complicated that it might not even work. I am afraid that it might offer a false promise of assistance to workers who need help the most.

For instance, the wage supplemental provision would require the federal government to pay up to $5,000 for up to two years to workers over 50 years old if they lose their jobs due to trade activity and they take a lower paying job.

I am afraid that this proposal would actually discourage workers from taking similar paying or higher paying jobs. It just doesn't make sense to me to encourage people not to work. Instead of this approach, it would help more if we ploughed this money back into education and retraining.

Everyone knows the old saying about providing a man a fish so he can eat today or teaching him how to fish so he can feed himself forever. I think that applies here.

We also have to ask how well will these new entitlements be managed and who will do it. Who's going to be in charge of determining whether or not a worker lost their job because of trade? What agency is going to manage the nuts and bolts of this potentially gigantic program? How will the IRS respond to the administration if another health tax credit is being dumped on its plate? There are just too many unanswered questions.

In the end, I am afraid we might not be able to keep many of the promises my colleagues want to make under the Trade Adjustment Assistance section. For many workers who are struggling now, that would be the cruelest thing we could do to them.

The TAA provisions still pose many unanswered questions, and I hope that we will first focus on the areas that have worked before—job training and education—before going off into new entitlement programs that might not really work and actually serve to undermine the larger goals of the overall legislation.

In conclusion, this isn't a perfect bill. I, like all of my colleagues, would write it differently. But is a good effort on an important subject that America must address if we are going to secure our economic future. As I noted earlier, it's been four years since either body voted on TPA, and the failure of the House to pass a bill in 1998 has led to years of delay. We cannot let that happen again. We have to vote to pass this bill.

I am not willing to let the perfect be the enemy of the good, and I urge support for the legislation.

Mr. VOINOVICH. Mr. President, I rise in opposition to the Dayton-Craig amendment. This amendment reduces Trade Promotion Authority to something that exists in name only. With all due respect to the sponsors of this amendment, it is a backdoor attempt to gut this bill and still allow people to say they voted for free trade. It would have a chilling effect on international trade negotiations.

Supporters of the Dayton-Craig amendment claim that unless you support their amendment then you do not support upholding U.S. trade laws. Nothing could be further from the truth.

I stand before you as a strong free trader who is a proponent of vigorous enforcement of our country's trade laws. I supported NAFTA and GATT as Governor and PNTR for China as a Senator. I've seen Ohio benefit from NAFTA with a net increase of approximately 55,000 jobs and I've seen it also lose out as a result of our President not having Trade Promotion Authority.

At the same time, no one cares more about making sure our trade laws are followed. Ohio has lost tens of thousands of steelworker jobs as a result of foreign steel dumping, which led me to urge the President to use Section 201 authority to help provide relief to our nation's steel industry. He did so and our steel industry now has a breather to reconstitute itself and regain its competitive footing.

I also have been a committed advocate of strengthening enforcement of our trade laws by addressing the human capital needs in the Commerce Department's international trade divisions. I recently held a hearing in which I pushed Undersecretary for International Trade Grant Aldonis on the need to address these very concerns.

In little more than a year in office this Administration has already demonstrated its commitment to U.S trade laws. In a letter to Congress this week, Commerce Secretary Don Evans, Agriculture Secretary Ann Veneman and U.S. Trade Representative Robert Zoellick point out:

> We have been committed not just to preserving U.S. trade laws, but more importantly, to using them. The Administration initiated an historic Section 201 investigation that led to the imposition of wide-ranging safeguards for the steel industry. The Administration's willingness to enforce vigorously our trade laws, in Canadian lumber and other cases, sends the clearest signal of our interest in defending these laws in the WTO.

Our trade laws are part of the overall trade equation that enhances American competitiveness by helping to guarantee new access to world markets. They require the approval of Congress before any changes are made. To buy the argument that opposition to this amendment equates to relinquishing control of our trade laws is to believe that Congress is simply going to give up its legislative duty to the executive branch. That is not going to happen. The argument is simply groundless and without merit.

Additionally, logic dictates that no trade negotiator is going to agree to something which will automatically be rejected by Congress. The congressional observers guarantee that Congress is aware of what is being negotiated as it is happening. Congress has the final say in approving trade deals with its final vote and if I am confident of anything it is that this body is willing to hold up any and all legislation that gives a member even the most minor case of heartburn.

Trade Promotion Authority does not equate to gutting our trade laws. This Administration has already proven itself to be a strong defender of our trade laws and, regardless, Congress has the final say over legislation, not the executive branch.

Furthermore, this amendment should be opposed because of the chilling effect it will have on the negotiating process. Sufficient safeguards already exist in the TPA legislation to guarantee the legitimate and constitutional role of Congress as the final guardian of trade law. This amendment goes beyond that, however, with limits which would essentially allow additional and superfluous votes to hold hostage international trade negotiations.

As a manager, I would never assign a task to someone without also empowering them with the tools and authority to get the job done. Dayton-Craig takes those tools away. Its effect wouldn't be felt somewhere down the road, it would have an impact now, today. The very fact that this amendment has been offered has had an impact already on our trading partners, I am sure.

Again, Ambassador Zoellick writes that:

> The rest of the world will determine that the U.S. Congress has ruled out even discussion of a major topic. Other countries will refuse to discuss their own sensitive subjects, unraveling the entire trade negotiation to the detriment of U.S. workers, farmers and consumers.

Without the ability to engage our trading partners effectively on their own trade laws, we cannot hope to see other countries raise their laws to U.S. standards. Our country's exports are frequently targeted by foreign trade interests for action. Between 1995 and 2000, our exports were targeted for action in foreign countries 81 times. Other governments do not necessarily

share our commitment to fair and open procedures, such as those conducted by our International Trade Commission.

To prevent unfair trade actions against our exporters, we must have the leverage to engage them constructively. This amendment strips us of that ability, which is one reason 79 agricultural groups urge us to reject the Dayton-Craig amendment.

If anyone is opposed to free trade, I urge them to vote their conscience. While I disagree with them, I respect their position, but don't pretend to be for free trade and then call for an amendment which guts the ability of our President to negotiate the agreements that make free trade a reality.

Mr. REED. Mr. President, it had been my hope that the Senate would vote today on my amendment to the Baucus substitute amendment No. 3401 to the trade bill, H.R. 3009. Sadly, that will not be the case because of procedural roadblocks that foreshadow the kinds of obstacles that passage of the underlying bill will raise when we consider future trade agreements in the Senate.

My amendment is about fairness for secondary workers who I believe are being treated unfairly. This is why I voted against cloture for the underlying substitute, and one of the reasons why I will vote against the bill on final passage.

Nonetheless, I want to take a few moments to point out the plight of secondary workers, and urge my colleagues to pay close attention to the issue as it continues to develop after we pass this bill later today. Several things have been said on the Senate floor about trade adjustment assistance, TAA, and secondary workers during the length of this discourse on trade, and I think it is important to go back and highlight some of them and reiterate what the truth is in this debate.

Most importantly, I think it is imperative that we realize that however many jobs we may create through export-related activities, we may lose many more due to the impact of imports. The choice before us is, how do we treat those workers adversely impacted by trade agreements in the future? Is it not fair to try to change the rules governing our trade policy to make a more fair and equitable distribution of benefits to those harmed?

If my colleagues believe that is the case for some workers, as demonstrated by the support for TAA in NAFTA and the reauthorization of the program in the legislation before us, then it should be the case for all workers. It continues that this should mean that TAA is available for a particular worker whether they are employed by a factory that is directly shut down by trade, or if they work for a company that supplied parts to that first factory, only if that particular worker has become unemployed due to the effects of trade.

I mentioned in my earlier remarks that the TAA Program has been a successful one since its inception, and I want to reiterate that. In fact, since April 1975 through December 2001, almost 3 million workers were certified as TAA eligible. However, almost 2.5 million workers were also denied certification. This demonstrates the demand for this important program, but also reflects the fact that it is a difficult process—something that would not be altered should we allow secondary workers to be a part of it.

Another point I would like to reiterate from my earlier remarks is the fact that since the ratification of NAFTA, TAA has applied to secondary workers that lose their jobs as a result of the NAFTA trade agreement. In fact, a total of almost 700,000 workers applied for NAFTA–TAA certification from January 1994 through December 2001, and over 400,000 were granted certification.

Although the exact numbers of how many of those beneficiaries were secondary workers are unknown, the fact remains that they have the right to apply for eligibility. Unfortunately, under the pending bill, secondary workers whose jobs have been lost due to a possible trade agreement with Chile, or Singapore, or any other country, will not be eligible to even apply for certification under TAA.

Now let me relay some facts about secondary workers and TAA. A GAO report from October 2000 estimated that there could be from 34,000 to 211,000 secondary workers annually who could potentially apply for TAA benefits. This reflects the depth and reach of trade's effects on the livelihoods of American workers.

Another GAO report from July 2001 showed that $494 million was expended on re-training for about 170,000 workers under TAA. This breaks down to less than $3,000 per worker. I think many would agree that is a small sum comparatively speaking, particularly when one considers the amount of training or schooling an individual can gain from that amount of money.

It is precisely these kinds of workers that so need this type of investment in training and schooling. The GAO reports I earlier referenced cited the fact that about 80 percent of workers using TAA benefits in fiscal years 1999 and 2000 had a high school education or less, compared to 42 percent in the labor force as a whole.

In other words, this is a modest increase in funds for TAA benefits that will go a long way toward a worker's developments of new skills, and reentry into the workforce to be a productive citizen once again.

It is not an excuse to claim that the Department of Labor does not have adequate resources and staffing to deal with an expansion of the TAA Program to secondary workers. First of all, the Department has the experience in dealing with this issue, since it already decides on certification for secondary workers under NAFTA. Second, I believe we have a responsibility to add funding for the Department of Labor in order for it to be able to deal with a potentially larger increase in its workload.

This issue is part of our choice here—do we discount these workers who have added to the economy, who pay taxes, and who provide for their family, just because they do not happen to be directly employed by a particular firm that was shut down by trade? Again, this is unfair treatment to a segment of our population that deserves our help.

I thank the Chair.

Mrs. MURRAY. Mr. President, I rise to join the debate over trade promotion authority legislation before the Senate.

I am in my 10th year as a member of the U.S. Senate and I have consistently voted for measures to open new markets to our exporters and our workers.

Today, I will vote for trade promotion authority, or TPA. New export opportunities for Washington State will support economic recovery and expansion.

Washington State is the most trade-dependent State in the country. International trade matters tremendously to each and every region of my State and to every sector of our economy. Trade matters to my State in good and bad economic times. We are an export State. We have a trade surplus. We are also a port State and gateway to Asia and the world.

My constituents benefit from trade at every point. We grow the commodities. We move containers and cargo from ships to rail to destinations throughout the country. We manufacture, build, design, develop, finance and insure goods and services traded globally each and every day. Trade jobs—estimated to be one in three jobs in Washington State—are good family wage jobs in my State.

Importantly, this legislation also significantly expands trade adjustment assistance. I have always supported trade adjustment assistance. I commend the Finance Committee, the Democratic leader and the bipartisan work which led to the expanded TAA package in this legislation.

I was a cosponsor of S. 1209, the Trade Adjustment Assistance for Workers, Farmers, Fisherman, Communities and Firms Act of 2002. The TAA language in this legislation is really a product of S. 1209 and the bipartisan work of many in the Senate to expand TAA.

More workers will be eligible for trade adjustment assistance. Some workers from secondary industries will be covered for the first time under the Senate TPA bill.

The Senate legislation provides community assistance, particularly to rural communities, who see significant job loss related to trade. Communities will have the opportunity to seek grant assistance to implement economic diversification plans.

Farmers and fishermen will also be eligible for TAA assistance.

Importantly, the Senate bill provides new health benefits to displaced workers. A new 70 percent up-front, refundable tax credit for COBRA coverage will enable many workers and their families to keep their health insurance.

The Senate has considered a number of important amendments and issues in this debate over trade promotion authority. I voted for a number of important message amendments. I encourage the administration as it eventually moves forward with trade talks to give serious consideration to the expressed will of the Senate.

I expect a significant bipartisan vote for trade promotion authority today. Then the legislation must go to conference with legislation adopted by the House of Representatives. The House TPA bill is very different from the Senate bill. Conference committees require compromise, and I anticipate changes to the Senate-passed version.

Regardless of the conference committee outcome, the administration should not disregard the Senate TPA debate. The Senate addressed some very difficult issues. In future trade talks, the administration will be called upon to address issues like those raised on the Senate floor. Some in this body will judge trade agreements submitted to the Congress on these issues. The administration now knows a great deal about the concerns of the Congress. There will be fewer surprises for either the Congress or the administration as the future negotiations occur thanks in part to the Senate debate.

I want to be very clear about my expectations for the upcoming TPA conference committee. I strongly believe any agreement between the House and the Senate must include the Senate trade adjustment assistance package.

It is tremendously important to me that we do all we can to boost jobs and create jobs that rely on international trade. Expanded trade is a recipe for economic growth in Washington State. That is why I will vote for trade promotion authority and advocate for my State's many trade interests with the President and this administration.

At the same time, I know that every worker, every industry, every community does not share the benefits of expanded trade equally. Where dislocation and hardship occurs, as a result of international trade, our government should play an activist role in helping workers and communities through these changing and challenging economic times.

The Congress has an opportunity to do both on this legislation. We can move forward to create and protect trade jobs. And we can do the right thing in helping workers and communities combat unfair foreign trade practices and the changes in the global economy.

TPA, or fast track, has been granted to every administration since President Gerald Ford was in office. Congress has granted this authority to Democratic and Republican Presidents. Granting this authority which I will support does not obligate any Senator to support an agreement. And I will certainly scrutinize any agreement submitted to the Congress by the President under TPA.

My vote for trade promotion authority is a vote to open markets to U.S. exporters and their workers. It is a vote for equitable and reciprocal access to foreign markets. The U.S. marketplace is the world's largest market, and our market is open with few restrictions to the world. I want to see the President go abroad on behalf of the American people with the goal of opening markets and supporting U.S. workers.

My vote for trade promotion authority is a call on the President and the administration to strengthen the international trade system and particularly, to strengthen the dispute settlement process for trade disputes. The Senate legislation contains important transparency guidance to the administration calling for public access to WTO and other international trade proceedings.

My vote for trade promotion authority represents my continued belief that environmental protection and worker rights are legitimate trade issues. These issues must be included in trade negotiations if the Congress is to continue to have bipartisan support for international trade initiatives.

The Senate legislation contains a number of negotiating objectives of great importance to Washington. The legislation directs U.S. negotiators to seek a revision of WTO rules that disadvantage the U.S. in tax cases like foreign sales corporations which benefit U.S. exporters. Additionally, the Senate bill provides guidance to the administration in a number of important Washington state industries like agriculture and high-technology.

Of great importance to me and to Washington State is the Senate language on trade in commercial aircraft. This legislation directs U.S. negotiators to address the use of unfair subsidies and non-tariff barriers by Airbus. I continue to believe Airbus manipulates the commercial aircraft market through subsidies and an assortment of non-competitive practices. I have met with the U.S. Trade Representative regarding Airbus. I fully support the language in this bill to address unfair trade practices in commercial aircraft.

I will vote for passage for this legislation, and I encourage my colleagues to send a strong message of support for trade and economic expansion.

Ms. STABENOW. Mr. President, I rise today to express my strong concerns about the trade difficulties suffered by our Nation's asparagus growers, and to discuss an important amendment I attempted to offer to the trade bill. Unfortunately, my amendment was blocked by some of my colleagues on the other side of the aisle.

I know that in many respects global trade holds great promise for agriculture by opening new markets and building new demand for the bountiful, nutritious food and fiber that is grown in America. But, some commodities have been harmed by past trade agreements. That is an important fact that should have been acknowledged and addressed during the Senate's debate on trade agreements.

Under preferential treatment provided through the Andean Trade Preferences Act (ATPA), Andean countries, like Peru, have been shipping duty-free asparagus to the United States since 1992. The asparagus market is extremely sensitive to these imports. Many of the growers in my state forecast an end to domestic asparagus production if something is not done soon to help. Last year alone, growers in Michigan lost $2.9 million due to competing duty free asparagus imported from Peru.

I support the goal of the ATPA B to encourage economic growth in Andean nations as an alternative to the production and export of illegal, narcotic drugs to the United States B but not at the expense of the entire domestic asparagus industry. Since enactment of ATPA, shipments of fresh asparagus from one Andean nation, Peru, have increased from 14.5 percent of total imports to 41.3 percent. Since 1992, shipments of frozen asparagus from Peru have increased from 3 percent of total imports to 71.4 percent.

I authored an amendment that would have helped to resolve this trade situation and that would have provided some relief to domestic asparagus growers. My amendment was cosponsored by Senators LEVIN, MURRAY, CANTWELL, BOXER, and FEINSTEIN.

The amendment would have allowed preferential treatment of Andean asparagus up to a certain point and then established a safeguard for domestic growers. In sum, my amendment allowed Andean imports of duty free asparagus up to 30 percent of the total imports of asparagus into the U.S. per year. Once the 30 percent threshold was met, duty free treatment would be suspended for the remainder of the calendar year.

This was a reasonable solution that would have helped both our nation's asparagus growers and would have allowed imported Andean asparagus to compete on a level playing field. It is unfortunate that this amendment was not included in the trade bill. I intend to continue to work on this issue and consider other programs, such as market loss payments, that may provide some relief to the asparagus growers in my state and across the nation.

Mr. KYL. Mr. President, I rise today in support of final passage of this trade legislation. But I do so with the understanding and the hope that a number of items in the bill now before us will, in the coming weeks, be adequately addressed in conference with the House. I therefore voice my support, but not unconditionally.

The first element of this legislation, which frankly should have been passed

separately earlier this year on the basis of its nearly unanimous support, is the extension and expansion of the Andean Trade Preference Act (ATPA).

The Andean Trade Preference Act was conceived a decade ago as part of a mutual effort between the United States and the Andean countries to strengthen our economies, which in turn, would help us in the war against drugs. In 10 years of existence, ATPA has become an essential tool for the commercial interchange between the United States and the Andean region. Approximately 140,000 new jobs have been created in the Andean region over this time period, and the steady flow of investment has helped to double two way trade between the United States and the region. Furthermore, great strides have been made in the war against drugs; important drug cartels were disbanded, and hundreds of cocaine labs were destroyed.

Today, the Andean region faces a very critical moment. ATPA is essential to guarantee sustainability of the achievements we have made over the last decade, and to encourage further progress toward the shared goal of negotiating the Free Trade Area of the Americas (FTAA). I am very pleased that the Senate will act, albeit late, to extend this critical trade act.

Before I dwell on the concerns I have with trade-promotion authority portion of this bill, let me first speak to its strengths. Since trade-promotion authority lapsed in 1994, America has stood on the sidelines while other countries have brokered trade agreements that benefit their workers, their businesses, and their economies. Soon after taking office, President Bush called on Congress to grant him trade-promotion authority to reassert America's leadership in promoting U.S. goods and the expertise of our workforce to more markets. The need for expanded markets dramatically intensified after our nation's economy underwent a decline last March, and the events of September 11th forced so many Americans out of their jobs.

Trade-promotion authority provides the President with the flexibility he needs to negotiate strong international trade agreements on behalf of U.S. workers and farmers while maintaining Congress' constitutional role over U.S. trade policy. It represents a thoughtful approach to addressing the complex relationship between international trade, worker rights, and the environment without undermining the fundamental purpose and proven effectiveness of trade-promotion authority procedures. The bill before us will help us to achieve this goal. It not only sends a message that we are serious about the principle of open markets, but it will be a powerful example, to nations around the world, of what trade-promotion authority can deliver: economic prosperity on a grand scale.

Specifically, it gives the administration the authority to negotiate and bring back trade agreements to Congress that will reduce trade barriers, especially those based on unsound science, relating to the manufacturing, services, agriculture, intellectual property, investment, and e-commerce industries. It helps to eliminate subsidies that decrease market opportunities for U.S. agriculture, and unfairly distort markets to the detriment of the United States. It preserves U.S. sovereignty while enabling new trade agreements that will create solid economic growth, higher-paying jobs for hard-working Americans, improved efficiency and innovation, and increased availability of attractively priced products in the U.S. market.

The Office of the U.S. Trade Representatives is similarly directed to vigorously enforce U.S. trade-remedy laws and avoid agreements which lessen the effectiveness of U.S. anti-dumping or countervailing duty laws. This bill contains negotiating objectives on investment to increase transparency for the dispute settlement process, calling for standards for expropriation and compensation that are consistent with United States legal principles and practice in an effort to eliminate frivolous claims. Perhaps most importantly, it expands and improves consultations between the administration and Congress, before, during, and after trade negotiations and in the development of an implementing bill.

Also included in this legislation is language I authored to suspend for a period of five years the 4.9 percent tariff on steam generators for nuclear facilities. These generators are not manufactured in the United States. Tariffs should never be imposed on products that are not domestically manufactured, especially those products that are critical for maintaining the U.S. domestic supply of energy.

This tariff amounts to a ''tax'' of approximately $1.5 million per generator on consumers of electricity in those states where utilities will have to import from overseas to meet the immediate need to replace aging steam generators, which cost would be passed on to ratepayers. In the case of the Palo Verde, Arizona plant—the nation's largest nuclear power facility in terms of production—the additional cost, due to the tariff, is over $8.2 million for the six generators that it will need to import.

Failure to suspend this tariff will unfairly result in higher energy prices for consumers, as the utility companies will almost certainly pass on this tax to its customers.

This bill also includes the Kyl Customs Border Security Act amendment, added unanimously by the Senate Finance Committee in December 2001, which will provide significant authority to help facilitate legitimate trade, reduce illegal drug and contraband trafficking and eliminate threats of terrorism.

The Kyl amendment authorizes funding to increase the very tools by which the Customs Service facilities cross-border trade, and fights terrorism and narcotics trafficking. Under the amendments, Customs on the Southwest border will receive funding for high-technology equipment, including container inspection equipment, automated targeting systems and surveillance systems, all of which will help to stop terrorism and illegal drug trafficking. The northern border is also authorized to receive similar valuable equipment, as are out Gulf Coast seaports.

The Kyl amendment also mandates that cargo and passenger manifests be provided in advance to Customs, whether such cargo or passengers enter by land, air or sea. I have learned that this provision is Commissioner Bonner's number one anti-terrorism legislative priority. Advanced electronic manifest data delivered to Customs is absolutely necessary for the agency to identify individuals and cargo that should not enter the United States. The amendment also authorizes funding for personnel, technology and for Customs' new computer system, ACE, Automated Commercial Environment, to bring the agency's tracking of business and their goods entering the country into the 21st century.

Under the Kyl amendment, the U.S. Customs Service itself, for the first time in over a decade, will also be reauthorized. As our nation's oldest law enforcement agency, this is particularly important.

Finally, the Kyl amendment will close longstanding outbound smuggling threats by clarifying that the Customs Service is authorized to search outbound international mail. I strongly believe that this section of the amendment is integral to our efforts to combat money laundering, technology export violations, and terrorist funding crimes.

Currently, inbound mail, and most everything else leaving the country—cargo containers, luggage, boxes, individual persons—and stamped mail on a person—is searchable by the Customs Service. The Customs Service is only precluded from searching outbound mail. Smugglers may send drugs, finance terrorism, or send explosives on aircraft by simply mailing their contraband or money out of the country. My amendment, added to the trade adjustment assistance bill during that bill's consideration in the Finance Committee, would authorize the search of all first class mail by Customs, as long as the Customs Service has reasonable suspicion about such mail. The amendment also clarifies, through codification, that all mail besides that considered first-class—referred to as ''mail not sealed against inspection—can be searched without reasonable suspicion. Under this provision, none of the mail that is allowed to be searched is allowed to be read without a warrant.

During floor consideration of this trade package, Senator JON CORZINE

raised objections to the outbound mail provision. Although I fully support the original outbound mail provision, and will support such provision in conference, I appreciate the efforts of Senator CORZINE and his staff to work with me and my staff toward resolution in this particular debate. Substitute language has been accepted by the Senate, to replace my original language, that would exempt first-class mail with a weight of under 16 ounces from the reasonable search authority that we are attempting to authorize for the Customs Service. In addition, under this new language, a requirement has been placed requiring the State Department to issue a report about whether or not the ''in-transit'' mail authority provision, which will allow appropriate searches of international mail destined for a third country but which travels through the United States on its way, is consistent with international law.

Less than three weeks ago the Congress passed, and the President signed into law, the Enhanced Border Security and Visa Entry Reform Act, which will provide all areas of the Justice Department and the State Department with personnel and resources to fight the war on terrorism. In that bill, an interoperable data sharing system will aid all federal law enforcement to better track and identify would-be terrorists. Because of jurisdictional concerns about customs, that vitally important bill does not include resources for the Customs Service. That is why it is so important that this bill include such funding. The Kyl Customs Border Security Act does so and is an integral part of my decision to support the overall package.

Many have spoken about how trade-promotion authority will help the United States. I want to speak for a moment about how trade-promotion authority will help my home state of Arizona specifically. This bill will open new markets worldwide to Arizona goods and services. That, in turn, will boost local communities' economies, provide job security for the hundreds of thousands of Arizonans whose work depends on exports—the backbone of the Arizona economy.

One out of every five manufacturing job in Arizona is tied to exports. An estimated 70,400 Arizona jobs support the manufactured-goods-for-export industry directly. Wages of workers in jobs supported by exports are 13 to 18 percent higher than the national average. Roughly 5,060 Arizona citizens hold jobs related to agriculture exports. Arizona exported $333 million in agriculture in 1999. And last year, Arizona sold more than $10 billion worth of exports to nearly 200 foreign markets, and produced and exported more than $9.4 billion worth of manufactured items such as computers, electronics, machinery, transportation equipment, fabricated metal products and appliances. Arizona relies on its exports with export sales of nearly $2,000 for every state resident. Clearly, trade-promotion authority only brings more good news to Arizona's entrepreneurs and small businesses.

But as I mentioned above, there is much that needs to be done before we can deliver this good news. Let me briefly elaborate on my specific concerns that will need to be addressed in conference. First, it is imperative that we remove the so-called ''Dayton-Craig'' language that would permit the raising of a point of order if the implementing legislation negotiated under trade-promotion authority amends U.S. trade remedies law, however technical or even beneficial the change. This language, if kept in the final legislation, will unravel successful trade negotiations, and it is wholly unnecessary to add it on top of language already included and explicitly states in the bill, i.e., the directive to ''preserve the ability of the United States to enforce rigorously its trade laws'' and ''avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade.''

I am also disappointed by the multitude and details of the trade adjustment assistance (TAA) provisions in this legislation. I firmly believe that, rather than enacting a whole host of new entitlements, the best assistance we can provide to unemployed (or displaced) workers is enhanced free trade, which will in turn provide greater job opportunities. However, this legislation has become burdened with a variety of new and expended entitlements that, while well-intentioned, will only serve to distort the free-market and delay the inevitable benefits of freer trade for our citizens.

One of thee provisions is a ''wage insurance'' entitlement, which would provide up to a $5,000 subsidy for older TAA-certified workers who are subsequently employed at lower-paying jobs. Aside from a complete lack of data supporting the efficacy of such a proposal, this provision would create significant disincentives for workers to forgo needed training and/or a more intensive job search. Instead, it will likely result in workers choosing lower paying and perhaps lower-skilled jobs with the taxpayers liable for the difference.

Another provision in this legislation provides an advanceable, refundable health insurance tax credit to TAA-certified workers. The credit is set at an arbitrarily high percentage of the premiums' cost—70 percent—and can only be used to subsidize the cost of company-based COBRA or pooled health insurance policies. Additionally, it can not be used for the purchase of individual market policies, which might better suit the workers' health needs at a reduced cost. I believe that it is unfair for American taxpayers, many of whom may not have health insurance themselves, to provide such a generous health insurance subsidy.

Despite the serious concerns I have expressed about these provisions, I intend to vote in favor of this overall legislation at this time. But, as I mentioned earlier, this is a qualified vote. Unless substantial improvement is made to this legislation during conference, I will not vote for the bill when it returns.

With few exceptions, I believe that the House-passed language on TPA, TAA and ATPA is far superior to the Senate-passed language. And there are some specific items that must be addressed in a House-Senate conference before I can vote in favor of a final bill.

First, the conference report must maintain the 2002–2006 suspension of 4.9 percent tariff on steam generators for nuclear power facilities.

Second, the conference report must remove the so-called ''Dayton-Craig'' language.

Third, it must either eliminate or substantially improve the language creating a ''wage insurance'' program for TAA-certified workers age 50 and older.

Fourth, the conference report must also make significant improvements to the health insurance tax credit for TAA-certified workers.

I look forward to working with my colleagues on addressing these concerns, and I hope to be able to vote for final passage of this important legislation.

As a matter of principle on the one hand, and of sound economic policy on the other, I believe that we must grant the President trade-promotion authority. And, as has been stated by many of my colleagues, we must be careful to ensure that the final language of the bill preserves this authority. So while I believe that this bipartisan effort represents a strong vote in favor of trade-promotion authority, I caution that there is still work to be done before it can be sent to the White House.

Mr. LEVIN. Mr. President, when fighting for American working men and women, most members of Congress want to go into the ring with both arms swinging. That is why I am at a loss to understand why some members of Congress are willing to tie one hand behind their back when it comes to trade. The way I see it, fast track ties one hand behind our collective back when trade agreements come before the Congress.

I have some serious concerns with the Baucus-Grassley fast track legislation being considered by the Senate. Granting the President broad fast-track authority to negotiate trade agreements means Congress must adopt a law to implement any trade agreement on a straight up of down vote, without the ability to offer amendments. I believe in free trade. I support the Jordan Free Trade Agreement, the Vietnam Free Trade Agreement and granting China PNTR. But I am reluctant to give up the Congressional right to amend trade legislation, sight unseen. When we do that, we are throwing away on of the most effective tools in forcing fairer trade practices.

We should negotiate trade agreements to protect human rights as well

as labor and environmental standards. The Senate should have acted to ensure that these and other provisions addressing fairness in trade practices are included in future trade agreements. The Baucus-Grassley approach doesn't provide us with the means to do that and in fact fall far short of achieving these goals.

America's trade policy over the past 30 years has helped create a one-way street. The U.S. market is one of the most open in the world, yet we have failed to achieve foreign markets being equally open to American products. Some of the trade agreements the U.S. has entered into have fallen far short of opening foreign markets. To ensure free and fair trade will be achieved in any future trade agreement, Congress must not give up its ability to amend the legislation implementing the agreement.

I have fought hard to strengthen U.S. trade laws to help open foreign markets to American and Michigan products such as automobiles, auto parts, communications equipment, cherries, apples, and wood products.

The North American Free Trade Agreement (NAFTA), enacted January 1, 1994, is a good example of a trade agreement negotiated under ''fast track'' authority. It contained provisions allowing Mexico to protect its auto industry and discriminate against U.S. manufactured automobiles used cars and auto parts for up to 25 years. It allowed Mexico to require auto manufacturers assembling vehicles in Mexico to purchase 36 percent of their parts from Mexican parts manufacturers. It also allowed for 25 more years the Mexican law against selling American used cars in Mexico, a highly discriminatory provision against U.S. autos.

When NAFTA was presented to Congress, it was an agreement which discriminated against some of the principle products that are made in Michigan. I surely could not vote for the bill the way it was written, nor could I try to amend the bill because the fast-track authority the President had at that time prohibited implementing legislation from being amended. Consequently, after NAFTA was enacted, the U.S. went from a trade surplus of $1.7 billion in 1993 to a trade deficit of $25 billion with Mexico in 2000. Over the same period, our trade deficit increased from $11 billion to $44.9 billion with Canada. Since NAFTA was enacted, the automotive trade deficit with Mexico has reached $23 billion.

Moroever, between January, 1994 and early May 2002, the Department of Labor certified over 400,000 workers as having suffered job losses as a result of increased imports from or plant relocations to Mexico or Canada. These job losses occurred all over the country as well as from around the State of Michigan. For example, 27 employees from the Blue Water Fiber company in Port Huron who produced pulp for paper lost their jobs as a result of NAFTA imports. 129 employees of Alcoe Fujikura Limited in Owosso who made electronic radio equipment lost their jobs to Mexico. 1,133 employees of the Copper Range Mine in the UP lost their jobs when operations were moved to Canada. 300 employees of Eagle Ottawa Leather in Grand Haven who made leather for automobile interiors lost their jobs when their jobs moved to Mexico. The list of NAFTA–TAA certified jobs losses goes on and on. These are not job losses from a level playing field. These are losses from a sloping field tilted against us.

We have lost too many manufacturing jobs because our trade policies have been so weak over the decades. I've always believed that when countries raise barriers to our products that we ought to treat them no better than they treat us. Fast track authority makes it more difficult for Congress to insist on fair treatment for American products and equal access to foreign markets.

Calling NAFTA a free trade agreement was disingenuous. NAFTA protected Mexican industries and it also gave special treatment to certain industries. For example, leather products and footwear got the longest U.S. tariff phase out—15 years—and it include safeguard provisions against import surges in these sectors. Agricultural Commodities/Fruits and Vegetables including sugar, cotton, dairy, peanuts, oranges, also got a 15-year U.S. tariff phase out, a quota system, and the reimposition of a higher duty if imports exceed agreed-upon quota levels. It is clear that those who are represented at the negotiating table are able to strike favorable deals to protect certain industries and products. That is not free trade.

NAFTA was not the only trade agreement that included specially tailored provisions for certain products. The trade bill we are being asked to vote on contains special provisions to protect textiles, citrus and some other speciality agriculture commodities.

The Andean Trade Preferences Act also protects certain industries. ATPA expands duty free access to Andean nations for some previously excluded categories of products but there are significant exclusions or special rules that continue to protect them. The exclusions in the Senate ATPA bill include: most footwear; textiles and apparel are included but are subject to a number of special rules and limitations such as requiring that certain apparel products be sewn with U.S. thread in order to receive duty-free access, requiring the use of a certain spandex product made exclusively by the DuPont company, requiring the use of U.S. yarn throughout in order to qualify for duty-free access; and canned tuna is included but the Senate bill allows duty free treatment for very limited quantities of cannot tuna to be imported and subject to a very restricted rule of origin.

These are special protections being granted to specific industry sectors. Why are these products be treated in a privileged manner over other important U.S.-made or grown products? This is not free trade.

I believe that writing labor and environmental standards into trade agreements is an important way to ensure that free trade is fair trade. Regrettably, this legislation does not go far enough to assure international labor and environmental standards will be present in trade agreements. We need trade agreements with enforceable labor and environmental provisions but this bill does not provide it.

This is unfortunate given the U.S. Senate is already on record supporting strong labor and environmental standards in trade agreements. The Senate passed the Jordan Free Trade Agreement on September 21, 2001. The Jordan agreement broke new ground in its treatment of labor and environmental standards in trade agreements. For the first time, it required that the parties to the agreement reflect the core internationally recognized labor rights in their own domestic labor laws.

The bill the Senate is considering today does not require countries to implement the core ILO labor standards. It only requires them to enforce their existing labor laws, however weak they may be. It also specifically states that the U.S. may not retaliate against a trading partner that lowers or weakens its labor or environmental laws.

This language undercuts our ability to negotiate strong labor and environmental standards in future trade agreements because our trading partners know we can not enforce what we negotiate through the use of sanctions and the dispute settlement process.

American workers already compete against workers from countries where wages are significantly lower than in the United States. They should not have to compete against countries that gain an unfair comparative advantage because they pollute their air and water and fail to allow their workers to exercise rights that are fundamental. The United States enacted environmental standards that protect our air and water. We have enacted labor standards that allow for collective bargaining and the right to organize, that prohibit the use of child labor and provide protections for workers in the work place. These are desirable standards that we worked hard to get. Why should we force American workers to compete against countries with no such standards or protection for its workers?

There are many ways to improve this fast track legislation to address some of the concerns I've outlined. I supported many of these efforts. For Congress to give up its role under the Constitution without those protections is to fail to learn from our past mistakes. To do so means we have willingly tied one hand behind our back in the fight for free and fair trade. That is something I am simply unwilling to do.

Mr. FITZGERALD. Mr. President, I rise today to detail some of the benefits of trade promotion authority to American agriculture.

Our President, regardless of party, has not had trade negotiating authority since 1994. While other countries have been busy negotiating trade agreements, the world's superpower has been sitting on the sidelines. Today, over 150 trade agreements exist worldwide; the United States is party to only three. This disparity must be remedied, but without trade promotion authority, U.S. exporters and our nation's farmers may be left stuck in the mud. The question is not whether the U.S. should have free trade or no free trade. The question is, will the U.S. participate in the world economy or will we be left behind?

TPA is critical to the administration's credibility at the negotiating table. Without TPA, our negotiators may not even get a seat at the table, much less have the opportunity to negotiate vigorously for our national interest. With 96 percent of consumers living outside the United States, the absence of negotiating authority is a price we cannot afford to pay.

One third of U.S. farm acres is planted for export, 25 percent of gross farm income is export dependent, and over 12 million U.S. jobs depend on exports. Nearly 100 commodity and agricultural groups and a bipartisan group of ten former U.S. Secretaries of Agriculture support Trade Promotion Authority.

Where would American agriculture be without international trade? Last year, U.S. agricultural exports totaled $51 billion. This year, federal officials expect this number to grow to $53.5 billion, an agricultural trade surplus of $14.5 billion. Can we find an additional $14.5 billion a year in the federal budget to offset these losses?

According to the USDA, U.S. agriculture is 2½ times more trade dependent than the general economy. American agriculture needs trade promotion authority to reduce worldwide tariffs. While the average tariff assessed by the United States on agricultural products is less than 5 percent, the average agricultural tariff assessed by other countries exceeds 60 percent.

As a Senator from Illinois, I represent a big agricultural state with total cash farm receipts totaling $7 billion in the year 2000. With a 42 percent reliance on agricultural exports, Illinois ranks sixth with agricultural exports of $3 billion. My State's top agricultural exports include—soybeans and soybean products at $1.1 billion, feed grains and feed grain products at $946 million, live animals and red meats at $277 million, and wheat and wheat products at $124 million. When it comes to Illinois agriculture, open markets and trade promotion authority are of tantamount importance.

Illinois is the largest soybean producing state in the nation. Under the Uruguay Round, South Korea is required to reduce its tariffs on soybean oil by 14.5 percent from 1995 to 2004. USDA has reported that this ''tariff reduction has supported a threefold increase in export volume.''

Illinois is also the fourth largest pork producing State in the Nation. Since the Uruguay Round agreement went into effect, U.S. pork exports have increased by almost 90 percent in volume and approximately 80 percent in value from 1994 levels.

Additionally, Illinois ranks second in corn production. While Brazil, Chile, Paraguay, and Uruguay can trade corn with Argentina duty free, U.S. corn is assessed an eleven percent import tax.

Voting against fast-track authority means you endorse the status quo of high tariffs and limited access for U.S. goods, while voting for fast-track gives the administration the tools needed to remedy some of these egregious inequities.

Mr. KERRY. Mr. President, the legislation that we are about to pass is the most difficult bill that the Senate has considered this year. Like nothing else that we have seen this year, trade promotion authority has put some of my most deeply-held beliefs in conflict with each other.

TPA does two things. First, it makes a broad statement about the importance of international trade. Accurate or not, there is a belief in this city that you must support TPA to demonstrate your unflinching support for greater opportunity for U.S. businesses abroad. The Washington view is that you must support TPA if you believe that political liberalization comes from economic liberalization.

The facts suggest that, certainly, lowering barriers to trade in the world is good for U.S. businesses and good for the U.S. economy. Businesses in Massachusetts sold more than $19.7 billion worth of goods to more than 200 foreign markets last year. That is more than $3,000 worth of goods sold abroad for every resident. And, while we tend to think of international trade as being the playground of big business, almost 75 percent of my State's exporting businesses are small businesses. Of larger businesses which have overseas subsidiaries, almost three-fourths of profits earned abroad are returned to parent companies in the United States. That means more jobs and higher wages at home. Today, one-tenth of all jobs in this country are directly related to our ability to export goods and services. When you consider multiplying effects, that number rises to nearly one-third. So there are clear benefits at home to increasing America's access to markets abroad.

I also believe that trade and trade agreements have a role to play in helping us achieve our foreign policy goals. The direct American investment that comes to foreign countries as a result of free trade agreements can reduce corruption and promote strong democratic institutions, like an independent judiciary and vibrant non-governmental organizations. And by making other countries stakeholders in a rules-based system of trade, we can diminish the possibility of trade disputes escalating into open conflict.

I do support improving Americans' access to foreign markets, and I firmly believe in the power of open markets to create open societies. And so, reluctantly, I will support this bill.

I say ''reluctantly'' because I do not believe that the TPA equation is balanced. Granting TPA to any President requires a significant amount of trust. Granting TPA means that you trust the President to negotiate trade deals that are consistent with our American values.

The statistics I just recited show that trade is good for the economy. And, certainly, economic development is one important element of those values. But I am afraid that, in recent years, some of our other core beliefs have not been a part of the national debate over trade.

When the President negotiate agreements that will lower tariffs and other barriers to trade, it is, in my judgment, equally important that he make sure that our Nation's strong environmental and labor laws are upheld. It is equally important too that he ensure that we have a forum to export our views on these issues to the nations with whom we engage in expanded commerce.

I do not mean to suggest that we can simply direct other countries to develop environmental laws or labor laws that equal our own. True reform in developing nations, be it the development of democratic infrastructure, or the growth of a vibrant labor movement, cannot simply be exported from the United States. These concepts must come to fruition through the will of the people.

However, no one disputes that the United States has a significant role to play in helping other countries breathe the air of political freedom. So, too, should the United States play a leading role in helping developing countries breathe clean air and help create programs that provide workers with a safe workplace and the chance to earn a decent wage.

Unfortunately, it is clear that, despite the best intentions of NAFTA and in developing the World Trade Organization, labor and environmental issues have not been treated at the same level in our trade policy as investment rights or intellectual property rights. That is disappointing.

I regret that this President's track record on domestic labor issues and domestic environmental issues does not fill me with confidence that our Nation's trade policy will be a tool used to help other nations improve their political, environmental and social climates. At every turn, he has sought to diminish the gains of the labor movement and roll-back environmental regulations in his own country. I surely hope that this is not the message that

he intends to carry with him as he negotiates free trade agreements with Chile, Singapore and others.

Some of us in this body have put forth amendments which we believe could have helped us to trust the President more. These amendments would have elevated labor and environmental protections to the same level of intellectual property protections, or, as my amendment would have, guaranteed that future trade agreements would not corrode American legal principles and Constitutional rights. All but one of these were unsuccessful.

The defeat of these amendments leave us with no safeguards for legitimate public health and safety laws. We have no assurances that other nations with whom we forge agreements under this bill will honor their existing labor or environmental laws. We have no reason to suspect that the President will be a forceful advocate for some of our country's most cherished beliefs: that clean air, clean water and preservation of the outdoors are worth fighting for; that workers should have the right to organize; and that U.S. sovereignty must be protected.

In spite of these glaring weaknesses, I intend to support this bill. That is how strongly I believe in the principle of free trade, and the belief that we can help other countries improve their political environment by embracing them, not isolating them. But I would caution this President and others that we need to pay much more attention to some of these other trade issues, issues that have been on the margins of trade policy for too long. If we do not heed these warnings, then that fragile coalition that holds supporters of free and fair trade together will crumble, as it nearly did in the House and nearly did here in the Senate.

I would like to make one final point about this legislation. The bill that we will pass shortly contains an enormous improvement in the trade adjustment assistance program. This is much-needed. In the long-run, more international trade means more opportunity and jobs for Americans. In the short-term, however, it creates changes in communities. Some people lose jobs. Factories, the lifeblood of some towns and cities, close. Eventually, new employment opportunities are created. But it is imperative that we have a way to ease that transition. This TAA package does just that. For the first time, we are subsidizing health care for laid-off workers. That is a remarkable step forward. We are attempting something new by creating a wage insurance program to make sure that older workers do not suffer sudden and destabilizing pay reductions. These are critical expansions of TAA, and they could not be more timely for some of my constituents.

In Northampton, MA, the Techalloy plant that processes wire rod steel will close on July 1. They've been hurt by the President's decision to impose 15 percent duties on raw wire rod steel from abroad. Now, I know that the 42 workers currently at the Techalloy plant would much rather have a job than TAA benefits. They want to work. It's not the same as maintaining their job, but this new package will help these folks stay on their feet while they seek new employment.

The TAA package that we will approve is welcome, and I am proud to support this provision. I particularly want to thank Chairman BAUCUS, Senator GRASSLEY, and Senator BINGAMAN for all of their hard work in helping shape this reauthorization of the TAA program.

Ms. MIKULSKI. Mr. President, I rise in opposition to the trade bill. I oppose this trade bill because it seeks trade that is more free than fair. It sends a very mixed message to America's working men and women and their families.

The good news is that the bill includes a real expansion of trade adjustment assistance benefits for Americans who lose their jobs as a result of trade agreements. The House trade bill doesn't provide these trade adjustment assistance benefits. I am proud to be a cosponsor of the TAA bill and I commend Senators BINGAMAN and DASCHLE for their leadership to help workers harmed by trade.

The Trade Adjustment Assistance for Workers, Farmers, Communities, and Firms Act strengthens the existing TAA program. It broadens eligibility to cover workers who lose their jobs due to increased imports, even if they don't directly work for a company that closes down due to trade. It extends benefits to laid-off workers from 52 weeks to 78 weeks and increases job training funds. This bill also helps communities adjust, because when a factory shuts down, it isn't just the workers at the plant who are affected.

Healthcare is a critical addition to the TAA program. People who lose their jobs can't afford healthcare on their own. This bill will help laid-off workers buy healthcare coverage by covering 70 percent of the cost. I would have been happier with the 75 percent level in the Committee-passed bill, but this is a very important step.

Wage insurance for older workers is another key addition to the TAA program. Experienced workers, even with training in new skills, often cannot get another job that pays them anything close to what they were earning. This bill will supplement wages to help these workers get a new start in a new job. That is the good news.

The bad news is that the bill includes a renewal of Fast Track negotiating authority. That means more Americans will lose their jobs in the name of free trade. More people will get TAA benefits, but more people will need them.

Let me be very clear on one point. I support trade. I encourage trade. Trade is very important to my state. Maryland workers can compete successfully in a global marketplace, if they're given a level playing field. That's why I support expansion of fair trade.

I oppose fast-track trade promotion authority now for the same reasons I opposed fast track when a Democrat was in the White House.

I don't believe Congress should give away our right and responsibility to fully consider trade agreements.

The Bush administration has the authority to negotiate trade agreements. U.S. Trade Representative Bob Zoellick doesn't need fast track. He went to Doha to start another round of multilateral trade talks without fast track. He can negotiate a free trade agreement of the Americas without fast track. Hundreds of trade agreements have been reached and implemented without fast track.

What the Bush administration wants is to cut trade deals and limit the power of Congress to review those deals. That is what fast track really means.

Why is the role of Congress so important? To make sure the American people get a good deal. I am ready to support trade agreements that are good for America, agreements that are good for workers and good for the environment. Congress should consider trade legislation—and amendments—to it using the same procedures we use to consider other international agreements and implementing legislation.

Proponents of trade agreements say it is inevitable that there will be winnners and losers.

The problem is America's workers and their families always seem to be the losers. They lose their jobs. They lose their healthcare. If they keep their jobs or find new jobs, they lose the wage rates they have earned.

American workers aren't the only losers.

American consumers also lose.

I am particularly concerned that we don't regulate and inspect the safety of imported food the way USDA regulates and inspects domestic food products. Our trading partners set their own meat inspection standards. Shouldn't we use our trade policy as leverage to make our food safer?

Workers and children around the world also lose.

We should use the leverage of our trade agreements to ensure fair competition. That means workers in other countries should have the right to organize into unions. Without the strength of collective bargaining, their wages will always be below ours. They should also have worker safety protection and retirement and healthcare benefits.

Children should be in school, learning the skills to be good citizens and participants in the global economy. Instead, children as young as six years old put in full days of work. More than 350 million children under the age of 18 work, according to the International Labor Organization. More alarming is the fact that over 111 million of them are children between the ages of 5 and

14 engaged in ''hazardous work.'' And 5.7 million children are in forced and bonded labor.

How can we enter into trade agreements with countries that do nothing to protect their children? Is it fair for a 45-year-old on Maryland's Eastern Shore to compete with a 12-year-old in Southern China?

Protecting against child labor and forced labor should be the core of any trade agreement.

I am proud to have cosponsored and supported amendments on labor rights, child labor, environmental protection, and other issues which I firmly believe must be addressed in agreements to strengthen fair trade.

I am particularly proud to have joined with colleagues on both sides of the aisle in an effort to provide a safety net for steel retirees who lose their healthcare coverage due to unfair trade. A clear majority in the Senate supported that amendment. We were blocked procedurally by Senators who support trade and are unwilling to address its human consequences.

I have said before that I don't want to put American jobs on a Fast Track to Mexico or a slow boat to China but that is exactly what is happening as a result of NAFTA and China's admission to the World Trade Organization. Black and Decker closed down a manufacturing plant on Maryland's Eastern Shore because they could get cheaper labor abroad. They literally moved those jobs to Mexico and China. I am glad the expanded trade adjustment assistance will help these workers but they shouldn't have lost their jobs in the first place.

I intend to stand up for American workers and consumers. I intend to stand up for the right and responsibility of Congress to fully consider trade agreements. I urge my colleagues to join me in opposing the trade bill.

Mr. McCAIN. Mr. President, as we prepare to vote on this historic trade package, our country is precariously positioned in the international trade arena. Many of our friends and allies no longer see the United States as a nation that champions global free trade, but rather as a nation that increasingly fears foreign competition and seeks to erect barriers to trade in order to protect domestic industries and advance narrow political agendas. A series of short-sighted, protectionist actions in recent years has jeopardized our relationships with our most important trading partners.

Given our recent double standards on trade, it is not surprising that the United States is quickly losing its credibility and leadership in championing free trade principles around the world. Our staunchest allies and most important trading partners are now doubting our dedication to the free trade principles we have long championed.

Many of the nations that engage in the free exchange of commerce are also our staunchest allies in the war on terrorism. Over the past eight months, those countries have joined in our worthy cause, some making substantial sacrifices to advance our shared values. During that time, even as our allies have deployed their forces to stand alongside our own in Central Asia, we have pursued protectionist policies on steel and lumber, and passed into law a regressive, trade-distorting farm bill. We are already fighting one war on a global scale. We cannot simultaneously fight a trade war.

The United States simply cannot afford to follow the dangerous path of protectionism. I hope that the passage of trade promotion authority, TPA, and the Andean Trade Preference Expansion Act, both of which are included in this package, will represent a turning point. Now is our chance to put a stop to our short-sighted protectionism and recognize that such behavior has consequences.

As the rest of the world negotiates free trade agreements without our participation, the citizens of this country are losing out. Free trade stimulates economic growth, creates higher paying jobs, reduces the cost of goods and services, and promotes stability in regions of strategic interest to the United States. Somehow, we seem to have lost sight of these overarching goals.

The Doha round of World Trade Organization, WTO, negotiations provide an opportunity for the United States to demonstrate to the countries of the world our dedication to reducing barriers to trade on a global scale. Passage of this bill will enable the Administration to negotiate the best possible agreements for America. Beyond the WTO, I look forward to the completion of bilateral trade agreements with Singapore and Chile, the opening of formal negotiations on new trade agreements with nations like Australia, regional accords with the nations of Central America, and ultimately, a Free Trade Agreement of the Americas—a goal articulated by President George H.W. Bush fully a decade ago, and one which we must recommit ourselves and our Latin friends to achieving.

One of the most critical and time-sensitive components of this trade package is the extension and expansion of the Andean Trade Preference Act, ATPA. In 1991, ATPA was created to expand the economies of the drug-plagued nations of the Andean region. By granting duty-free and reduced-rate treatment to various products from Bolivia, Colombia, Ecuador, and Peru, we hoped to strengthen the fragile economies of the region, expand their export bases, and provide Andean farmers and workers with legitimate employment outside of the drug trade. The Andean Trade Preference Act has worked. It has created new industries in the Andean region, and with them hundreds of thousands of jobs outside the drug trade. As the region's leaders will attest, it is a success story.

Regrettably, ATPA expired on December 4, inflicting immediate harm on the region, because Congress had not taken timely action on legislation to prevent its expiration. The House of Representatives passed an extension and expansion of ATPA over six months ago. On February 15 the President, citing national security concerns, took the unprecedented step of extending a 90-day duty deferral of products under ATPA, giving Congress time to pass an extension. That 90-day deferral expired last week while the trade bill remained mired in partisan debate before the Senate.

Our delay in extending and expanding ATPA impacts our national security, stability in the hemisphere, and economic growth in Bolivia, Colombia, Ecuador and Peru. These nations are on the front lines of the war on drugs, their democracies threatened by criminals and terrorists, their people suffering from economic deprivation. It is time we realized the impact our actions and inactions have, not just on the United States, but on the rest of the world as well. Our delayed action has sent the very dangerous message that the United States is no longer engaged in the region.

Our hemisphere is in serous trouble. Democracy and free markets are tested by social instability, lack of economic opportunity, and the violence wrought by drug traffickers and terrorist groups. From the FARC and the ELN in Colombia to Hezbollah in Ecuador and elsewhere in our hemisphere, terrorists take advantage of state failure and economic underdevelopment to operate freely, and at grave risk to American interests and those of our allies.

The Andean trade act is part of our active engagement in the region, a gateway to economic opportunity and a symbol of America's commitment to the democratic stability and security of our Andean partners. The elected leaders of Ecuador, Colombia, Bolivia, and Peru know that delivering economic opportunity to their people is the best means of protecting democratic institutions and defeating terrorism and the drug trade. They ask not for substantial American assistance, but for access to the American market through free and open trade. This serves not only their interests but our own.

Unlike other efforts which provide direct grants, loans, or military assistance, ATPA costs the U.S. nothing. In fact, American workers and consumers benefit from it through reduced prices on goods and services. The U.S. International Trade Commission, ITC, has estimated that U.S. consumers annually save over $20 million due to the benefits of ATPA. In addition to cost savings, the Act also enhances American security. By creating legitimate jobs outside the drug trade, bolstering state institutions, and expanding national economies, terrorists and drug traffickers will no longer find such easy refuge in the Andean region.

I regret that we had to consider three very important, and very different, pieces of trade legislation in one package; I believe the end product suffered as a result. Passing these bills in this manner prevented us from adequately debating complicated and questionable provisions. Indeed, this bill is far from perfect. I know that I am not alone in expressing my concern over some of the provisions now contained within this trade package, particularly those which are clearly antithetical to the spirit of free trade.

The conferees certainly have their work cut out for them. Although recent actions indicate that we may be taking steps backwards in certain areas, it is incumbent upon the conferees to reaffirm the principles of free trade, and to receive the strongest support from the Administration for their efforts. We must all ensure that we do not sacrifice free trade principles for a bill that is called ''free trade,'' but does something else entirely. Even before Senate passage, efforts in the other body are underway to weaken provisions contained within this package. I hope that these efforts do not succeed.

That said, I believe this bill represents an opportunity to end America's dispiriting slide backwards into protectionism. Passage of this imperfect but important trade bill is a good start. It is time for America to again lead the world on trade.

Mr. EDWARDS. Mr. President, I thank Senators BAUCUS and GRASSLEY for working with me on my amendments to this legislation. They and their staffs were very helpful.

There was one amendment that I filed to this bill that I had intended to offer dealing with tax incentives to help communities affected by trade. I did not offer it because I know that the leaders of the bill as well as the leadership of the Senate all agreed that there would be no tax amendments to this bill. However, I would like to speak about the amendment very briefly, because I intend to look for future opportunities to see it passed.

The amendment is designed to help communities devastated by foreign trade get back on their feet by providing incentives for businesses to locate in these areas.

Already, the Federal Government has policies to help communities in trouble attract new business through tax incentives. The programs are called Empowerment Zones and Renewal Communities.

Here is the problem: These designations do not help struggling rural communities that have been hit with dramatic job losses only recently. A decade ago, these communities were home to busy textile plants. Today, they are being devastated as their major employers shut down and thousands of jobs disappear. Many of the people in these communities have lived in these towns for generations. They should not have to move away just because the textile plant where they worked has closed down.

Retraining will help. I am pleased that my amendment to help improve training programs was passed by the Senate last week, but that training is not going to matter if there are not new jobs to take the place of the ones they lost. We need to encourage investment in these trade-affected areas so workers do not have to pack up their families and move to the city just to get a new job.

That is what my proposal is about. It is modeled after Empowerment Zones and Renewal Communities. We'd create new Economic Revitalization Zones for areas hard-hit by trade. Economic Revitalization Zones, or ERZs, would be areas that have experienced major job losses in a critical industries as a result of trade agreements or shifts in production. Communities would be eligible for designation as ERZs if they are in a trade-affected state and a significant portion of their employment base was dependent on an industry substantially affected by trade. Benefits in ERZs would be similar to those in Renewal Communities and Empowerment Zones.

Here are five examples:

One, a 20-percent wage credit for the first $15,000 of wages paid to a zone resident who works in the zone;

Two, commercial revitalization tax incentives [write-offs for companies that revitalize abandoned or dormant industrial property];

Three, increased write-offs for capital investments;

Four, authority to issue tax exempt bonds to promote business development; and

Five, the New Market Tax Credit, which already provides incentives for businesses to invest.

Economic revitalization zones would be a lifeline for communities that are suffering from the negative effects of trade agreements. We owe this to the hardworking families in these communities. As the industries they've relied on for decades are destroyed, the least we can do is to help them plan for the future.

I believe this is an important proposal. I look forward to working with my colleagues who are on the Finance Committee to find other opportunities to advance this important initiative.

Mr. DODD. Mr. President, I have a long-held interest in Latin America, and, in my opinion, the renewal of the Andean Trade Preferences Agreement is one of the most important actions this Congress can take to promote economic growth, political stability, and prosperity in the Andean region.

I have come to this floor many times in the past year to draw my colleagues' attention to the fact that Latin America is a region in crisis, that we ignore at our peril. I believe that it is imperative that we remain engaged with our neighbors to the South lest our neglect encourage even more instability in the region and foster conditions ripe for terror, destruction, and the collapse of democratic institutions. While I could speak for hours about the dangers posed by the horrors of drought and famine in Central America, the Argentine economic crisis, or the turmoil in Venezuela, I will limit my comments today to the problems faced by the Andean region, and my belief that we must have a multi-faceted approach to alleviating the crisis in the region through military, humanitarian, and economic aid.

The Andean region is reeling from economic crises, natural disasters, and the effects of the war against drugs. Peru, Ecuador, Colombia, Venezuela, and Bolivia confront economic and social problems that threaten the very fabric of Democracy in the region. Up till now, with the possible exception of Venezuela, the governments of these countries have done a good job of managing their problems in the face of near-impossible odds. But, I believe, without consistent and steady U.S. involvement, and a greater willingness of Ecuador, Bolivia, and Peru to coordinate their efforts in drug eradication with Colombia, the situations in these countries could become quickly unstable. We must remain continuously engaged and stop the cycle of neglect by which attention is focused on Latin America for short bursts of time, only to recede when a crisis is over. We cannot allow the region to languish and fester while we ignore warning signs.

I have spoken about Colombia numerous times on this floor, and, in fact, just held a hearing on the Colombia situation in the Foreign Relations Committee last month. I would like to take a moment to restate some of my comments from that hearing and alert my colleagues to some horrific statistics about the state of violence in Colombia. Colombia's democracy is in crisis, and it didn't happen over night. Colombia's civil society has been ripped apart for decades by violence and corruption, and has long been characterized as having one of the most violent societies in the Western Hemisphere. Historically, Colombian civil leaders, judges and politicians have put their lives in jeopardy simply by aspiring to positions of leadership and responsibility. The introduction of illicit drug cultivation and production has only heightened further this climate of violence. Despite fears that must be pervasive in every Colombian's heart, tens of thousands of men and women have still allowed their names to appear on electoral ballots in election after election. These are truly courageous people who deserve our respect and admiration.

Two years ago, I supported US efforts to become partners with the Pastrana administration's efforts to address Colombia's problems. I said at the time that I believed that it was critically important that we act expeditiously on the Plan Colombia assistance package because our credibility was at stake with respect to responding to a genuine crisis in our own hemisphere. We also needed to make good on our pledge to

come to the aid of President Pastrana and the people of Colombia in their hour of crisis, a crisis that has profound implications for institutions of democracy in Colombia and throughout the hemisphere.

No one I know claims that things have dramatically ''turned around'' in Colombia since the United States endorsed Plan Colombia and began providing significant resources to support its implementation. Narcotraffickers, in concert with right and left wing paramilitary organizations, continue to make large portions of the country ungovernable. Until recently their activities were restricted to sparely populated rural areas of the country—places where government order and services have never existed. Now, with the end of the FARC/Government peace process and in an effort to disrupt upcoming elections, the FARC is increasingly focused on urban areas, especially critical economic infrastructure.

In the last 15 years, more than 200 bombs have exploded in Colombian cities. The number of assassinations is egregious. More than 300,000 ordinary citizens, 4 presidential candidates, 200 judges and investigators, one half of Colombia's Supreme Court, 1,200 police, and 151 journalists, have been murdered. Politicians such as Senator Martha Daniels have been killed while trying to negotiate peace, and municipal officials are constantly running for their lives. As if this were not bad enough, Colombia also holds the world's kidnapping record, with 3,700 abductions last year alone. Among those abducted, 50 were political candidates, such as Ingrid Betancourt, who is running for President, and one was a governor.

The rebel groups in Colombia have declared war on democracy and on the people of Colombia. According to recent news reports, on May 2 the largest single massacre of civilians in the recorded history of the conflict in Colombia took place. It began on May 1, in the village of Bellavista, over 300 people sought refuge in St. Paul the Apostle church from door-to-door fighting between left and right-wing paramilitaries. But, in the violence-charged atmosphere of Colombia, even the refuge of a holy place was not enough to protect the townspeople of Bellavista. Shortly before noon on May 2nd, a bomb thrown by leftist rebels of the FARC collapsed the roof of St. Paul the Apostle, and 117 innocent civilians were killed—over a third of them children.

I grieve for the families of the deceased, and want them to know that their pain and sacrifice has not gone unnoticed in the United States. The massacre of Bellavista is just yet another event in a series that illustrates why the United States has a responsibility to remain actively engaged in Colombia's struggle. We must help prevent atrocities such as this massacre from ever happening again through a combination of economic, humanitarian, and military aid. This nonsensical murder of civilians in Colombia must stop, and it must stop now. While we are doing all we can to help stop these killings through Plan Colombia, the ripple effects of the region's crisis are felt by all of Colombia's neighbors—Ecuador, Peru, Bolivia, Venezuela. Colombia's problems have a profound impact on the stability and security of the entire region.

The region's economy is in distress, causing significant unemployment and hardship among the middle class. The economic situation in the countryside is equally troublesome—a significant percentage of its rural population is barely able to eke out a living—with millions already displaced from their villages from economic necessity or fear of civil conflict. Not surprisingly, these displaced persons have become the innocent foot soldiers in the ever-expanding illicit coca production that gets processed into cocaine and ultimately finds its way into America's schools and neighborhoods.

United States financial assistance has been heavily focused on the military component of Colombia's counter narcotic effort with lesser amounts available for other programs such as alternative development programs, protection of human rights workers, resettlement of displaced persons, and judicial and military reforms. The United States can do more to assist the region, particularly its economies by reauthorizing and expanding the coverage of the Andean Trade Preference Agreement. This would help the region work its way out of its current economic recession by giving a boost to key domestic industries while creating more jobs for average citizens—other than in the coca fields.

Since 2000, the United States has committed almost $2 billion to the Andean region in support of Plan Colombia and the Andean Regional Initiative. As I have stated, although I continue to support these initiatives, they alone will not resolve the region's problems. We must complement this assistance with extension of ATPA. By addressing the economic needs of the area, as well as the military and humanitarian needs we can begin to address the root causes of the narcotics industry and violence, while assisting Colombia's neighbors in protecting their nations from allowing the same problem to spread.

ATPA has been constructive in stimulating increased trade with Bolivia, Colombia, Ecuador, and Peru, but there is still a lot of work to be done. The full impact of ATPA has been somewhat lessened by the exclusion of key economic sectors from the agreement. A more robust ATPA is needed if we are truly going to make a difference with respect to the lives of people in that region. Extension of the ATPA will offer more opportunities to our Andean trading partners, while also enabling us to further pursue our own national interests in the region. Poverty and hopelessness are the incubators for lawlessness and civil strife. The job creation and economic development that is part and parcel with expanded trade opportunities are vital to enfranchising the middle class in the political process and preventing rural residents from turning to cocoa as a crop of desperation.

With the ATPA, we can encourage the growth of legitimate businesses that will benefit producers and consumers in our country and within the Andean pact. Since the ATPA was enacted in 1991, the primary goal of the agreement has been to promote export diversification and broad-based, sustainable economic development throughout the region. There is evidence that this initiative has borne fruit. From 1992 to 2000, the years of implementation of ATPA, total coca cultivation in Bolivia declined by 68 percent, and in Peru by 74 percent. This decrease is the result of aggressive eradication programs coupled with crop substitution by farmers in the region who have then taken advantage of ATPA provisions to market their products in the US. In so doing, ATPA has done more than expand trade, it has strengthened America's War on Drugs and the Andean region's fight against drugs and traffickers. The renewal of the ATPA is a lifeline to Andean farmers and workers who want to have legal employment but will do whatever they have to in the absence of mainstream job opportunities to feed their families—including the cultivation of illicit crops.

ATPA has accomplished all this without negative effects at home. Between 1991 and 2000, Andean exports to the U.S. increased 124 percent. According to the U.S. Department of Commerce, in 2000, bilateral trade was valued at more than $18 billion and the Andean Community was the 16th largest consumer of U.S. exports. In comparison, the value of U.S. exports to the Andean Community was 1.3 times greater than that which was exported to the Central American Common Market. This is nearly twice as large as exports to Eastern Europe.

As we move forward to extend the ATPA, I realize that for some, the issues of textile and tuna are delicate and contentious. I think that it is important to note that the extension of trade preferences to tuna in airtight containers would promote employment in the local industries, and help depressed areas in the beneficiary countries through higher value-added exports with a true potential and minimal impact on U.S. industry. Unfortunately, the ATPA bill before the Senate contains restrictions which would grant the duty free benefits to imported canned tuna from the Andean countries, but limit the quantity to 20 percent of the U.S. domestic canned tuna production in the preceding calendar year. The quota that would be imposed makes the duty free benefit virtually meaningless.

The principlal beneficiary of the tuna provision is Ecuador—a government that has been extremely cooperative in our efforts to implement first Plan Colombia and now the Andean Regional Initiative, although controversial among Ecuadorans, the Government of Ecuador has permitted to use the airfield at Manta as a forward operating location for critical activities in our regional counter rug programs. They have suffered from the spill over effects of Plan Colombia as guerrillas and peasants have crossed into Ecuador's territories and sanctuary. The Senate provisions falls far short of what Ecuador deserves in light of all its support. In my view the House provision granting duty free treatment to all imported canned tuna from the Andean countries is the more appropriate response to Ecuador's friendship and support for U.S. policies in the region. The argument that American Samoa will be harmed by the granting of this preference is bogus. One of the major employers in American Samoa, StarKist, has already indicated that it has no intention of reducing employment there even if the most generous version of the ATPA Tuna preference language is enacted into law.

Expanding the ATPA to include textiles and apparel would not have a substantial negative impact on the U.S. economy. In 1999, textile/apparel exports from Andean countries represented only 1.1 percent of the total textile and apparel exports to the United States. On the other hand, the United States is by far the largest market for Andean apparel exports, buying between 38 percent and 61 percent of all Andean apparel exports. In fact with the expansion of opportunities for Andean textile and apparel imports come increased opportunities for US fabrics, thread and even cotton exports to that region.

By extending ATPA, the United States is sending a clear signal that we are going to continue the close and essential relationship we have established with our partners in the Southern Hemisphere. Given the extremely difficulties facing the region and the implication of those difficulties on US interests working to make that relationship work is very important. Taken together, these steps will generate jobs, strengthen civil society, and deter illegal narcotics trade. All steps strongly supported by the Congress and the American people.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for trade promotion authority. My decision to support this bill has not been an easy one. I respect the opinions of my colleagues who do not support trade promotion authority and I share many of their concerns.

However, two issues have changed my thinking on this matter: the necessity of trade promotion authority to conclude multilateral trade deals and the substantive worker protection provisions contained in the bill.

Therefore, I believe we must grant the President the trade promotion authority to reclaim U.S. leadership in the global trade arena and provide him the support he needs to conclude multilateral trade agreements that will benefit California and the United States as a whole. And, as this bill does, we must do so in a way that provides protection and support for workers who may be displaced from their jobs due to increased globalization.

I have long supported free trade. Like many of my colleagues, I believe that expanding free trade and the exchange of goods, ideas, and services across the global marketplace is vital to the success of American industries, the creation of new jobs, and the economic well-being of all Americans.

My home State of California, which ranks among the top economies in the world and leads the country in exports, has greatly benefitted from past free trade agreements and stands to gain even more from future negotiations.

Now, I understand that many of my colleagues will point out that this administration and its predecessor have concluded and signed trade agreements since fast-track expired in 1994. No doubt this is true and no doubt it will continue to be true.

Yet those agreements have been bilateral trade agreements. Many bilateral agreements have been signed without fast track authority.

One recent and noteworthy example is the United States-Jordan Free Trade Agreement. I voted for that agreement and I believe it is important tool to advance the cause of peace and stability in the Middle East.

But while the United States-Jordan Free Trade Agreement is politically vital, economically it is rather small bilateral trade between the two countries is approximately $600 million.

Multilateral negotiations, on the other hand, such as those aimed at establishing a Free Trade Area of the Americas or the Doha round of global trade talks, involve far more countries, far more negotiators, and far more billions of dollars worth of trade.

As former Deputy U.S. Trade Representative Richard Fisher told me, our trade negotiators need fast track to tackle the difficult, complex, and diverse issues that inevitably arise in multilateral talks and get our partners to put the best deal on the table. Without it, we simpliy can't close out these deals.

If our partners know that they will have to negotiate with Congress after negotiating with the administration, the most sensitive issues, and the keys to unlocking new and expanding markets, will be taken off the agenda.

Imagine if you were a party to a multilateral trade negotiation and you knew that a final agreement would be open to amendment by the U.S. Congress. You would never agree to put your best offer on the table and you would never agree to sign any agreement if you thought that the deal you negotiated—one that would provide multiple benefits to both sides—would be change.

So, fast track becomes an imperative, if multilateral agreements are to be negotiated successfully.

But we must also remember that some workers and some firms do suffer as a result of increased trade and we have an obligation not to leave them behind as global trade moves forward.

So protection for workers is important and vital to any trade promotion authority bill.

Consequently, I support the robust and expanded trade adjustment assistance package that will assist those workers in their time of need and help them find new jobs. Since 1962, trade adjustment assistance has been a bridge between the global economy and the local economy.

Let their be no doubt that this bill is a step forward for American workers. It provides assistance, training, and support for workers as they move into a new career. Specifically, the bill expands eligibility for benefits to secondary workers such as suppliers and downstream producers who lose their jobs or may lose their jobs due to a loss of business with a firm whose workers are TAA certified; extends income support from 52 to 78 weeks; provides a 70 percent advanceable, refundable tax credit to help TAA workers make COBRA payments; increases assistance for job relocation and job searches; increases the training budget to $300 million; establishes a wage insurance program to provide support to older workers who lose their job due to trade and are forced to take a lesser paying job; establishes trade adjustment assistance programs for farmers, fisherman, and communities affected by trade, and finally; establishes a training program through the Small Business Administration for TAA-certified workers on how to start their own business.

Finally, let me turn now to my role as a Senator from the State of California. California is like no other State. It is the fifth largest economic engine in the world with a $1.33 trillion economy. From high tech to agriculture, California is a leader in the U.S. and the global market, and it has greatly benefitted from free trade initiatives.

In 2001, 14.6 percent of U.S. exports came from California, totaling $106.8 billion, tops in the Nation. Exports support more than one million jobs for Californians.

Yet if California is to maintain its status as a global economic leader, our businesses and working people must have access to new and expanding markets around the world. Trade promotion authority, as I have indicated, is an important tool in that effort.

Global trade is with us. We simply can not ignore that fact. Turning inward, building barriers, and shutting out the outside world is not realistic. We must deal with globalization and we must deal with it in a way that enhances the ability of American exports

to reach new and expanding markets, while at the same time promoting respect for labor rights and the environment and ensuring that no worker is left behind.

Trade promotion authority is the best vehicle for Congress and the administration, working as partners, to build an effective trade agenda that advances U.S. interests at home and abroad.

Mr. GRASSLEY. Mr. President, this legislation which has passed the Senate today is a great bipartisan success. I am thankful to my colleagues for their support and willingness to work together in order to do this for the workers, farmers and companies of this country.

I would first like to thank Senators GRAMM and BREAUX and their staff for helping to make this final vote possible. If it were not for their help in brokering a deal, we may not have reached this point today.

I would also like to thank Senator BAUCUS and his excellent staff for all the hard work and dedication which has gone into this bill over the past year. I want to specifically thank Mike Evans and John Angell as well as the trade staff—Greg Mastel, Tim Punke, Ted Posner, Angela Marshall-Hoffman, Shara Aranoff, and Andy Harig. I appreciate their willingness to work with my staff to accomplish so much.

I would also like to thank Polly Craighill of the Office of Senate Legislative Counsel, for her hard work, and great expertise in drafting this bill.

Finally, I would like to thank my staff, beginning with my Finance Committee staff director, Kolan Davis and my trade counsels Everett Eissenstat and Richard Chriss, who have worked tirelessly to bring this bill to fruition. I credit them with much of today's success. It was their hard work, along with the help of Carrie Clark and Tiffany McCullen-Atwell, that helped us to this point.

I look forward to a productive conference, and swift passage of the conference report, so we can get this to the President's desk, and enacted into law.

Mr. THURMOND. Mr. President, I rise today to express my opposition to H.R. 3009, the Andean Trade Preference Act and the Baucus-Grassley amendment granting the President trade promotion authority and renewing the trade adjustment assistance.

While I do not support this particular bill, I am not opposed to trade and recognize the great economic benefit it has brought to my State. In South Carolina, many foreign firms have made substantial investments in manufacturing facilities. These plants, and the workers they employ, produce goods for domestic consumption and for export. Also, numerous American firms export their products. The volume of goods moving through the port of Charleston is an indication of the importance of trade to South Carolina. Charleston is one of the busiest seaports in America.

History has taught us that in order for countries to buy from us, we must buy from them. Indeed, our continuing trade deficit shows just how much of this we as Americans do. The problem is that too many of our trading partners refuse to trade with us fairly. They want to export to the American market, but they do not want to let our products into their domestic markets. I would note that the United States Trade Representative has published his 2002 National Trade Estimate Report on Foreign Trade Barriers. In this annual report, numbering 455 pages, he catalogs the barriers ''affecting U.S. exports of goods and services, foreign direct investment by U.S. persons, and protection of intellectual property rights.'' Clearly, this report indicates our trade negotiators have much to do to get our trading partners to open their markets to U.S. exports.

The United States has long been the leader in promoting trade. In 1994, the United States entered into the North American Free Trade Agreement, NAFTA, and 1 year later became a charter member of the World Trade Organization, WTO. NAFTA established a free trade area between the United States, Canada, and Mexico. The WTO was an endeavor to establish an international organization and procedures to reduce and hopefully eliminate capricious and arbitrary barriers to trade.

NAFTA opened the doors to imports of textiles and apparel from Mexico. While the potential for cheap textile and apparel imports was greater under the WTO, the WTO contains an Agreement on Textiles and Clothing, ATC, which would eliminate all quotas on textile and apparel products beginning on January 1, 2005. The ATC provides the U.S. textile and apparel industries with a ten-year transition period to prepare for this elimination. However, this ATC adjustment phase has been repeatedly breached by legislative actions such as the African Growth and Opportunity Act, the Caribbean Basin Initiative, as well as Executive Branch decisions permitting additional import quotas for nations such as Pakistan and Turkey. Additionally, American textile and apparel industries have been seriously harmed by substantial transshipments of apparel. As a result, U.S. textile and apparel industries are being subjected to more and more unfair international competition without the full benefit of the transition period permitted under the ATC.

Because of these unfortunate and short-sighted policies, almost 700,000 U.S. textile and apparel workers have lost their jobs. Nearly 55,000 jobs were lost in South Carolina with a devastating effect on my State's economy. This is compounded by the thousands of jobs that have been lost in Alabama, Georgia, North Carolina, and Virginia as well as other States. These numbers do not include the lost jobs in the steel, furniture, and other manufacturing industries. In addition there are the job losses in secondary industries such as equipment makers, service firms, and transportation enterprises. Finally, there are the community job losses in the local businesses, including department and grocery stores, pharmacies, and automobile dealerships, to just name a few. The cost to local communities is staggering. While the toll on all those who lose their jobs and their families is horrendous, it is even worse on older workers who have little chance of finding meaningful employment.

The underlying bill, H.R. 3009, the Andean Trade Preference Act, ATPA, seeks to renew a program that provided preferential, mostly duty-free, treatment of selected U.S. imports from Bolivia, Colombia, Ecuador, and Peru that expired on December 4, 2001. The purpose of the ATPA is to encourage growth of a more diversified Andean export base, thereby promoting development and providing an incentive for Andean farmers and other workers to pursue economic alternatives to the drug trade. While this is a laudable goal, my objection is to those provisions of this legislation that would give Andean textile and apparel products the same preferences given to those from Mexico and the Caribbean Basin. This action will further erode the quota protection provisions guaranteed to the U.S. textile and apparel industries under the ATC. These increases in textile and apparel imports into the United States will further destabilize the American textile and apparel industries during the critical ten-year transition period and result in the loss of more American jobs.

This bill also reauthorizes Trade Promotion Authority. Trade promotion authority allows the President to negotiate trade agreements and submit them to the Congress for approval or defeat. No amendments are allowed, therefore no improvements can be made to such agreements.

My concerns are that future trade negotiators will be more interested in getting an agreement, any agreement, no matter what the cost to American manufacturing, rather than protect the best interests of the United States. The emphasis of American representatives in previous trade talks has clearly been for free trade at the expense of fair trade. The current state of U.S. manufacturing is evidence of this sad fact. So granting the President TPA will result in the Congress being presented with no alternative other than to vote for or against the total agreement. I do not believe this is consistent with the Constitutional responsibilities of the United States Congress.

Particularly troubling about this grant of TPA is that our trade negotiators have, and continue to place in negotiation, U.S. trade remedy laws. What we need, Mr. President, are not weaker trade remedy laws but stronger ones. In addition, to the responsibility of protecting U.S. workers and their employers, we have a strategic defense

interest in promoting and strengthening American manufacturing as opposed to letting it wither away. Again, what I am advocating is fair trade not free trade.

Finally, included in the legislation is the renewal of Trade Adjustment Assistance, TAA. I support TAA without reservation, and I have in the past attempted to strengthen TAA by making the certification process easier. I regret that this TAA renewal provision is part of this legislation and was not considered separately.

In closing, I wish to state that I am for trade, fair trade. The sad experience of our Nation with so-called ''free trade'' is that it results in the loss of American manufacturing jobs. Unfortunately, this legislation will pass the Senate and will undoubtedly be signed into law by the President. I call upon the President and administration officials to negotiate for fair trade. I hope in the future negotiations are conducted which result in rules that do not discriminate against American industry and agriculture, and which require our trading partners to open their domestic markets to U.S. products.

Because of the thousands of jobs that have been lost, not only in my State of South Carolina but in the Nation as a whole, and because of the jobs which will be lost in the future, I will vote against this legislation.

I yield the floor.

Mr. BYRD. Mr. President, I have been astonished that the Senate—the very institution in which Daniel Webster, John C. Calhoun, Henry Clay, Robert Wagner, and Richard Russell once made important national policy, even it it meant defying presidents—would sit back and humbly and meekly allow the interests of the workers in their states to be sacrificed upon the altar of the false promise of free trade.

These past few weeks, I have been even more disturbed that some would allow their concerns and their opposition to fast-track authority to be bought off with another false promise—the false promise of enhanced trade adjustment assistance for workers impacted by trade.

I am not opposed to trade adjustment assistance in its intent and purpose. Trade adjustment assistance provides an important service when and where it is needed. But trade adjustment is not a panacea. Trade adjustment assistance is not a substitute for a job. Trade adjustment assistance is not a substitute for good trade policies. Trade adjustment assistance should never, never, be considered as a substitute for Congressional input into trade agreements, input that is essential for members of this chamber to be able to protect and promote the interests of our constituents.

My opposition to giving fast-track authority to the executive branch is long-standing and unchanging. The Constitution obligates Congress to regulate foreign commerce. This means, at the least, that Congress must be an active participant in trade agreements, not a rubber stamp.

Trade impacts every citizen of our country. It cuts across nearly every aspect of our lives and livehoods. The way of life and work for millions of American workers, for tens of thousands of American communities, are affected by the trade agreements. That is why trade issues must be debated and shaped by the legislative representatives of the people. It is the hardworking, responsible people back home who will keenly feel the impact of our trade policies.

I was sent here to represent the interests of my State. I am going to do that to the best of my ability and this includes promoting and protecting the thousands of West Virginia workers whose lives are affected by trade agreements.

It is difficult for me to understand why any member of this body of either political party, would surrender our constitutional prerogative to regulate trade to the executive branch.

The devil, as the saying goes, is in the details. And fast track is asking the Congress of the United States to ignore the details, at great peril to the workers of our States.

It is especially difficult to understand in this era when globalization has rendered the industries and workers of our States more and more vulnerable to the unfair, predatory trade practices of foreign countries.

Our States are drowning under a flood of cheap foreign imports, and it is not just manufacturing industries. Free trade with Mexico has led to a flood of Mexican imports that devastated Florida's tomato industry and forced thousands of agricultural layoffs. China is dumping garlic on the United States and destroying the garlic industry in California.

Since 1994, when NAFTA created the free trade zone, North Carolina has lost more than 125,500 jobs in the textile and apparel industries. The Mississippi Business Journal reports that the garment industry in Mississippi has virtually disappeared in the post-NAFTA era in that State.

Last May, the New York Times told of the closing of a cotton factory in Jacksonville, AL, and the devastating impact of that plant closing on the town and its people. ''The good-paying textile jobs that built many of the towns in the industrial South,'' the story reported, ''have been vanishing for decades as manufacturers improve profits by moving to countries where labor is cheaper. The North American Trade Agreement . . . was a death knell for working people like the millers in Jacksonville.''

The American trucking industry is being clobbered by unfair and unregulated Mexican trucking.

The steel industry in Pennsylvania and West Virginia has been absolutely devastated by the dumping of cheap foreign steel and of foreign, government-subsidized imported steel. A few weeks ago, President Bush pointed out that, ''Fifty years of foreign government intervention in the global steel market has resulted in bankruptcies, serious dislocation, and job loss.''

Estimates of job losses in the United States from NAFTA range from a half-million to more than a million.

The impact of job dislocation is devastating communities across the country. The impact of being displaced, that is, losing your job due to a change in trade policy—that is, losing your job through no fault of your own—is devastating both psychologically and financially to the individual worker. For too many American workers, free trade has been and continues to be a long and frightening slide to financial disaster.

Additionally, there is the risk of loss of health insurance. When one does not have insurance and, therefore, cannot pay for proper treatment, the result can be devastating.

Compound this with the loss of retirement security. When people lose their jobs, they can no longer contribute to their retirement account. Worse, they are too often forced to take out their retirement savings in lump sum payments in order to make mortgage payments or to feed their families, or to pay their health insurance, thus wiping out the family's future economic security. Americans are living longer now. Many of them fear that they will not to able to depend upon Social Security for a decent retirement. They know that they will need these supplemental retirement savings. But, when displaced, and forced to drain their retirement accounts, that economic security is difficult to make up, if not lost forever.

And, of course, there is the loss of income. In addition to the obvious loss of income between jobs, there is the additional loss of income when the displaced worker returns to lower-paying employment. Workers who lose higher wage, industrial jobs are often forced to take low-paying service jobs. Service jobs are notoriously lower paying jobs that offer limited opportunities for advancement.

Studies of counties in Colorado, Missouri, and Mississippi have found a declining standard of living for workers and their communities as they moved from manufacturing to service jobs.

For many workers, the erosion in earnings after landing new employment is telling. In the latter part of the 1990s, the weekly earnings of all reemployed workers fell 5.7 percent on average. Workers displaced from high-tenure jobs showed an average drop in earnings of over 20 percent after they found new, full-time jobs.

Even workers who manage to retain their jobs feel the impact of trade as the decline in American manufacturing has meant a declining standard of living, not just for the affected workers and their families but also for their communities and their States. With the rise of international competition

and the shift to lower wage service jobs in the United States, real wages have stagnated, making life much more difficult for all American workers. Today, even with some recovery in real wages due to the rapid growth in the economy in the 1990s, the average weekly wage is nearly 12 percent less than at its peak in the 1970s. As I said, the devil is in the details, and these families see these details every day as they work harder and run faster, only to continue falling further behind.

Is it any wonder that polls and surveys reveal that: 57 percent of all working adults oppose giving President Bush fast-track authority; 78 percent of Americans believe that protecting American jobs should be a top priority in deciding U.S. trade policy; and 68 percent of Americans believe that trade details with low-wage countries such as Mexico lead to lower wages for American workers.

Yet, I have sat back and watched in astonishment and shock as members of Congress have auctioned off this important constitutional obligation and the economic interests of their constituents for increased trade adjustment assistance benefits.

Last year, the nonpartisan United States Trade Deficit Review Commission pointed out that, ''workers adjustment assistance has often been the last component of a package intended to increase Congressional support for approving new trade agreements. As such, it has often been viewed simply as an afterthough rather than as an integral component of our trade policy.''

Trade adjustment assistance has become a labyrinth of rules and regulations. When the Trade Deficit Review Commission surveyed the states for ways to improve trade adjustment assistance training programs, the state agencies came up with more than 80 different recommendations.

Now, Congress is about to be bought off for the promise of enhanced trade adjustment assistance; that is, more band-aids to cover a gaping hemorrhaging of the livelihoods of American workers!

There is the promise of tax credits for health insurance—I am not sure how important tax credits are to unemployed workers who have no income.

There is the promise of more retraining, but I am concerned that we may be retraining for jobs that will not be there.

There is the band-aid of wage insurance. I point out that Congress tried this gimmick before with the 1988 Omnibus Trade and Competitiveness Act (OTCA), and it failed miserably. Two States were selected to test the program. One state rejected the program because they viewed it as too costly, bureaucratic and confusing. A single State was not considered enough of a sample from which to test the program, so the U.S. Department of Labor canceled the pilot program all together.

The Trade Deficit Review Commission—the commission this Chamber created to make recommendations for changes in trade policy—made the important point that, for trade policy to be truly effective, trade adjustment assistance ''must be a comprehensive safety met available to all who need it.'' If trade adjustment assistance is to work, it must be comprehensive, flexible, and, according to the Trade Deficit Review Commission, it must be ''triggerless''—that is, it must provide benefits to workers who lose their jobs whether it is due to trade dislocation, technological changes, or other reasons.'' This means, among other things, that there must not be distinctions between primary or secondary workers. We must realize that trade impacts the community as well as the individual. Everyone is impacted and affected.

Under the fast track legislation as it now stands, American truckers are ineligible for Trade adjustment assistance benefits because they are not considered ''worthy'' secondary workers.

In promoting the Trade Expansion Act of 1962, the legislation that also established trade adjustment assistance, President John F. Kennedy declared: ''There is an obligation to render assistance to those who suffer as a result of national trade policy.''

It is an obligation, not a lever. It is an obligation, not a bone to be thrown to a Congress acting more like administration lap dogs than the legislative representatives of the American people.

I repeat myself. Trade adjustment assistance is no substitute for a job.

Trade adjustment assistance is no substitute for good trade policy, and good trade policy will only come from open debate, and the amending process—that is, the input from the members of this body who represent the interests of the people of our states and the United States.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. It is my understanding that no one is requesting a vote on the substitute or on cloture on the bill itself, and that the final action before the Senate will be a vote on the bill itself. Hearing no objection, Mr. President, I therefore ask unanimous consent that the cloture vote be vitiated.

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

The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 3401), in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. GRAMM. Is this final passage?

The PRESIDING OFFICER. This is final passage.

Is there a sufficient second?

There is a sufficient second.

Mr. DASCHLE. Mr. President, this will be the last vote of the evening.

Mr. GRAMM. Let's stay.

Mr. DASCHLE. I move to reconsider that.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Alabama (Mr. SHELBY), and the Senator from Kansas (Mr. BROWNBACK) are necessarily absent.

The result was announced—yeas 66, nays 30, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—66

Allard	Domenici	Lott
Allen	Edwards	Lugar
Baucus	Enzi	McCain
Bayh	Feinstein	McConnell
Bennett	Fitzgerald	Miller
Biden	Frist	Murkowski
Bingaman	Graham	Murray
Bond	Gramm	Nelson (FL)
Breaux	Grassley	Nelson (NE)
Bunning	Hagel	Nickles
Burns	Harkin	Roberts
Cantwell	Hatch	Santorum
Carper	Hutchinson	Smith (NH)
Chafee	Hutchison	Smith (OR)
Cleland	Inhofe	Snowe
Cochran	Jeffords	Specter
Collins	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wyden

NAYS—30

Akaka	Durbin	Reed
Boxer	Ensign	Reid
Byrd	Feingold	Rockefeller
Campbell	Gregg	Sarbanes
Carnahan	Hollings	Schumer
Clinton	Johnson	Sessions
Conrad	Kennedy	Stabenow
Corzine	Leahy	Thurmond
Dodd	Levin	Torricelli
Dorgan	Mikulski	Wellstone

NOT VOTING—4

Brownback	Inouye
Helms	Shelby

The bill (H.R. 3009), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. DASCHLE. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DASCHLE. Mr. President, I compliment the distinguished chairman and ranking member of the Finance Committee for their outstanding work on getting to this point. This has not been easy. We have spent a lot of time. Obviously this is a very difficult measure. We have accomplished it. It is something I think we can look back on

with great satisfaction and great pride. It would not have happened were it not for the leadership of the Senators from Montana and Iowa.

I must say, even though he doesn't want me to—he is embarrassed and gets frustrated when I do this—I thank the Senator from Nevada. As with so many pieces of legislation, this simply would not have happened without his masterful work on the Senate floor as well. I congratulate him.

I thank all of the staff involved, my staff, Chuck Marr, and the staff of the committee and others.

We now must turn to the schedule when we return.

There will be no further votes this evening, and we will not be in session tomorrow.

UNANIMOUS CONSENT AGREEMENT—H.R. 4775 AND S. 625

Mr. DASCHLE. Mr. President, I have been in consultation with the distinguished Republican leader during the course of these votes. We have reached agreement on proceeding to the supplemental and then to the hate crimes legislation when we return. I know of no objection. So I will propound a unanimous consent request.

I ask unanimous consent that on Monday, June 3, at 2 p.m., the Senate proceed to the consideration of H.R. 4775, the supplemental appropriations bill; that after the reporting of the bill, the text of the Senate companion, S. 2551, be substituted in lieu thereof and considered original text, provided that no points of order be considered as having been waived by its adoption; that upon the disposition of H.R. 4775, the Senate proceed to the consideration of S. 625, the bill to assist local jurisdictions to prosecute hate crimes; further, that if on Monday, June 3, the Senate has not received from the House the supplemental appropriations bill, the Senate proceed to S. 625 and it remain the pending business until the Senate receives H.R. 4775, at which time it be temporarily laid aside, the Senate begin consideration of H.R. 4775, and that no call for the regular order serve to displace H.R. 4775.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I thank my colleagues and the distinguished Republican leader for his help in working through this procedural arrangement. I also thank the chairman of the Appropriations Committee and the ranking member.

This will afford us the opportunity, at the earliest possible date, even though we are disappointed we are not able to take it up now, to take it up as soon as the House completes its work, hopefully, on the Monday we return from the Memorial Day recess.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. LOTT. Mr. President, I will be brief. First of all, I, too, want to thank the managers of the trade legislation. It has taken a lot of time and effort. There have been a number of problems along the way, but the managers have been persistent. I commend Senator BAUCUS and Senator GRASSLEY for their work. A lot of people have been involved and it was the right thing to do. The proof of that is the vote of 66 to 30.

A lot of people would have thought 10 days ago that we could not get it done. We have a few barnacles, I am sure, that will be sheared off in conference, and a good bill will come out of conference. I commend the managers for doing good work.

With regard to the unanimous consent request, I have a couple of comments. I am glad we were able to work this out. We need to go to the supplemental as soon as possible. This is an urgent supplemental for defense to replace a lot of what has already been spent, and also for homeland security. I was concerned that if we could not get it worked out today or tomorrow, if we came back, other issues might intervene. Senator DASCHLE has a commitment to try to move the other legislation, S. 625, dealing with hate crimes. This way, we could go to the supplemental appropriations bill—assuming it is over here from the House—and complete it and then go to the next issue.

If we don't have a supplemental, for whatever reason, received from the House, we can go to the hate crimes. When the supplemental comes, we can interrupt that, get it done, and then go back to the other issue.

There will be a lot of debate about both of these issues. This seems like a fair way to proceed. I want to emphasize the necessity to move as quickly as possible to the Defense authorization bill. The Armed Services Committee reported that bill out a couple weeks ago. We can't get started with our appropriations bills very well without that defense authorization bill. It would make it possible to do the Defense appropriations bill.

I am not trying to set up the order. I just want to remind the majority leader that we need to do these defense issues as soon as possible so that we can go on to the appropriations bill so our men and women will know what they can count on in the defense bill.

This is a good arrangement at this time. Hopefully, we can complete both of these bills the first week we are back, so we can get the supplemental into conference and get it done and out of conference before the Fourth of July recess. I wanted to make those points.

I thank the Chair and I thank Senator DASCHLE for his cooperation. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

PASSAGE OF H.R. 3009

Mr. BAUCUS. Mr. President, I thank all Senators who worked so hard on this trade bill. I particularly thank the majority leader, Senator DASCHLE. I think he is one of the main architects of the key provision, trade adjustment assistance. He and Senator BINGAMAN have worked long and hard to help forge that portion of the bill. So I thank him and Senator BINGAMAN.

Also, I thank my friend from Nevada, Senator REID. I don't know how we would be here at this point without him. He has worked tirelessly and has done a super job with such equanimity and an even temper. I don't know how he does it.

Also, I want to point out that a lot of work has gone into this bill. I don't think many people realize just how much work and dedication goes into something such as this. There are a lot of people whose names are not well known. A lot of us here on the floor get some gratification from seeing our names in newspapers and on TV when something is accomplished. But the fact is the real work is done by people who perform the most noble human endeavor—which is service to their country—virtually all day long, and many times with sleepless nights. Many are here tonight. I want people to know how hard they have worked.

I especially want to say thanks to Greg Mastel. I hired Greg specifically to help get this legislation passed—and he has done a tremendous job.

I also want to thank many other committee staff, who have worked tirelessly on this legislation—John Angell, Mike Evans, Timothy Punke, Ted Posner, Angela Marshall, Shara Aranoff, Andy Harig, Liz Fowler, Kate Kirchgraber, and Mitchell Kent.

Senator GRASSLEY also has a great team, and I thank them: Kolan Davis, Everett Eissenstat, and Richard Chriss.

And finally, it is an understatement to say that we all appreciate the efforts of our skilled and patient legislative counsel—Polly Craighill, Stephanie Easley, and Ruth Ernst.

Although he is not here, I compliment my colleague, Senator GRASSLEY, who did a tireless job.

This is the most progressive and far-reaching trade bill that this Senate has passed in 15 years. This is a landmark bill. It is also very well balanced. It modernizes fast-track trade promotion procedures, brings them up to date. On the other hand, it includes very significant assistance to people who were dislocated under trade.

I think it will be a bill that, when looked back upon several years from now, is one of the landmarks and major benchmarks that has moved the United States more directly and appropriately to engage the world in trade. I am proud of all the efforts of those here on the floor.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

THE SUPPLEMENTAL APPROPRIATIONS BILL

Mr. BYRD. Mr. President, I wish to express my gratitude to the two leaders for the order that has been entered with respect to the supplemental appropriations bill. That bill is a good bill. It was reported out of the Senate Appropriations Committee on yesterday by a vote of 29 to 0. It had unanimous support in the reporting of it on yesterday. That unanimous vote could not have been possible without the cooperation and support and leadership of the distinguished Senator from Alaska and the ranking member of the Appropriations Committee, Mr. TED STEVENS.

The committee held extensive hearings, and the Senator from Alaska and I joined in issuing the request for witnesses. Every witness that came before the committee had been agreed upon jointly by the Senator from Alaska and myself. Those hearings were important, they were productive, and they brought forth exceedingly valuable information to the members of the committee. And that information is reflected in the makeup of the appropriations bill.

We had the local responders, the firemen, the police, the emergency health employees. We had seven Cabinet officers from the administration, and we also had the Director of FEMA. We had mayors. We had Governors. I was pleased with the hearings. I am very grateful and appreciative of the efforts that were made by Senator STEVENS and the Members on both sides of the aisle. The hearings were very well attended. So it is a good bill.

The war on terrorism proceeds. The Congress is receiving top secret briefings from the Secretary of Defense and the FBI Director almost weekly. The country is on a heightened state of alert.

On March 21, 2002, the President submitted a supplemental budget request to prosecute that war.

The principal components of the President's budget request included $14 billion for the Department of Defense; $5.3 billion for homeland defense, including $4.4 billion for the recently established Transportation Security Administration, $5.5 billion for New York in response to the September 11 attacks, $1.6 billion for international emergencies.

This supplemental bill provides for those emergencies, as requested by the President.

Just today, President Bush said, ''We've still got threats to the homeland that we've got to deal with, and it's very important for us not to hamper our ability to wage that war. . . .''

That is exactly what the supplemental appropriations deals with—homeland security.

The supplemental bill includes $8.35 billion for homeland defense, and increase of $3 billion over the budget request. This $3 billion focuses on problems that were identified during our homeland defense hearings.

Our committee held very extensive hearings. We heard from the first responders, the state and local law enforcement personnel, the fire and medical personnel, individuals representing the ports, and those who had concerns about cyber security and the security of our nuclear weapons facilities and nuclear labs. We heard from those who are concerned about border security, airport security, food and agricultural safety, nuclear non-proliferation programs, and the vulnerability of our water systems. We heard from seven cabinet secretaries and the director of the Federal Emergency Management Agency.

All of this information led us to formulate a supplemental appropriations bill which cleared the Senate Appropriations Committee by a recorded vote of twenty-nine to zero.

Highlights include: $1.0 billion, $646 million above the request for first responder programs such as firefighting grants, State and local law enforcement grants, grants to State and local governments to fix the interoperability problem between State and local police, fire and medical personnel, emergency planning grants, funds to increase the number of FEMA search and rescue teams that have the training and equipment to combat biological, chemical and nuclear attacks and funds to make sure that we have standards for interoperable equipment; $970 million, $716 million above the request for port security including grants to improve security at ports, for increased Coast Guard surveillance, for increased Customs funding to improve container inspections overseas and to improve our technology on inspecting containers; $387 million of unrequested funds for bioterrorism, including funds to improve our toxicology and infectious disease lab capacity at the Centers for Disease Control; $200 million, $174 million above the request for security at our nuclear weapons facilities and nuclear labs; $154 million, $135 million above the request for cyber security, with a special emphasis on helping the private sector defend itself from attack; $125 million, $84 million above the request for border security, including resources for INS facilities on the borders and for deploying the system for rapid response criminal background checks to 30 more ports; $100 million of unrequested funds for nuclear nonproliferation programs; $265 million of unrequested funds for airport security, including $100 million to help airports meet the new Federal standards for airport security; $200 million for USDA for food safety labs, additional food inspectors, and for vulnerability assessments for rural water systems; $100 million for EPA to complete vulnerability assessments on the security of our water systems; and $286 million is provided for other homeland defense items such as Secret Service efforts to combat electronic crime, FBI counterterrorism efforts and funds for the Justice Department to develop an integrated information system.

The bill fully funds the President's $4.4 billion request for the new Transportation Security Administration, unlike the House which cuts the request by $550 million.

Just within the past few days, Vice President CHENEY warned that a terrorist strike within our shores is ''almost certain.'' Defense Secretary Rumsfeld stated that it is inevitable that terrorists will acquire weapons of mass destruction. Secretary of State Colin Powell warned that ''terrorists are trying every way they can'' to get nuclear, chemical or biological weapons. Security has been tightened around New York City landmarks. And Homeland Security Director Tom Ridge said that, ''While we prepare for another terrorist attack, we need to understand that it is not a question of if, but a question of when.''

The warnings are clear. The danger is real. We should act, not delay. We should protect lives, not play politics. I urge Senators to move forward with this supplemental bill and to do so quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the distinguished chairman of our Appropriations Committee for his kind remarks and join him in recommending the bill to the Senate that we will debate when we return.

DUTCH HARBOR

Mr. STEVENS. Mr. President, I have sought recognition today because, on Sunday, I will travel to the Island of Unalaska and attend the first in a series of meetings that will take place to commemorate and to honor those who died in the attack by the Japanese in June of 1942 against what was then known as Dutch Harbor.

Dutch Harbor is a harbor within the Bay of Alaska. It is an area not quite 2,000 miles out from Anchorage. It is a very interesting place. It is a wonderful place to be.

The people of Dutch Harbor will start a weeklong series of events to honor the people who served in our military during the time of the Japanese attack against Dutch Harbor.

I am indebted to the University of North Carolina online library for its Aleutians Campaign Web site which we researched today to make certain I would properly report this attack to the Senate today.

On June 3, 1942, the Japanese, having come into Alaska at Attu and Kiska, where they invaded our islands and occupied them, moved on up the Aleutian chain and attacked Dutch Harbor. There was located near Dutch Harbor an Army fort known as Fort Mears.

This attack, by the way, to give it some historical reference, was about the same time as the attack on Midway Island. It was about 6 a.m. when four bombers approached Dutch Harbor and released 16 bombs on the fort and into

the area of Fort Mears. Fourteen actually fell into the congested area of Fort Mears occupied by Army personnel. Two barracks and three Quonset huts were destroyed, and several buildings were damaged by the hits and resulting fire. About 25 men were killed and about the same number wounded that day.

About 15 fighters and 13 horizontal bombers participated in the raid. There were fighters from Fort Glenn that tried to intercept the bombers, but to no avail.

At 6 p.m. on the next day, June 4, fire was opened again as 10 fighters attacked the naval air station at Dutch Harbor. Then 11 bombers delivered a dive-bombing attack through a series of openings in the overcast, which is almost a normal situation in the Aleutians. The chief damage was to four new 6,666-barrel fuel tanks to supply our military in the Aleutian chain. An old station ship, the *Northwestern,* was set afire and partly destroyed. The Japanese also scored hits on a warehouse and an empty aircraft hangar.

The final attack on Dutch Harbor came about 25 minutes later when five planes dropped 10 bombs near a magazine area that was on the south slope of Mount Ballyhoo.

The air raids on Dutch Harbor killed 33 U.S. servicemen, 10 civilians, and wounded 50. Japanese troops, arriving with a task force of 2 aircraft carriers, 12 destroyers, 5 cruisers, 6 submarines, 4 troop transports, and other vessels, subsequently occupied these Islands of Kiska and Attu for over a year.

If anyone wishes to pursue the history of this war in the Aleutians, I recommend the ''1000 Mile War'' written by Brian Garfield. It is a very interesting book. His thesis is that by splitting their military, particularly their navy, the Japanese lost the war because they lost the Battle of the Coral Sea due to the fact their vessels were in the Aleutian Islands and split off from the regular navy.

Mr. President, I ask unanimous consent that after my remarks an article from the Unalaska/Dutch Harbor Historical Timeline be printed in the RECORD. It is entitled ''Where does the Name ''Unalaska'' Come From?''

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

(See Exhibit 1.)

Mr. STEVENS. Mr. President, I shall enjoy being at Dutch Harbor on Sunday, and I commend to the Senate the memory of the fact that there is another harbor that was attacked. Pearl Harbor was attacked, as we know, in December of 1941. Dutch Harbor in our State was attacked 6 months later in June.

I thank the Chair.

EXHIBIT 1

WHERE DOES THE NAME ''UNALASKA'' COME FROM?

(By Ray Hudson)

The name ''Unalaska'' does not reflect a thwarted attempt to secede from the 49th State, nor does it imply that the residents of Unalaska view their community as one that runs counter to the majority of the State, although some might. Either of those explanations would be more interesting over the last two hundred years.

Between 1890 and 1899 the United States Board on Geographic Names standardized the spelling of this town and the Aleutian island on which it is located by selecting ''Unalaska'' from several names that had been in use up to that time. Variations included ''Ounalashka,'' ''Ounalaska,'' ''Oonalaska,'' and ''Oonalashka.'' These spellings all derived from the Russian spelling of a word which was itself a shortened version of an original aleut word: ''Agunalaksh.'' Unalaska island may have derived its name from its proximity to the Alaska Peninsula. The Aleuts called the Alaska Peninsula ''Alaxsxa'' or ''Alaxsxix''—the ''mainland.'' The Russians adopted this as ''Alyaska'' from which ''Alaska'' is derived. ''Popular belief has it, incorrectly, that the name means 'The Great Land', with almost sacred connotations.''

Thus ''Unalaska'' does not mean not-Alaska, nor not-the-Great-Land. If anything, the name defines its geographical location in terms of the Alaska Peninsula.

In fact, to compound confusion, this town has three names. First, there is ''Unalaska.'' Before ''Unalaska,'' however, this community was known as ''Iliuliuk'' in Russian or in Aleut as ''Iluulux'' or ''Illuulax.'' This early word referred to the curved approach one took in a skin boat when approaching the village. The word may also have had connotations of ''Harmony.'' (In 1806 after almost 30 years of sporadic fighting with the local Aleuts, Nikolai Rezanov of the Russian-American Company named the community ''Dobroye Soglasiis''—the Harbor of Good Accord. [Ignoring the Russian presence, the Spanish laid a surreptitious claim to Unalaska on August 5, 1788, and called it ''Puerto de Dona Maria Luisa Teresa de Parma, Princesa de Asturies''.] The third name which is frequently applied to this community is ''Dutch Harbor.'' This specific harbor is one of many within the greater Unalaska Bay and is said to have been given its name because a Dutch vessel was the first to anchor there. The name dates from the late 18th Century. In the 1880's a dock was built at Dutch Harbor and people sailing to Unalaska booked passage for Dutch Harbor. During WWII the military constructed a runway at Dutch Harbor, not far from the dock. After the war private airplanes took over the airstrip, and so people flying into Unalaska were ticketed for Dutch Harbor.

Consequently, new-comers often refer to this city as ''Dutch Harbor'' while more permanent residents use ''Unalaska'' and really old-time Aleut speakers say ''Ounalashka.''

The PRESIDING OFFICER. The Senator from West Virginia.

MEMORIAL DAY

Mr. BYRD. Mr. President, on this last Monday in May, Americans observe Memorial Day. On this day, we honor the fallen heroes of past and present wars, the mighty who have fallen in battle, by flying flags, laying wreaths at soldiers' graves, and other appropriate forms of tribute.

On Monday, the mournful sound of taps will echo across the rows of headstones in quiet veterans' cemeteries and other cemeteries across the land. These will be followed by the sharp report of a 21-gun salute.

Families across America may leaf through old boxes of photographs and remember their own losses—the doughboy uncle who fell in France in 1918; the Marine Corps cousin lost on Tarawa in World War II; the Army nephew cut down in Korea; or the Navy pilot brother shot down over Binh Hoa in Vietnam; the sons lost so recently in Afghanistan. They will worry about family members on duty in farflung corners of the globe in Bosnia, Saudi Arabia, Korea, Afghanistan, Colombia, and in other distant places.

Memorial Day is a time of public patriotism leavened by private grief.

In my own State of West Virginia, that undercurrent of private grief is sharpened by recent loss. Last Sunday, Sgt. Gene Arden Vance of Morgantown was killed in Afghanistan while carrying out a surveillance patrol with other coalition forces. He was 38 years old. He leaves behind his wife Lisa, a young daughter, and many family members and friends.

Sergeant Vance's sacrifice and the pride and suffering of his family remind us all of the human costs of war.

Sergeant Vance's name now joins a long honor roll of West Virginia's patriots who have given their all whenever and wherever duty has called. He will be remembered in our hearts and honored each Memorial Day by all who loved him and all who love the Nation he served so well.

Originally May 30, the Memorial Day holiday was moved for convenience sake to make a welcome 3-day weekend. Many people know Memorial Day only as a marker for the end of the school year, the beginning of summer, the opening of the neighborhood pool or the start of the barbecue season. Few recall its roots in the civil war, or its gradual evolution from ''Decoration Day'' as it was called when I was a boy, to honor fallen civil war soldiers to a day to honor the dead from all wars. But this year, as fresh graves scar the landscape, the grim reminder of the human costs of this strange new war on terrorism, I think perhaps more people will hang an American flag by their door or wear a red poppy on their lapel. The wave of visible patriotism that blossomed in the aftermath of September 11 has faded somewhat. The flags may be tattered and torn, the signs and banners mostly gone, but the powerful emotion still surges in our veins. In Memorial Day, I suspect that the red, white, and blue will reemerge with vigor.

It is reassuring to me to see Americans so proud of their flag, their Nation, the men and women in uniform. It is reassuring to see how dearly we hold the rights and liberties that are the legacy of our Founding Fathers. Our collective outrage, and then defiance, toward those who would attack our freedom is all the proof we need of the continuing strength of the American revolutionary spirit that created this great Nation. In 1863, President Abraham Lincoln made a brief address at Gettysburg, PA. He said, in part:

We are met to dedicate a portion of it [the battlefield] as the final resting place of those

who here gave their lives that this Nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say, but it can never forget what they did. It is for us, the living, rather to be dedicated to the unfinished work that they have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.

That spirit lives on, undaunted and undefeated by the events of September 11 and unbowed by the continuing threats made against us. A civil war could not extinguish it; a war of terror will not break it. That strength and that resolve, even in the face of the greatest sacrifice, will continue to sustain our Nation. In the effort to avenge the deaths of our innocent civilians and to rid the world of Osama bin Laden's terrorist network, more American soldiers' lives will be put in harms' way and some of our brave sons and daughters will again be called upon to give that ''last full measure of devotion'' for their country, as Sergeant Vance has been called. That is not a pleasant thought, but a true one.

This war on terror may take our sons and daughters from us, but their blood, their sacrifice, will leave a lasting legacy.

May we, on this Memorial Day, rededicate ourselves to the high and noble patriotism for the Nation which they so unstintingly exemplified.

I yield the floor.

N O T I C E

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

OLDER AMERICANS MONTH

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAUL. Mr. Speaker, I am pleased to commemorate Older Americans Month by introducing two pieces of legislation to reduce taxes on senior citizens. The first bill, the Social Security Beneficiary Tax Reduction Act, repeals the 1993 tax increase on Social Security benefits. Repealing this increase on Social Security benefits is a good first step toward reducing the burden imposed by the Federal Government on senior citizens. However, imposing any tax on Social Security benefits is unfair and illogical. This is why I am also introducing the Senior Citizens Tax Elimination Act, which repeals all taxes on Social Security benefits.

Since Social Security benefits are financed with tax dollars, taxing these benefits is yet another example of ''double taxation.'' Furthermore, ''taxing'' benefits paid by the government is merely an accounting trick, a ''shell game'' which allows members of Congress to reduce benefits by subterfuge. This allows Congress to continue using the Social Security trust fund as a means of financing other government programs, and masks the true size of the Federal deficit.

Instead of imposing ridiculous taxes on senior citizens, Congress should ensure the integrity of the Social Security trust fund by ending the practice of using trust fund monies for other programs. In order to accomplish this goal I introduced the Social Security Preservation Act (H.R. 219), which ensures that all money in the Social Security trust fund is spent solely on Social Security. At a time when Congress' inability to control spending is once again threatening the Social Security trust fund, the need for this legislation has never been greater. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

In conclusion, Mr. Speaker, I urge my colleagues to help free senior citizens from oppressive taxation by supporting my Senor Citizens' Tax Elimination Act and my Social Security Beneficiary Tax Reduction Act. I also urge my colleagues to ensure that moneys from the Social Security trust fund are used solely for Social Security benefits and not wasted on frivolous government programs.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. RILEY. Mr. Speaker, I was unavoidably detained for Roll Call No. 174, H.R. 3833, the Dot Kids Implementation and Efficiency Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 175, H.R. 1877, the Child Sex Crimes Wiretapping Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 176, H.R. 3375, Embassy Employee Compensation Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 177, H.R 4626, the Encouraging Work and Supporting Marriage Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 178, H. Con. Res. 405, Commemorating the Independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 179, the Lantos Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 180, the Jackson-Lee Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 181, the Waters Amendment to H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 182, H.R. 3994, the Afghanistan Freedoms Support Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 183, H.R. 4514, the Veterans' Major Medical Facilities Construction Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 184, H.R. 4015, the Jobs for Veterans Act. Had I been present I would have voted yea.

I was also unavoidably detained for Roll Call No. 185, H.R. 4085, the veterans' and Survivors' Benefits Expansion Act. Had I been present I would have voted yea.

PERSONAL EXPLANATION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Ms. HART. Mr. Speaker, on rollcall No. 184 I was unavoidably detained. Had I been present, I would have voted ''yea.''

TRIBUTE TO LUZ DOLLY BENAVIDES

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mrs. CAPITO. Mr. Speaker, I rise today in recognition of Luz Dolly Benavides, owner of TransLingual LLC, in the Second Congressional District of West Virginia. Ms. Benavides has achieved the title of Minority Small Business Advocate of the Year. The West Virginia District of the United States Small Business Administration, a leader in the promotion and growth of our state, gives this award annually.

Ms. Benavides began TransLingual LLC in 1994 in the Eastern Panhandle of West Virginia. She offers translation and interpretation services, private tutoring and Spanish courses. To promote a better climate for minority persons to start or operate a business, she volunteers to teach Spanish classes—with information about Hispanic cultures—to the local banks, law enforcement and judicial personnel. Ms. Benavides embodies the values that created the American success story: self-reliance, hard work, perseverance and optimism. I commend her for her contributions to the West Virginia economy.

Successful small businesses not only serve as the backbone of the economy, they anchor communities and promote civic pride. I urge my colleagues to join me in celebrating Ms. Benavides' tremendous achievement as the West Virginia Small Business Administration's Minority Small Business Advocate of the Year.

TRIBUTE TO GROUND ZERO RESCUE, RECOVERY, AND CLEAN-UP WORKERS

SPEECH OF

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. FOSSELLA. Mr. Speaker, I rise today to recognize that the resolve of our nation was strengthened by the courage of the thousands of brave rescue and recovery workers who used their own hands to remove rubble from the site in order to locate those trapped and buried beneath the debris of the World Trade Center for the past eight months. These workers also inspired the American people with their extraordinary bravery and heroism, often risking their own life and limb to help find the remains of those who perished on September 11th. Many rescue and recovery workers were not just searching for a stranger but rather their lost son, daughter, aunt, uncle, brother, sister, husband, wife, mother, father, lifelong friend, or co-worker. Additionally, each of these workers was helping to clear the debris just hoping to come across any of their loved ones.

I want to thank Congresswoman MALONEY, Congressman CROWLEY, Congressman KING, Congressman SERRANO, Congressman MEEKS, Congressman OWENS, Congressman SWEENEY, Congressman TOWNS, and Congressman WEINER for cosponsoring and supporting this legislation. I also want to give special thanks to Congresswoman MALONEY for taking the time out of her busy schedule to come to the floor tonight and speak in favor of this resolution.

COMMEMORATING THE 50TH ANNIVERSARY OF THE INCORPORATION OF THE CITY OF CLUTE, TEXAS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAUL. Mr. Speaker, I am pleased to commemorate the 50th Anniversary of the incorporation of the City of Clute, Texas, which will be celebrated on June 2, 2002. Clute is a city of just over 10,000 citizens in Brazoria County on the coast of Texas. Clute has a very rich heritage and played an important role in the development of the proud state of Texas.

The City of Clute began as land deeded to Alexander Calvit by Stephen F. Austin when holdings were parceled out to the ''Old 300,'' the first settlers in Texas. These settlers had to be tough as living on the Texas coastland in the early days was not for the weak or faint of heart.

Though the living was hard these early settlers contributed many things to the advancement of our state. The first milled lumber plantation house was built in Clute. Bricks used to build homes and buildings all over the coast of Texas were made from the high grade clay that was found only in Clute. That clay was used to make structures at Ft. Velasco, where in 1832, the Brazoria Militia staged the first battle for Texas Independence.

Now, many years later, Clute is still growing and achieving. Citizens raise their families in quiet and serene neighborhoods while contributing to some of the greatest chemical and industrial achievements in modern America.

The face of Clute has changed but the people are still the same brave, hardworking Texans that helped mold the Republic.

I am pleased to extend my best wishes to the people of Clute as the town celebrates its 50th birthday of incorporation and over 170 years after habitation by the original settlers of Texas. I am sure all my colleagues join me in extending congratulations and wishes for many more years of progress to the community of Clute, Texas.

INDEPENDENCE OF EAST TIMOR

SPEECH OF

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. WOLF. Mr. Speaker, I rise in support of H. Con. Res. 405, legislation commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor.

Independence for East Timor has been a long time coming. It was ruled by the Portugese for 400 years and then more recently experienced 25 years of Indonesian occupation.

Unfortunately, many East Timorese suffered during the path to independence, particularly when Indonesian military backed militias went on a murderous rampage in 1999, after the people of East Timor voted for independence.

Thousands of innocent East Timorese were killed and hundreds of thousands became refugees because of the violence carried out against the East Timorese who were only seeking freedom.

Fortunately, the East Timorese have benefitted from having solid leaders. I met many of these people when I visited East Timor in 1997—people such as Roman Catholic Bishop Belo, bishop of Dili.

Bishop Belo was awarded the Nobel Peace Prize for his invaluable work on behalf of peace and justice in East Timor. Representative TONY HALL and I nominated Bishop Belo for this award of which he so deservingly was presented several years ago.

I met with many other outstanding East Timorese volunteers, local leaders, NGO staff and religious leaders who also helped forge the way for a peaceful movement of independence. All are to be commended for their contributions that have led to East Timor's independence.

Recently elected President Jose Alexandre Gusmao also appears to be a leader who will serve his new country well.

He is emphasizing reconciliation rather than revenge for the sufferings and atrocities the people suffered at the hands of the pro-Indonesian militias in 1999.

I am hopeful that the new country of East Timor will be a reliable and worthy addition to the international community.

I want to congratulate the people of East Timor, President Gusmao, Bishop Belo, Jose Ramos Horta, and the many other East Timorese who brought their people and their nation to this historic point.

I also want to commend President Bush for his action yesterday recognizing East Timor as a nation and establishing diplomatic relations.

Lastly, I want to thank Representative SMITH for sponsoring this important legislation and for all of his work in this Congress not only on East Timor, but for human rights and religious freedom.

IN RECOGNITION OF A TRUE HERO

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. RILEY. Mr. Speaker, I rise today in recognition of a true American hero, William Arthur Wood of Opelika, Alabama.

At this very special time of the year when we honor those who have so bravely fought for our country, I want to pay special tribute to this valiant soldier who served in the Army Air Corps during World War II and was a POW for 18 months. It is difficult to imagine what he must have had to endure during this time.

Mr. Wood's great niece and her family are bringing Mr. Wood and his wife to Washington, D.C. during this Memorial Day holiday. He is now 81 years of age and totally disabled but continues to be so proud of our country and to have fought to preserve our freedoms during World War II. I salute Mr. Wood for his service to our country.

A DOCUMENTARY RECOGNIZING THE HEROIC ROLE OF TURKISH DIPLOMATS DURING WORLD WAR II

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. WEXLER. Mr. Speaker, since September 11, our newspapers and airwaves have been filled with stories about heroes and ordinary men and women who have performed courageously in times of great peril. We are night to celebrate them and to acknowledge their heroism.

On Monday, May 20, 2002, an extraordinary film was shown in the U.S. Capitol to Members of Congress and their staffers that celebrates heroes of the past. The film, ''Desperate Hours,'' chronicles the heroic efforts of World War II Turkish diplomats who saved hundreds of Jewish people from almost certain death by providing them with the documentation and support necessary to leave Nazi-occupied Europe and enter Turkey safely.

This dramatic hour-long documentary included interviews with Turkish officials who intervened on behalf of the threatened Turkish Jewish community in Europe and those individuals that received the help of these brave diplomats. In their own words, these incredible individuals who survived Nazi persecution continue to tell a moving and uplifting tale of their struggle for freedom and the selfless acts of assistance they received from Turkish diplomats.

Mr. Speaker, it is extremely important that we acknowledge the heroes of today, However, it is equally important that we acknowledge and remember individuals like those Turkish diplomats who had the greatest respect for human life and dignity and acted as heroes during a period of great darkness. The movie ''Desperate Hours'' justly recognizes the heroism of these brave individuals who saved the lives of thousand of Turkish Jews.

TRIBUTE TO THE ROTARY CLUB OF BELLEVILLE

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the work of an outstanding organization, the Rotary Club of Belleville, New Jersey.

It is only fitting we recognize this organization, in this, the permanent record of the greatest freely elected body on earth, for it has a long history of caring, leadership, and commitment to its community.

Since receiving its charter from the Rotary International on April 22, 1922, the Rotary Club of Belleville has been an effective coalition of civic leaders, business professionals, and regular citizens dedicated to their neighbors.

The Club has personified its time honored mottos, ''Service Above Self'' and ''He Profits Most Who Serves Best,'' by sponsoring projects to aid children, the elderly, and the poor, and by sponsoring literacy programs.

An example of their work can be seen in the ''Gift of Life Program.'' This initiative helps children around the world by providing doctor and hospital services to less fortunate kids in need of heart operations.

A major supporter of the Rotary International's PolioPlus program, the Rotary Club of Belleville has also helped to eradicate polio in developing countries worldwide.

Put simply, the Belleville Rotary Club has made its mission the advocacy for those in need. Its members have made a difference in countless lives, with their work serving as a beacon of caring and compassion for eight decades.

On Wednesday, May 22, 2002, the Club celebrated its 80th anniversary with a wonderful concert at the Belleville Public Library and Information Center. Club members, guests, and dignitaries from the Rotary, the Township of Belleville and the State of New Jersey joined in the celebration.

The job of a United States Congressman involves so much that is rewarding, yet nothing compares to working with and recognizing the efforts of organizations like the Rotary Club of Belleville.

Mr. Speaker, I ask that you join our colleagues, the Township of Belleville, the members of the Rotary, and me in recognizing the eighty years of outstanding and invaluable service of the Rotary Club of Belleville, New Jersey.

COMMUNITY PROBLEM SOLVING TEAM OF THE QUEST PROGRAM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PAYNE. Mr. Speaker, I rise today to recognize the Community Problem Solving Team of the Quest Program at the Dr. John Howard, Jr. School in East Orange, New Jersey. The September 11th tragedy has made them aware of the tremendous needs that follow a tragedy as well as the vast patriotic spirit that we possess as a country thus they decided to assist people who have experienced a personal tragedy in their lives so that their situation will be improved for a period of time.

This group of 12 fourth and fifth graders has become increasingly concerned about people who are experiencing difficulties in their own lives due to personal loss or economic strain. Thus they have striven to assist these members of the community through various means including: volunteering in an after school program for homeless children, visiting hospital patients, collecting for a toy drive for needy children, collecting canned goods and nonperishable foods for needy families and a food pantry. In addition, this group has received numerous grants and donations from organizations that have recognized the great potential that this group possesses.

These outstanding students will represent New Jersey at the International Competition in Storrs, Connecticut, June 5–11, 2002, having placed first in the New Jersey junior division of the Problem Solving Component of the International Future Problem Solving Program. It is with great pride that I recognize the Community Problem Solving Team of the Quest Program in East Orange, New Jersey. These young people have taken great strides to assist the members of their community and to see that they have a part in securing a healthy future for our country. Mr. Speaker, I know that my colleagues here in the U.S. House of Representatives join me is wishing the Quest Program continued success.

CONGRATULATIONS TO TUNICA-BILOXI TRIBE OF LOUISIANA

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. KENNEDY of Rhode Island. Mr. Speaker, I wish to insert into the CONGRESSIONAL RECORD my congratulations and praise for the Tunica-Biloxi Tribe of Louisiana and its leaders, including Chairman Earl J. Barbry, Sr. From the time of their first contact with European explorers along the banks of the Mississippi River in the 1500s, the Tunica-Biloxi Tribe has played an important role in the larger community—both as a partner and a friend.

Under Chairman Barbry, Sr.'s leadership, the Tribe has continued to be an integral part of the community of Central Louisiana. The Tunica are doing great things with their recent financial success in both the tribal community and the larger community.

The Tribe has come to this great moment in their history because they have worked well together and will continue in that great tradition of cooperation. The Tribe and its leaders should be commended for their vision and spirit of cooperation among tribal members, civic and governmental leaders and the community at large. I applaud their successful efforts at being good neighbors and economic partners and I wish them continued success.

OFFICERS OF THE UNIFORMED DIVISION AND U.S. PARK POLICE EQUITY PAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. HOYER. Mr. Speaker, today Representative TOM DAVIS and I have introduced a bill to provide the United States Secret Service Uniformed Division and the United States Park Police with the same locality pay adjustments as other Federal employees.

In the FY 2001 Omnibus Appropriations Act, Congress included a bill called the Law Enforcement Pay Equity Act. The purpose of the Act was to improve officer retention within the United States Secret Service Uniformed Division and U.S. Park Police. The Act's aim was to improve officer retention by raising the Uniformed Division and Park Police pay scales so that they were equivalent or similar to other pay scales in the Metropolitan area.

However, Section 903 of the Act froze the rate of locality pay the employees of the Uniformed Division and U.S. Park Police receive at the level in effect in the year 2000. This freeze in locality pay has caused the Uniformed Division and Park Police pay scales to lag behind the compensation scales of other agencies competing for the same workforce.

In the Washington, DC Metropolitan area, Officers of the Uniformed Division and the U.S. Park Police are currently locked into a locality rate of 9.05%, but the standard locality rate for U.S. Government employees in the Washington area is 11.48%, a difference of 2.43%.

By fixing this problem, the median salary of an Officer with thirteen years of service would increase by $1,375 per year.

Mr. Speaker, this bill, in essence, unlocks the freezer door, opens it up, and allows the locality pay to thaw to normal levels. At a time when the Uniformed Division and Park Police are trying to increase morale and maintain top rate officers, this bill is a small but significant signal that Congress cares about their welfare. This bill fixes what I consider an unfair technicality and provides them with equitable locality pay.

HONORING VETERANS PARK CONSERVANCY

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. COX. Mr. Speaker, I rise today to make my colleagues aware of Veterans Park Conservancy, a community group founded in 1986 to help manage Veterans Park, which covers 700 acres of land in West Los Angeles, California. Originally gifted to the Federal Government, Veterans Park is home to a number of historically and culturally significant sites, including the Los Angeles National Cemetery, the Wadsworth Theatre, and several memorials honoring our veterans. It is also one of the last remaining open spaces in West Los Angeles.

The mission of Veterans Park Conservancy is simple: ''Honoring our Veterans, Cherishing the Land.'' The Veterans Park Conservancy was organized to develop and implement a long-term plan to protect the park. Soon after its inception, the group developed a 25-year Master Plan that identifies key restoration projects. In 1998, the Department of Veterans Affairs officially granted Veterans Park Conservancy the authority to carry out these projects. The group's partners include veterans, the Federal Government, local and state agencies, community organizations, and private philanthropists.

Throughout its 16-year history, Veterans Park Conservancy has spearheaded several projects in West Los Angeles and their fine work is a testament to their dedication to America's veterans. Beginning in 1994, the group led the charge to improve a one-mile section of Wilshire Boulevard as ''Veterans Parkway,'' and collaborated with Los Angeles County to improve the parkway with cobblestones, lighting, and 600 new trees. After the September 11th attacks, Veterans Park Conservancy worked with the Federal and local governments to install a permanent memorial of 100 American Flags, which fly proudly on both sides of the boulevard.

In 1998, Veterans Park Conservancy restored the Spanish-American War Memorial, which sits at the entrance of the Los Angeles National Cemetery. In 2000, the group gave the cemetery a stately new entrance, new trees an 7,800 feet of wrought iron perimeter

fencing—all of which elevate this beautiful memorial to its rightful status a ''The Arlington of the West.'' Every Memorial Day, the Veterans Park Conservancy works with scout troops to place American flags on each of the 85,000 veterans' graves, creating fields of inspirational red, white and blue.

I also want to commend Veterans Park Conservancy for their effort to pass legislation to name the chapel at the National Cemetery the ''Bob Hope Veterans Chapel.'' I am also pleased to have had the opportunity to work with the group along with the gentleman from California, Mr. Waxman, in creating a lasting honor to our country's most beloved honorary ''veteran.''

For all these reasons, it is my pleasure to pay tribute to the many good works of the Veterans Park Conservancy and to wish them many more years of success.

PERSONAL EXPLANATION

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BONIOR. Mr. Speaker, due to prior commitments in my home state of Michigan, I was unable to cast votes yesterday. Had I been present, I would have voted:

''Yes'' on rollcall No. 174, H.R. 3833;

''Yes'' on rollcall No. 175, H.R. 1877;

''Yes'' on rollcall No. 176, H.R. 3375;

''Yes'' on rollcall No. 177, H.R. 4626;

''Yes'' on rollcall No. 178, H. Con. Res. 405;

''Yes'' on rollcall No. 179, Lantos amendment to H.R. 3994;

''Yes'' on rollcall No. 180, Jackson-Lee amendment to H.R. 3994;

''Yes'' on rollcall No. 181, Waters amendment to H.R. 3994;

''Yes'' on rollcall No. 182, H.R. 3994;

''Yes'' on rollcall No. 183, H.R. 4514;

''Yes'' on rollcall No. 184, H.R. 4015; and

''Yes'' on rollcall No. No. 185, H.R. 4085.

A TRIBUTE TO THE NEIGHBOR TO NEIGHBOR PROGRAM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. FARR of California. Mr. Speaker, it is a testament to the courage, strength, and honor of Americans that of the many reactions to the events of September 11, only few were expressions of suspicion and hostility against innocent residents of our nation. However, any reaction reflecting suspicion and hostility, any violence against those targeted because of their religion, country of origin, skin color, language, or dress is shameful, and we all must work diligently to prevent them.

I am proud to recognize the Neighbor to Neighbor program in my district. Volunteers organized this program to protect the safety and dignity of all who live in the multi-ethnic, multi-cultural area of the Central Coast of California.

Neighbor to Neighbor acts as a clearinghouse to pair community members who need help with those who need to help. Volunteers assist neighbors with shopping, running errands, short and long distance travel; they provide shelter, translation, safe companionship, vandalism cleanup, and other needed services. Assistance is free, confidential, and available all hours of the day and night. Collect calls are accepted. All nationalities are welcomed; those who request help need not speak English.

Neighbor to Neighbor also recruits speakers for local schools and community groups to foster discussion, provide education, and attempt to dispel ignorance and fear.

Neighbor to Neighbor asks that we prove to the world, to our children, and to ourselves that we refuse to succumb to hate, ignorance, and that we do not ignore the needs of our neighbors. The ultimate goal of the Neighbor to Neighbor program is the discovery that its existence is no longer needed, that our neighbors are living peacefully with each other. I look forward to this day.

HOLD FEDERAL CONTRACTORS ACCOUNTABLE TO WORKPLACE AND ENVIRONMENTAL LAWS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, I wish to bring to the attention of my colleagues an article by Ken Silverstein appearing in the May/June issue of Mother Jones magazine. The article reports that the Federal Government continues to let billions of dollars worth of contracts to dozens of companies that have been repeatedly cited for serious violations of workplace safety and environmental laws.

Over a six months investigation, Mother Jones identified the 200 corporations that did the most business with government between 1995 and 2000. The magazine then matched that list against two other federal databases identifying companies prosecuted by the Justice Department for environmental violations and companies cited by the Occupational Safety and Health Administration for conditions posing a serious risk of injury or death to workers.

Among the article's findings: forty-six of the 200 largest government contractors were prosecuted by the Justice Department and ordered to pay cleanup costs for dumping hazardous waste and for other environmental violations; fifty-five of the 200 largest contractors were cited for 1,375 violations of workplace safety laws; and thirty-four contractors were penalized for violating both environmental and workplace safety laws. Those thirty-four firms faced total EPA penalties of $12.6 million and OSHA fines of $5.9 million, but received $229 billion in federal contracts over the same period.

Mr. Silverstein documents the following cases in his compelling article: ''In 1997, TRW settles criminal charges growing out of violations of workplace safety laws. The same company is later found to have intentionally dumped chemical waste from the same plant in three states. As a consequence, the company pays a record $24 million in civil and criminal penalties. However, even that penalty is pittance compared to the more than $10 billion in taxpayer money that the company received between 1995 and 2000.''

''In 2000, Northrup Grumman pays nearly $6.7 million to settle two separate cases involving allegations that the company cheated the government by inflating the costs of parts and materials for warplanes. In 1995, General Dynamics pays nearly $2 million to resolve allegations that it falsified employee time cards. Yet between 1995 and 2000 those two companies received a total $38 billion worth of federal contracts.''

''Between 1990 and 1996, nine workers died at the Avondale shipyard, a death rate of three times that of other Navy shipyards. In 1999, OSHA documents hundreds of health and safety violations and fines the company $717,000. One month after the fines are levied, the government awards Avondale another $22 million contract to work on amphibious assault ships. The following year, three more workers are killed at Avondale, one of whom dies as a result of a repeat scaffolding violation.''

Mr. Speaker, I am sure that many of my colleagues would agree with me that federal procurement policy should not reward companies that flagrantly disregard tax law, environmental laws, labor laws, antitrust law, or civil rights laws. Federal procurement law already requires government contractors to have a ''satisfactory record of integrity and business ethics.'' Unfortunately, when President Bush revoked the contractor responsibility rule, he rendered that requirement virtually unenforceable.

As this article shows, by repealing regulations intended to give meaning to the requirement that government contractors demonstrate integrity and business ethics, President Bush has implemented a policy that does not punish big corporations for disregarding the law, but effectively rewards them instead.

I commend the article below to the attention of my colleagues. I also would like to point out that the magazine compiled an extensive database of the violations which can be found on its web site. The article printed below is the version that appears on the magazine's web site. There is a longer version of the story that appears in the actual May-June version of the magazine and I would be happy to provide copies of the complete article to any of my colleagues who may wish to see it.

Thank you, Mr. Speaker.

UNJUST REWARDS

(By Ken Silverstein)

In 1994, an explosion claimed the life of a worker at an Arizona air bag factory run by TRW, the huge Ohio-based manufacturing conglomerate. The company, which had a record of violating federal workplace safety laws at the plant, paid a $1.7 million penalty in order to settle criminal charges brought against it. Later, federal environmental officials discovered that TRW, following a policy described as ''clearly approved by management,'' was illegally dumping chemical waste at landfills in three states. Last year, the company paid a record $24 million in civil and criminal penalties related to the dumping case.

But even as TRW was repeatedly violating workplace and environmental laws, it was still earning billions under contracts awarded by the federal government. Between 1995 and 2000, the company received a total of $10.3 billion in federal business, placing TRW among the nation's 10 largest government contractors despite its record of jeopardizing the safety of its employees and polluting the nation's air and water.

That's not supposed to happen. Federal contracting officers are charged with reviewing the legal records of companies that do business with Washington and barring those that fail to demonstrate ''a satisfactory record of integrity and business ethics.'' But officials are given no guidelines to follow in making such decisions, and there is no centralized system they can consult to inform them of corporate wrongdoing. As a result, a government report concluded in 2000, those responsible for awarding federal contracts are ''extremely reluctant'' to rule out potential contractors, even when they are aware of violations. And in the rare instances when the rule is enforced, it is almost always against small companies with little clout in Washington.

Shortly before leaving office, President Clinton issued an executive order providing clear guidelines for deciding whether firms should be considered for a share of the roughly $200 billion in federal contracts awarded each year. Clinton's ''contractor responsibility rule'' specified that federal officials should weigh ''evidence of repeated, pervasive, or significant violations of the law.'' Officials were told to consider whether a company has cheated on prior contracts or violated laws involving the environment, workplace safety, labor rights, consumer protection, or antitrust activities.

The order was never implemented. In one of his first acts as president, after only 11 days in office, George W. Bush put the rule on hold, saying the issue needed further study. With big business suing to block the new guidelines, Bush quietly revoked the rule 11 months later.

Some 80,000 contractors do at least $25,000 in business with the federal government each year, and the great majority comply with the law. But a six-month investigation by Mother Jones of the nation's 200 largest government contractors found that Washington continues to award lucrative contracts to dozens of companies that have been repeatedly cited for serious violations of workplace and environmental laws. The government's own database of contractors was matched with lists of the worst violations documented by the Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) between 1995 and 2000. Among the findings:

Forty-six of the biggest contractors were prosecuted by the Justice Department and ordered to pay cleanup costs after they refused to take responsibility for environmental violations, including the illegal dumping of hazardous waste. General Electric—which received nearly $9.8 billion from the government, making it the nation's 10th-largest contractor—topped the EPA list with 27 cases of pollution violations for which it was held solely or jointly liable.

Fifty-five of the top 200 contractors were cited for a total of 1,375 violations of workplace safety laws that posed a risk of death or serious physical harm to workers. Ford Motor Company, which between 1995 and 2000 ranked 177th among contractors with $442 million in federal business, led the OSHA list with 292 violations deemed ''serious'' by federal officials.

Thirty-four leading contractors were penalized for violating both environmental and workplace safety rules. The firms were hit with a total of $12.6 million in EPA penalties and $5.9 million in OSHA fines—costs more than covered by the $229 billion in federal contracts they were awarded during the same period.

Even contractors that commit the most obvious violations are never suspended or debarred. One federal study found that the government continues to award business to defense contractors that have committed fraud on prior contracts. General Dynamics Corp., the nation's fifth-largest contractor, paid the government nearly $2 million in 1995 to resolve charges that it falsified employee time cards, billing the Pentagon for thousands of hours that were never worked on a contract for testing F–16 fighters. Northrop Grumman, the nation's fourth-largest contractor, paid nearly $6.7 million in 2000 to settle two separate cases in which it was charged with inflating the costs of parts and materials for warplanes. Yet the two defense giants continue to receive federal contracts, collecting a combined total of $38 billion between 1995 and 2000.

''It is clear that, in many cases, the government continues to do business with contractors who violate laws, sometimes repeatedly,'' concludes a 2000 report by the Federal Acquisition Regulatory Council, the agency that oversees federal contractors. Others put it more bluntly.

''Government should not do business with crooks,'' says Rep. George Miller (D-Calif.), who has demanded that the Bush administration make public any meetings it had with corporate lobbyists during which the contractor responsibility rule was discussed. Bush's decision, Miller says, ''sends a message to contractors that the government doesn't care if you underpay your workers, or expose them to toxic hazards, or destroy the public lands—the government will do business with you anyway.''

The complete story on federal contractors is available in the May/June issue of Mother Jones magazine.

INTRODUCTION OF THE UNITED STATES WEATHER RESEARCH PROGRAM ACT OF 2002 (H.R. 4791)

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. EHLERS. Mr. Speaker, today, I am introducing a very important piece of legislation, the ''United States Weather Research Program Act of 2002.'' The human toll and dollar loss from severe weather events are staggering. More than 1,500 weather-related fatalities and $15.8 billion in weather-produced damage to property occurs annually.

The Weather Research Program, which is a partnership among academic and commercial communities and several government agencies—the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the U.S. Navy and many others. Led by NOAA, the program supports government and university-based research to improve severe weather forecasts and better utilization by emergency managers as well as the public.

The legislation authorizes $45 million over three years and clarifies the research focus on hurricanes and heavy precipitation events. The bill also incorporates the provisions of Congressman ETHERIDGE's legislation, H.R. 2846, that calls on the U.S. Weather Research Program to develop a new flood warning index that will give the public and emergency management officials more complete, clearer, and accurate information about the risks and dangers posed by expected floods.

I also note that my introduction of this legislation corresponds with President Bush's proclamation that this week is ''National Hurricane Awareness Week.'' With hurricane season quickly approaching, investment in the U.S. Weather Research Program will help provide better forecasts and warnings that will save lives and better prepare our Nation to handle severe weather events.

IN HONOR OF THE 90TH ANNIVERSARY OF THE GIRL SCOUTS OF AMERICA

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mrs. CLAYTON. Mr. Speaker, I rise to honor the Girl Scouts of the USA as they celebrate their 90th Anniversary this year. Girl Scouting began on March 12, 1912, when founder Juliette Gordon Low assembled 18 girls from Savannah, Georgia, for a local Girl Scout meeting. She believed that all girls should be given the opportunity to develop physically, mentally, and spiritually. Ninety years later, few can argue that those goals have not been met. Girl Scouting boosts over 3.8 million members, making it the largest organization for girls in the World.

I have long been in contact with Members of the Girl Scouts. I have been impressed by their poise as well as their plans for a sound future. The message of empowerment has been strongly resonated by the organization. For 90 years, the Girl Scouts organization has had a proven track record of empowering girls to become leaders, helping adults be positive role models and mentors for children, and helping to build solid communities. With the help and dedication of Congress, Girl Scouts is sure to continue this tradition for the next 90 years and beyond.

With time comes change. I have been impressed with the Girl Scouts' goal of reaching out to all girls, regardless of their socioeconomic background. It is my understanding that Girl Scout troops now meet in homeless shelters, migrant farm camps, and juvenile detention facilities. And through one of Girl Scout's signature initiatives, Girl Scouts Beyond Bars (GSBB)—girls meet in prisons where, in instances, their mothers may be incarcerated. It is these types of efforts that must continue to be praised.

I represent a rural area in North Carolina where teen pregnancy and high school drop out rates are higher than many areas of the State and Nation. Young people in my Congressional District and elsewhere need a message of empowerment and organizations that will provide them with a solid direction in their lives. I am proud that the Girl Scouts of America has a strong presence in my district. The Girl Scout Council of Coastal Carolina, Inc. was chartered by the Girl Scouts of the USA to develop and administer Girl Scouting to girls and adults in 25 eastern North Carolina counties. The Girl Scout Council of Coastal Carolina currently serves 6,500 girls and 2,700 adults in Eastern North Carolina.

Congratulations to the Girl Scouts for providing such a tremendous public service to our youth and to the country.

TRIBUTE TO CYNTHIA G. ROTH, 25 YEARS OF SERVICE, GREATER RIVERSIDE CHAMBER OF COMMERCE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication to the community and to the overall well-being of my congressional district of Riverside, California is exceptional. The City of Riverside has been fortunate to have dynamic and dedicated business and community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Cynthia Roth is one of these individuals. On May 31, 2002, Cindy will be honored by the Greater Riverside Chambers of Commerce for 25 years of dedicated service to the Community.

Cindy Roth is president and chief executive officer of the Greater Riverside Chambers of Commerce. Ms. Roth oversees a budget of $1.3 million and 15 employees. Cindy's career has expanded over 25 years at the Greater Riverside Chambers of Commerce. She attended Riverside Community College, and graduated from the United States Chamber of Commerce Institutes for Organization Management at Stanford University.

The first woman to lead the organization, Cindy became the president of the Chamber in 1999. A person with passion and principles who has strived to have a positive effect upon her local community, Cindy's leadership has been instrumental in strengthening the bonds among the communities of Greater Riverside, along with their business and educational communities.

Actively involved in the community, Cindy is currently a member of the Riverside Raincross Club and Western Association of Chamber Executives. She also serves as the vice president for Southern California Association of Chamber of Commerce Executives.

She received the 1996 Community Service Award from the Rotary Club of Arlington, Alumna of Leadership Riverside and is the recipient of the 2000 Athena Award.

Cindy's tireless, engaged actions have propelled the City of Riverside forward in a positive and progressive manner. Her work to promote the businesses, schools and community organizations of Riverside make me proud to call her a fellow community member, American and friend. I know that all of Riverside is grateful for her contribution to the betterment of the community and salute her for her efforts. I look forward to continuing to work with her for the good of our community in the future.

REAUTHORIZATION OF THE WATER DESALINATION ACT

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. HORN. Mr. Speaker, I rise today to introduce H.R. 4792 to reauthorize funding for the Water Desalination Act of 1996. The Act has promoted and funded research to reduce treatment costs of previously unusable water sources such as brackish groundwater and coastal waters. These projects have proved to be valuable investments in helping to meet our Nation's future water needs.

Clean water is essential for the health of all Americans. It is needed for drinking water and to satisfy the needs of agriculture and industry throughout the country. As our population continues to grow, so will our need for water. As conventional water supplies become over used, we will need to look at new resources such as sea water to supplement our supply. It is imperative that we do so now and be prepared for the future.

In addition, our nation's drinking water supplies are subject to contamination from pollution from automobile emissions and septic tanks. New technologies being studied and developed under research funded by the Act would remove these contaminants so that once polluted water can be safely used.

The reauthorization of the Water Desalination Act will enable us to continue working toward securing a clean and safe water supply for our nation's future. I urge my colleagues to support and pass this much needed piece of legislation.

H.R. 4792, is printed below with original cosponsors.

107TH CONGRESS, 2D SESSION, MAY 22, 2002

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following sponsors are hereby added to:

(1) KEN CALVERT
(2) SILVESTRE REYES
(3) LUCILLE ROYBAL-ALLARD
(4) SUSAN DAVIS
(5) ROBERT UNDERWOOD
(6) DUNCAN HUNTER
(7) JIM MCGOVERN
(8) BOB FILNER
(9) DANA ROHRABACHER
(10) GRACE NAPOLITANO
(11) KAREN THURMAN
(12) HILDA SOLIS
(13) JUANITA MILLENDER-MCDONALD

Member Signature: STEVE HORN

H.R. 4792

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

SECTION 1. REAUTHORIZATION.

Section 8 of the Water Desalination Act of 1996 (110 Stat. 3622, 3624; P.L. 104–298; 42 U.S.C. 10301 note) is amended to read as follows:

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

''(a) SECTION 3.—There are authorized to be appropriated to carry out section 3 of this Act $5,000,000 per year for fiscal years 2003–2008. Of these amounts, up to $1,000,000 in each fiscal year may be awarded to institutions of higher education, including United States-Mexico binational research foundations and interuniversity research programs established by the two countries, for research grants without any cost-sharing requirement.

''(b) SECTION 4.—There are authorized to be appropriated to carry out section 4 of this Act $25,000,000 for fiscal years 2003 through 2008.''.

IN RECOGNITION OF POLICE CHIEF KIM TIERNEY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SHAW. Mr. Speaker, I rise today in recognition of Lighthouse Point Chief of Police, Kim Tierney. As a member of the Lighthouse Point Police Department in Florida, Kim worked her way up through the ranks in almost every capacity of the department since her start in 1982. Throughout her experiences on the force, Kim did not encounter many other women in her line of work. Regardless, I am proud to say that in 2002, Kim has not only persevered in her pursuit of a career in law enforcement, but more so distinguished herself as one of only 150 female police chiefs out of 30,000 in the country.

During her tenure with the Lighthouse Point Police Department, Chief Tierney has been responsible for numerous innovations that have catapulted the 47-member department into twenty-first century policing. Her leadership has brought about massive improvements in technology, records management, communications, marine patrol, domestic violence investigations, community policing and bike patrol.

Although she began her career at a time when women were not generally accepted into police work, she modeled herself as an exemplary employee and proved her skeptics wrong. Her achievements speak louder than I ever could, here today on her behalf. Mr. Speaker, I am proud to recognize Police Chief Tierney as an outstanding pioneer in her field and in my home district. Let her achievements serve as an example of what is possible for future generations as they consider a career in public service and the noble profession of police work.

30TH ANNIVERSARY OF DIGITAL FLY-BY-WIRE TECHNOLOGY

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. THOMAS. Mr. Speaker, I rise today to commemorate the 30th anniversary of the first test flight utilizing digital fly-by-wire flight control systems at NASA Dryden Flight Research Center, located on Edwards Air Force Base in my district.

On May 25, 1972, Dryden's F–8 Digital Fly-By-Wire (DFBW) aircraft, piloted by Gary Krier (now Dryden's Director of Flight Operations), successfully tested the technology that is now used on space shuttles and military and commercial aircraft.

Digital systems revolutionized the way aircraft were designed, built, and flown. These systems made planes safer, less vulnerable to damage from enemy weapons, more maneuverable, and more stable than the former hydraulic systems. In addition, digital systems provide a smoother ride than a hydraulic system—an important application for commercial airliners. Previously pilots controlled aircraft manually, manipulating control sticks linked to cables and rods that moved surfaces on the wings and tails.

The flight testing done at Dryden 30 years ago allowed the engineers of today to develop and fly unconventional plane designs like the B–2 Stealth bomber, and paved the way for the air superiority that America enjoys today—an invaluable asset in the war on terror.

I commend all those who worked on this program and thank them for their dedication. I am confident that the work performed at Dryden today will revolutionize the skies of tomorrow and keep the United States as the world's preeminent aerospace leader.

HONORING THE RETIREMENT OF LIEUTENANT MIKE SHELTON FROM THE UNION CITY POLICE DEPARTMENT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. STARK. Mr. Speaker, on June 8, 2002, the Union City Police Department will celebrate the retirement of one of its finest officers, Lieutenant Mike Shelton.

In his 31-year law enforcement career, Lt. Shelton has served the Union City Police Department in many capacities, working as a Motor Officer in Traffic, Firearms Instructor, Investigations Division Supervisor, Youth Services Bureau Director, Police Explorer Post Advisor, Personnel and Training Manager, Crime Prevention, Research and Analysis Section Supervisor, and Patrol Division Supervisor.

In addition, Lt. Shelton was instrumental in developing the force's Operational and Procedural Directives, nearly every departmental form in use by the Police Department, and the Watch Commander's Guide. He writes the Department's weekly newsletter, the Crimes Times, and his treatise on the effects of alternative music on children of dysfunctional families was published worldwide. Recently, Lt. Shelton introduced and shared his knowledge of digital photography with the department.

During his off-duty hours, Lt. Shelton served the Union City Police Officer's Association in four consecutive terms as its treasurer and served as its President in 1975. He was chosen as Officer of the Year in 1999 by his peers.

Lt. Shelton served nearly his entire career with the Union City Police Department. He was an Air Policeman with the United States Air Force from December 1964 until becoming an officer with the Fremont Police Department in July 1968. He began his long and distinguished career with the Union City Police Department on January 18, 1971. He was promoted from Officer to Sergeant in December 1975, and from Sergeant to Lieutenant in July 2001.

Michael Shelton graduated from Washington High School in Fremont, the U.S. Air Force Police Technical Course, Chabot College and California State University, Hayward. He has attended the University of Southern California's Delinquency Control Institute, the California Highway Patrol motor school, and the Police Planner's Institute.

I am honored to join the colleagues of Lt. Michael Shelton in commending him for his many years of dedicated and exemplary service to law enforcement. His commitment to excellence has left its irreplaceable mark on the Union City Police Department.

IN HONOR OF DANCEAFRICA'S 25TH ANNIVERSARY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. TOWNS. Mr. Speaker, I rise in recognition of the 25th season of DanceAfrica at the Brooklyn Academy of Music.

From Friday, May 24, through Sunday, May 26, BAM will be celebrating 25 years of DanceAfrica with a celebration developed to match the legendary annual festival of African and African-American dance and culture. Founded by Chuck Davis in 1977, DanceAfrica is the Nation's first dance festival devoted solely to the rich legacy of African dance.

For 25 years, DanceAfrica has nurtured and celebrated African artistic, spiritual, and cultural identity with programs that illuminate the social, religious, and ceremonial traditions of people throughout the continent.

Mr. Speaker, DanceAfrica has become an important part of the educational experience, cultural and artistic experience. As such I urge my colleagues to join me in honoring this truly outstanding 25th Anniversary of BAM's DanceAfrica.

PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT OF 2002

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2002

Mr. ETHERIDGE. Mr. Speaker, I rise today in opposition to H.R. 4737, the Republican welfare reform reauthorization bill and in support of the Democratic substitute.

The landmark welfare reform law enacted in 1996 put people to work and reduced the number of those who depend on public assistance. Congress should build on that success in further reforming welfare today.

A good welfare bill must have three components to replace welfare with work successfully. It must provide States with sufficient resources to administer welfare initiatives. It must give recipients access to education and job training. And finally, a good welfare bill must address the most difficult obstacle to getting and keeping a good job, childcare. Regrettably, H.R. 4737 fails to meet these requirements on all accounts.

I strongly support putting people to work to help them obtain self-sufficiency. Unfortunately, while the Republican bill requires more work hours, H.R. 4737 does not provide additional funding to the States to help them implement these additional work requirements. According to the Congressional Budget Office, it will cost $8–11 billion to comply with these new provisions. North Carolina alone would have to spend $222 million in order to meet the requirements of the new welfare reform bill. North Carolina, like many States, is in the midst of a severe budget crunch. Mr. Speaker, where will North Carolina find the funds to carry out this unfunded mandate?

Welfare reform should not limit a person's opportunity to succeed and care for their families. But that's what the Republican bill does. Under the Republican welfare bill education initiatives that allow welfare recipients to take community college classes or obtain their GED are eliminated. That's unacceptable. As the former Superintendent of North Carolina's public schools, I understand how important education is to finding and keeping a good job in the 21st Century. Education, indeed lifelong education, is the key to a successful future. Many of the folks who remain on the welfare rolls today are the least prepared to enter the workforce. We must provide them with the tools they need to lift themselves and their families out of poverty.

The Republican bill also requires parents to work ten more hours per week, yet it does not provide enough resources for childcare. Finding quality childcare is one of the most daunting challenges with which welfare recipients must contend. Good childcare helps young children develop and keeps older children in positive, productive environments. It keeps children off the streets while their parents are at work. This is common sense. If you require folks to spend more time working, you must give them an avenue for caring for their children. In my State, we have over 25,000 children on the State's childcare waiting list. North Carolina's sons and daughters require funding for childcare. Unfortunately, H.R. 4737 falls to provide adequate childcare funding.

I support the Democratic substitute to H.R. 4737. Our plan also requires more work hours, but our plan provides States with the necessary resources to make these welfare initiatives work. It allows States to count education and job training as a work related activity, so welfare recipients prepare to get good jobs and permanently leave the welfare rolls. And this plan invests significant resources for childcare.

Mr. Speaker, I grew up in rural, eastern North Carolina. I know what it means to be poor, and I understand first hand the value of hard work. Welfare reform should help lift families out of poverty to become self-sufficient. H.R. 4737 will not work. It is reform for politics sake and a bad bill for North Carolina and those across the nation who need help the most.

I urge my colleagues to oppose H.R. 4737 and support the Democratic substitute.

INDEPENDENCE OF EAST TIMOR

SPEECH OF

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2002

Mr. HALL of Ohio. Mr. Speaker, I rise in strong support of H. Con. Res. 405, Commemorating the Independence of East Timor on May 20, 2002. Yesterday's independence of East Timor will make it the first new country of the millennium. I extended my full congratulations to all of the people of East Timor, their new President, Xanana Gusmao, and Nobel Peace Prize Laureates Carlos Xinenes Belo, the Roman Catholic Bishop of Dili, and Jose Ramos-Horta who have both worked tirelessly on behalf of the people of East Timor. Yesterday was a day which many of us thought would never come in our lifetimes.

Mr. Speaker, I want to take this opportunity to acknowledge the extraordinary contributions of one individual—Arnold S. Kohen—who has made a difference in working for peace and justice in East Timor. He is not often recognized but Arnold has worked behind the scenes for over 20 years raising the issue of East Timor within the U.S. Congress and throughout the world. He wrote a book documenting the epic struggles of Bishop Belo. Arnold's work has made a contribution to this historic day and is a model for me on how one individual can truly make a difference in the world. I also want to recognize the hard work and dedication of the East Timor Action Network.

The work in East Timor is not yet finished. However, yesterday was a day in which we all can rejoice because an oppressed people have now been set free.

RECOGNIZING SHENENDEHOWA HIGH SCHOOL GRADUATES

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SWEENEY. Mr. Speaker, today I rise to recognize the student body of Shenendehowa High School of Clifton Park, New York and to new graduates. These are not your run-of-the-mill graduates, however. These are graduates who gave up their normal time for leaving high school so that they could defend our Nation from evil. Their heroic acts helped preserve the free world and ensured the continual existence of our way of life.

Today's student body, unselfish in their motives, feels that these men deserve lasting recognition. Therefore, they are placing the names of the following people indelibly in the hearts of their fellow citizens by asking me to present them to you in this venue.

Alfred Bristol, Army, of DeWitt Clinton, N.Y.; Mario Gaetano, Sr., Army Air Force, of Mechanicville, N.Y.; Orlie Kent, Army, of Wolcott, N.Y.; George Kohrmann, Navy, Bronx, N.Y.; George Lynch, Navy, Piermont, N.Y.; Kenneth Melia, Navy, Jamaica, N.Y., Potito Sforza, Army, Bronx, N.Y.; Anthony Streppone, Navy, Bronx, N.Y.; and John Tremblay, Army, Troy, N.Y.

Mr. Speaker, please join me in not just congratulating these men on the honor of their graduation, but in thanking them for their sacrifice and efforts. Also, Mr. Speaker, please join me in thanking the students of Shenendehowa High School for their spirited and unselfish act in behalf of these men.

CHEROKEE LIVING MAGAZINE

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARR of Georgia. Mr. Speaker, I would like to join in congratulating Jeff and Amber Mette on the 2d anniversary of Cherokee Living Magazine. The inaugural issue was launched in May 2000, and is published bimonthly.

Cherokee Living prides itself on being a true ''quality of life magazine'' for the Cherokee County community, including Woodstock, Towne Lake, Canton and Waleska. It highlights living and working in Cherokee County and is packed with information on health and wellness, interviews with local individuals, upcoming events, and many other items of interest to residents and visitors. Its list of contributing writers is a showcase of Cherokee's best writers.

Distributed to residents, offices and monthly to newcomers to the area, the Mette's commitment keeping Cherokee residents informed is deeply appreciated. As a Cherokee resident, I am pleased to join in celebrating their 2nd anniversary and wish them many more years of success.

TRIBUTE TO THE INLAND EMPIRE HARLEY OWNERS GROUP

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. CALVERT. Mr. Speaker, I am honored today to pay tribute to the Inland Empire Harley Owners Group as they prepare to promote West Coast Thunder, a large police escorted parade of motorcyclists to the Riverside National Cemetery to honor our military veterans on Memorial Day. In my congressional district of Riverside, California, we are fortunate to have numerous community service organizations that not only unselfishly give their time and talents to the community but find their own lives enriched in return. The Inland Empire Harley Owners Group epitomizes this and more.

The efforts of the West Coast Thunder committee with thousands of parade participants over the years, has brought great recognition, unparalleled resources and multitudes of volunteers to Riverside's Memorial Day Remembrance Ceremony. This event provides a compelling way for people to pay their respects as well as raise funds for the Riverside National Cemetery Support Committee. The visual impact of thousands of motorcycles, led by a full flag-bearing honor-guard, proudly gives those interred at the Riverside National Cemetery the recognition it richly deserves.

The Riverside National Cemetery is currently the second largest resting place for our veterans, with over 150,000 men and women from our armed services standing silent vigil with us today. Within a short time it is expected to be the largest cemetery in the National Cemetery system and within 50 years will have more than 1.4 million honored veterans.

The months of work preceding this event lead to a large gathering of veterans, family and friends desiring to honor those who gave the ultimate sacrifice for our great nation. Their tireless efforts and dedication to honoring our brave veterans is evident as thousands participate in the Memorial Day Ceremonies.

Mr. Speaker, I congratulate the Inland Empire Harley Owners Group for their dedication and service to our Nations veterans.

200TH ANNIVERSARY OF MILTON, NEW HAMPSHIRE

HON. JOHN E. SUNUNU

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SUNUNU. Mr. Speaker, I rise today to honor a truly great American community, the town of Milton, New Hampshire, which will celebrate its 200th Anniversary on June 11, 2002.

Located in Strafford County in eastern New Hampshire, Milton epitomizes the magnificent beauty that dominates the New Hampshire landscape, and Milton's nearly 4,000 residents are quick to boast about the pristine waters of its three ponds and the Salmon Falls River, which is overlooked by scenic Teneriffe Mountain. Milton is also home to one of New England's more unique museums, the New Hampshire Farm Museum, whose historic structures, open spaces, and vast collection of farm tools showcase New Hampshire's rural and agricultural roots.

Originally a part of Rochester, New Hampshire, Milton became incorporated as a new town on June 11, 1802. Milton's town founders held the first formal Town Meeting at the Lieutenant Elijah Horne house on August 30, 1802. Today, Milton continues to adhere to the proud New England tradition of the Town Meeting, where neighbors gather to debate and vote on issues that impact their daily lives.

I congratulate the Town of Milton on its 200th Anniversary, and I extend my best wishes to all the citizens of Milton in celebration of this wonderful milestone.

JOSEPH LIMPRECHT, U.S. AMBASSADOR TO ALBANIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. SMITH of New Jersey. Mr. Speaker, we have received the news that United States Ambassador to Albania, Joseph Limprecht, died suddenly of a heart attack on Sunday, May 19, 2002, while hiking with his wife and colleagues in northern Albania.

Although I did not have the opportunity to meet Ambassador Limprecht, I did correspond with him on an issue of mutual concern—the trafficking of Albanian women and children into sexual slavery in Europe.

With porous borders and more than its share of criminals, Albania is used by traffickers as a key transit point to Italy. As a source country, young Albanian women are lured into the hands of traffickers and even kidnaped from their home towns or villages. The Ambassador was well aware of this tragedy and pressed for greater law enforcement to stop trafficking networks as well as greater assistance to the victims. Indeed, in keeping with the point of my correspondence with him, the Ambassador made sure U.S. assistance would go to a shelter for repatriated Albanian trafficking victims similar to one created for women found in Albania and waiting to be repatriated to their country of origin.

Beyond that, the Ambassador worked hard in the three years he spent in Albania in helping the country recover from its many ills, in

particular the civil strife which tore the country apart in 1997. Given Albania's vulnerability to militant Islamic infiltration, I am sure that the war on terrorism was in the forefront of his duties in recent months.

Ambassador Limprecht was a member of the Senior Foreign Service, having served with the U.S. Foreign Service since 1975, with postings in Germany, Pakistan and Uzbekistan as well as in Washington. In the 1980s, he served in the office which handled what was then the Conference on Security and Cooperation in Europe and now the OSCE, and worked with the staff of the Helsinki Commission which I had just joined and now serve as Co-Chairman.

My deepest condolences go to the Ambassador's wife, Nancy, their daughters Alma and Eleanor, friends and colleagues.

HONORING LOPEZ FOODS ON THEIR 10TH YEAR ANNIVERSARY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. PASTOR. Mr. Speaker, I rise to honor John C. Lopez and Lopez Food, Inc. in celebrating their 10th Anniversary of service to their customers and community.

Lopez Foods a ''state of the art'' meat processing plant, supplies all-beef hamburger patties, pork breakfast sausage and Canadian-style bacon to McDonald's and Walmart, Inc. The business was originally a subsidiary of Wilson Foods. John C. Lopez purchased the company in 1992, and in 1995 changed the name to Lopez Foods, Inc. That chance marked a new era in the company's relationship with its customers and community.

Lopez, a 19 year veteran of the McDonald's System, used his experience to make the company more compatible with the McDonald's operation and management philosophies. With this approach, Lopez Foods became a top supplier to the world's restaurant leaders. The Lopez Foods mission is to establish the highest industry standards in food and employee safety, quality production, environmental protection and customer service. These great attributes have not only made Lopez Foods a successful company, but a place that the community can feel proud of.

Mr. Speaker, there is no question that John C. Lopez and Lopez Foods, Inc. have done much not only to establish high industry standards on food production, but also his employee safety and customer service. For all of his hard work and dedication, I join in celebrating with family, friends, and the community 10 years of success for Lopez Foods, Inc.

John, I wish you the best of luck, and much continued success to you and your family.

RICHARD AND LINDA SUE BLAKELY: PILLARS OF THE COMMUNITY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARCIA. Mr. Speaker, I rise today to honor two very special friends, Richard and Linda Sue Blakely of Caro, Michigan, as they celebrate their retirement after many years of serving their community in their jobs and in their volunteer efforts. Richard, who spent 30 years as a deputy with the Tuscola County Sheriffs Department, and Linda Sue, who most recently worked as a special education para-professional with the Caro school system, have set a high standard of community involvement for others to emulate.

Richard met Linda Sue in the fall of 1959 at a USO dance in Oklahoma and they married on April 20, 1960. Ever since, Richard and Linda Sue have been committed to each other, their family, their church and their community. In particular, their work on behalf of young people deserves special mention.

While a student at Saginaw Valley State University, Richard developed and completed his own curriculum in the study of child and family services. He later used the knowledge to work with Tuscola County's Juvenile Diversion Program and Safetyville Program. In 1988, Richard graduated with the first DARE training class established for law enforcement officers in Michigan and he now teaches DARE on a part-time basis for the Tuscola County Sheriffs Department.

Linda Sue's commitment to children took a different path after the couple's youngest son acquired learning challenges as a result of traumatic brain injuries suffered as an infant. The experience of raising a child with such challenges prompted Linda Sue to take jobs devoted to educating and advocating for parents with children facing mental and physical challenges. She also has coached volleyball and cheerleading.

The Blakely marriage has been blessed with four remarkable children, Michael, David, Mary and Joshua. While Richard and Linda Sue never lost sight of their family responsibilities, their faith also led them to embrace their Christian duty to others.

Mr. Speaker, I ask my colleagues to join me in congratulating Richard and Linda Sue Blakely on their retirements and in honoring them for the fullness of their work and volunteer efforts. I am confident they will continue to find many ways to put their God-given talents to good use to benefit others.

ELDERLY HOUSING QUALITY IMPROVEMENT ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. LAFALCE. Mr. Speaker, today, along with Representative FRANK, I will be introducing the Elderly Housing Quality Improvement Act of 2002. The bill is supported by twenty organizations which are members of the Elderly Housing Coalition.

The Elderly Housing Quality Improvement Act is designed to build on the progress we made last Congress in expanding affordable housing opportunities for senior citizens, providing supportive services for frail elderly, and helping seniors age in place and maintain their dignity while doing so.

As our federally assisted housing stock ages, many projects owned by non-profits lack the resources for critically needed repairs and modernization. Without access to capital, and with no federal program designed to provide funds for repair of such projects, we face the prospect of significant numbers of low-income seniors living in federally assisted housing that will continue to deteriorate in physical terms.

Last Congress, we succeeded in enacting legislation to authorize grants to non-profit owned elderly housing projects to make such needed repairs. This was authorized under newly created Section 202b of the housing code, which also authorized grants for conversion of federally assisted elderly housing to assisted living. Unfortunately, Congress has only funded the assisted living portion of this program. Therefore, Section 2 of the legislation being introduced today authorizes $200 million a year for each of the next five years under the portion of Section 202b which provides for repair grants for non-profit federally assisted elderly housing. Funds would be provided under a competition based on need.

Section 3 of the bill addresses the need for affordable assisted living, by authorizing capital grants to public housing authorities to convert elderly housing units to assisted living. Assisted living provides a broad range of supportive services designed to help seniors with activities of daily living. Provision of these services allow seniors who would otherwise have to move into a nursing home to age in place and maintain their independence of living.

As noted, Congress already provides grants to convert federally assisted elderly housing units to assisted living. It makes just as much sense to make grants to public housing authorities for the same purpose. For larger housing authorities which convert a housing development to assisted living, there is the added benefit that seniors who live in other housing developments and reach the point where they no longer live on their own can move into the assisted living units.

Another important way that we can promote aging in place in our federally assisted and public housing units is through grants to hire and maintain services coordinators. Service coordinators link seniors with community services which are needed to meet their particular needs and maintain independent living. Congress already provides funding for service coordinators for public and assisted housing, but funding levels are inadequate. Section 4 of the bill would authorize funding to renew all expiring service coordinator grants, as well as authorize $50 million to hire additional service providers in public and assisted housing.

Finally, Section 5 of the bill would create a new pilot program to build ''mixed-income'' elderly housing units under the Section 202 elderly housing program. This would leverage existing federal funding for subsidized units with private funding for market-based apartments. It would also create economies of scale that make it easier to pay for supportive services, as well as expand socialization opportunities for the seniors who live in these units.

As our population ages and as the problem of housing and health care affordability becomes more acute for our nation's low-income seniors, our policies need to keep pace with these needs. The Elderly Housing Quality Improvement Act is an important component of this effort, and I urge its enactment.

RECOGNIZING JAMES R. HART, III ON HIS APPOINTMENT TO THE U.S. COAST GUARD ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize my constituent, James R. Hart, III of Sandusky, Ohio, who recently accepted his appointment to the U.S. Coast Guard Academy in New London, Connecticut.

Jim will soon graduate from Sandusky High School. During his high school career, he has maintained a superior grade point average, and is a member of the National Honor Society. He is an accomplished athlete, earning varsity letters in basketball and soccer. And, he has clearly demonstrated his leadership ability, serving as co-captain of the basketball and soccer teams.

Jim Hart can be very proud of his many accomplishments. He is a credit to his family, his school, and his community. By accepting his appointment, Jim is accepting a unique challenge.

The Academy is the pinnacle of leadership development for the United States Coast Guard. As a USCG Academy Cadet, he will face a most demanding academic curriculum and physical regimen. He will live, study and prepare in an environment where strong leadership thrives, individual achievement is expected, and personal integrity is demanded.

Mr. Speaker, General John W. Vessey, Jr. once wrote, ''The Nation's ability to remain free and at peace depends in no small measure on whether we will continue to inspire our youth to serve.''

I am confident that James R. Hart, III has the character and ability to excel at the U.S. Coast Guard Academy. I ask my colleagues to join me in wishing him well as he begins his very important service to our Nation.

ASIAN PACIFIC ISLAND HERITAGE MONTH

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. DAVIS of Illinois. Mr. Speaker, May is Asian Pacific American Heritage Month.

The Congress has designated this month as a time to celebrate Americans of Asian and Pacific Island ancestry and their contribution to our culture and history. The theme for 2002 is ''Unity in Freedom.'' Asian Pacific American Heritage Month is a relatively new holiday. President Jimmy Carter signed a Joint Resolution designating an annual celebration in 1978. President George H. W. Bush designated May to be Asian Pacific American Heritage Month in 1990.

However men and women of Asian and Pacific Island heritage have a long and rich story as an integral part of America. Asian Americans, at first mostly from China, were first brought to the United States in large numbers as workers . . . workers on the railroads, workers in the gold fields, workers in the agricultural sector. They were often ruthlessly exploited. Both the public and private sector sought to increase immigration in the early- and mid-1800s in a search for cheap labor as exemplified in the ratification of the Burlingame Treaty which guaranteed the right of Chinese immigration; but which did not, however, grant the right of naturalization.

Our relations with the nations of Asia during this period is a complex one—one too often based on ''gun-boat'' diplomacy. The combination of racism and competition for jobs led to ugly anti-Asian riots including such shameful events as the 1877 Chico, California riots and the 1885 Rock Springs, Wyoming riots. However, these events resulted in only a brief pause in the rapacious need for cheap labor, and an increasing number of Asian Pacific people were brought or lured to work in Hawaiian and California agriculture—

These new immigrants were increasingly men and women from Japan and the Philippines, especially after the Spanish American War.

The level of anti-Asian racism came into full focus with the internment of Americans of Japanese ancestry during World War II. On February 19, 1942, soon after the beginning of World War II, Franklin D. Roosevelt signed Executive Order 9066. The evacuation order commenced the round-up of 120,000 Americans of Japanese heritage to one of ten internment camps in California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas. Even though many did not speak Japanese or have close ties to Japan, they were nonetheless regarded as wartime threats. Despite the fact that the U.S. was also at war with Germany and Italy, Americans with ancestors from those countries did not face internment. It took almost half a century for us to acknowledge the enormity of the wrong done to Japanese Americans until Congress passed a measure giving $20,000 to Japanese Americans who had been interned during the war in 1988. President George H.W. Bush signed it the following year.

Asian Pacific people continued to find their way to the United States and continued to become citizens despite significant legal barriers.

From 1910 to 1940 Angel Island, off California, was used to process mainly Asian immigrants to the United States, earning it the nickname ''Ellis Island of the West.'' With increasing numbers, and growing political awareness the Asian Pacific American community began to assume their rightful place in our democracy. Filipino American farm workers led pioneering struggles for the unionization of agricultural workers. Dalip Singh was elected to U.S. Congress from the agricultural heartland of California.

In 1962 Hawaii sent DANIEL K. INOUYE to the U.S. Senate and Spark Matsunaga to the U.S. House. Two years later, PATSY TAKEMOTO MINK of Hawaii was elected to the U.S. House, becoming the first Asian-American woman in Congress. Since then, hundreds of Asian Americans have been elected to state legislatures and municipal positions. In the last quarter of the 20th century America became home to millions of new Americans from the nations of Asia and the Pacific rim including China, India, Pakistan, Vietnam, Cambodia, and Laos. Again the search for workers, especially skilled professionals with training in medicine, computer technology, and other specialties, played an important role. Asian Americans are an important part of our diverse American people . . . but they are also a diverse group themselves. According to the 2000 census there are 11.9 million U.S. residents who reported themselves as Asian alone or in combination with one or more other races in Census 2000. They make up 4.2% of our population. They consist of 2.7 million U.S. residents who reported they were Chinese alone or in combination with one or more other races or Asian groups, 2.4 million Filipino residents, and 1.9 million Asian Indian residents. There were 874,400 native Hawaiian and other Pacific Islander according to Census 2000. The median income in 2000 of Asian and Pacific Islander households was $55,525, the highest median income of any racial group.

The poverty rate of Asian Pacific Islanders in the 2000 census was 10.7%, the lowest poverty rate the Census Bureau has ever measured for this race group. 44% of Asians and Pacific Islanders age 25 and over held a bachelor's degree or higher in 2000. The corresponding rate for all adults 25 and over was 26%. One million Asians and Pacific Islanders held an advanced degree in 2000 (that is, a Master's, Ph.D., M.D., or J.D.), representing a ratio of 1 in 7 Asian Pacific Islanders 25 and over.

There were 913,000 Asian Pacific Islander-owned businesses in the United States in 1997. These businesses employed more than 2.2 million people and generated $306.9 billion in revenues. They made up 4% of the nation's 20.8 million nonfarm businesses and 30% of all minority-owned firms.

Mr. Speaker, I could go on with statistics describing Americans of Asian and Pacific Island descent . . . but the point is made: Asian Pacific Islanders are integral to our notions of what America is, and what we want America to be.

Mr. Speaker, over the course of our history we have learned to value our diversity. We have learned that our diversity makes us strong. Asian Pacific Americans are an important and irreplaceable part of our diversity. In every aspect of our culture, our economy, our values, our body politic, our creative energy Asian Pacific Americans are an inseparable part.

Mr. Speaker, let us glory in our diversity. Let us all swell with pride at the contributions of Asian Pacific Americans, not just this month, but every month. Let us reach out and embrace one another, secure in the strength of our multi-racial, multi-ethnic society, and understanding the need to further perfect our unity and eliminate every aspect of inequality and inequity.

And let us move forward together, keeping our eyes on the prize of the great American dream, uplifted by the history and contributions of Americans of Asian and Pacific Island descent now woven into our very being as a Nation.

BUILDING THE KIWANIS CLUB OF BAY CITY FOR 85 YEARS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to the Kiwanis Club of Bay City,

Michigan, as its members prepare to celebrate 85 years of exemplary community service, charitable giving and volunteerism.

The Kiwanis Club of Bay City was chartered on January 27, 1917 as the fifth club in the Michigan District and the 38th internationally. The word ''Kiwanis'' is a Native American term meaning ''self-expression'' and the Kiwanis organization has always expressed itself as an active and vibrant community builder since its inception. The notion behind the Kiwanis is that a group of individuals devoted to leading and improving their community can achieve more than any one individual working alone.

Under the leadership of President Donna Tiernan and all officers past and present, the Kiwanis Club of Bay City has truly honored and epitomized the essence of their motto, ''We Build,'' by time and again stepping up to the plate to serve the needs of our community. The club has consistently supported so many programs and projects in Bay County, including the River of Time event, the BaySail program, Special Olympics and the State Police Academy for high school students. Kiwanis of Bay City also supports the Salvation Army, sponsors 4–H Fair awards and hosts an annual Mothers Day event where members donate gifts for needy moms.

In addition, the club has illustrated its significant commitment to young people through a variety of programs, including sponsorship of a $25,000 Kiwanis Scholarship Program through the Bay Area Community Foundation. One of the club's more enduring projects is its Kiwanis youth baseball team begun in 1932 in the American Legion League and continuing today through the Northeast Little League in Bay City. Such efforts in education and athletics go a long way toward attaining and maintaining the mental and physical well-being of young people throughout our community. Moreover, the volunteer spirit of Kiwanis should be commended and emulated as a benchmark for all who seek to donate their time and talent to the commonweal.

Mr. Speaker, I ask my colleagues to join me in congratulating the Kiwanis Club of Bay City for 85 years of success and in expressing gratitude for all that its members do for the greater community. I am confident the club will continue its efforts to serve others by building and expanding its network of men and women dedicated to improving the lives of all those around them.

MORTGAGE LOAN CONSUMER PROTECTION ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. LAFALCE. Mr. Speaker, today, I will be introducing the ''Mortgage Loan Consumer Protection Act.'' This legislation will complement a bill I introduced last year, the Predatory Lending Consumer Protection Act (H.R. 1051), as well as the proposal I outlined in my March 26th letter to the HUD Secretary to end abusive practices in conjunction with the use of yield spread premiums. Combined, these initiatives are designed to establish a pro-consumer benchmark for mortgage reform, either with respect to any possible HUD regulatory action, or to legislation that may be enacted by Congress.

For most Americans, obtaining a mortgage loan is the single biggest financial transaction of their life. Typically, mortgage loan closing costs total thousands of dollars, and the loan itself represents a commitment to repay hundreds of thousands of dollars.

The majority of mortgage lenders, brokers, and settlement service providers do a commendable job in helping borrowers through the mortgage loan process, and in providing a good mortgage product. Yet, by loan closing, too many borrowers conclude that the mortgage process is far too confusing than it needs to be. And, too many borrowers close mortgage loans without any clear sense of whether their fees and rates are truly competitive.

The basic Federal law governing mortgage loan settlements is the Real Estate Settlement Procedures Act, also known as RESPA, first enacted in 1974. The ''Mortgage Loan Consumer Protection Act'' being introduced today modernizes RESPA, in a manner designed to make the mortgage loan process more understandable, more fair, and more competitive.

This legislation would improve and update RESPA by: simplifying and improving the accuracy of mortgage loan disclosures; expanding protections against junk fees and unearned closing costs; enhancing escrow account protections; and creating critically needed enforcement provisions for existing RESPA requirements. A number of provisions in this bill are identical to or derived from recommendations made in a 1998 joint report by HUD and the Federal Reserve Board on reform of the mortgage loan process.

First, the bill simplifies and improves the accuracy of mortgage loan disclosures. A near universal complaint about the current HUD mortgage disclosure forms is that they are far too confusing. Section 2(b) of my legislation would address this problem by directing HUD to revise the HUD-1 Settlement Statement to clearly segregate and provide totals for the following three different types of costs that are paid at settlement: ''Closing Costs'' (defined as all costs necessary to obtain the loan), ''Prepaid Costs'' (such as prepaid interest and escrow items), and ''All Other Costs Paid at Closing''—that is, everything else.

This would be a dramatic improvement over the current HUD–1 statement, which neither arranges items in a logical order, nor provides totals for these three key types of costs. A clear delineation and a single total for all Closing Costs would be particularly helpful to borrowers analyzing loans, e.g., for the purpose of evaluating whether or not to refinance.

Section 2(c) of the bill directs HUD to harmonize the terms and forms used in the HUD–1 Statement and the Good Faith Estimate (GFE). As a result, the same three types of costs and totals as provided in the HUD–1 would be presented in the GFE. More importantly, harmonization would allow borrowers to track costs throughout the loan process. This is a critical tool to help borrowers evaluate how actual costs compare to preliminary estimates, and to help borrowers hold service providers accountable with respect to any cost increases.

And, Section 2(a) revises the Truth In Lending Act (TILA) to improve the accuracy of the ''Finance Charge'' for the purpose of calculating the Annual Percentage Rate (APR) for a mortgage loan. Specifically, it requires that the APR calculation include all of the costs that are required to be paid in order to obtain the loan. Currently, a number of charges are excluded by statute from the APR calculation for mortgage loans, an anomaly that creates a misleading APR calculation that was singled out for criticism in the 1998 HUD-Fed report. I would also note that with this change the Finance Charge would equal the sum of loan interest payments, plus ''Closing Costs'' as identified under Section 2(b) of my legislation.

Secondly, the bill would expand protections against unwarranted mortgage closing costs, including markups and junk fees. A common complaint by borrowers is that the final settlement statement is not made available until the borrower sits down at closing. Under current law, borrowers may request this statement one day prior to closing, but most borrowers are not even aware that this right exists. As a result, it is not uncommon for borrowers to discover additional fees and charges that they were not previously aware of until the very last minute. With pressures or even deadlines to close, the borrower often has no option but to complain, but ultimately accept, such costs, whether warranted or not.

Section 3 of my legislation addresses this problem by requiring lenders to make available the HUD-1 Settlement Statement at least 2 calendar days before closing. This gives borrowers an opportunity to challenge fees and charges, at a time in the process when they can be reasonably challenged. This is crafted in a flexible way that should not hold up loan closings.

Section 4 deals with the practice of markups of closing costs, also sometimes referred to as ''upcharges.'' Section 8 of RESPA generally prohibits the payment or receipt of a portion or split of a settlement service charge other than for services rendered. Historically, HUD has interpreted this to apply to markups of third party services. However, a recent court case, Echeverria v. Chicago Title & Trust Co., concluded that Section 8 does not apply in cases where the third party has no involvement in the unearned fee. In October, 2001, HUD responded by issuing a Policy Statement, ''clarifying'' that Section 8 does apply to markups.

Section 4 of my bill explicitly reaffirms the HUD position that Section 8 applies to markups of the cost of services provided by a separate service provider, even if that separate provider has no involvement in the markup. Section 4 goes further than the HUD Policy Statement, by amending Section 4 of RESPA to require that all fees collected by a lender be disclosed clearly on the HUD-1 as being collected by such lender. This provides additional protections against the practice of disguising markups by rolling them into one single disclosure item.

Section 4 of my bill also addresses the problem of junk fees. Specifically, it provides that Section 8 applies to fees collected by one settlement service provider where ''no, nominal, or duplicative'' work is done. In this context, duplicative refers to situations where a service provider is collecting a fee that is itemized separately from a fee charged for services by a third party—allegedly for the same type of service, but without any additional goods or services being provided. The purpose of the prohibition of charges where no services are provided is obvious; the inclusion of the phrase ''nominal'' in addition to ''no'' services is intended to circumvent a defense against a Section 8 violation that the service

provider is doing something—but where that something is of no real value to the borrower.

Finally, I would note that the October HUD Policy Statement also asserts that Section 8 applies to unearned fees where ''the fee is in excess of the reasonable value of goods or facilities provided or the services actually performed.'' A concern has been raised that such an open-ended application could potentially subject every settlement charge for every loan to a subjective determination of whether such a charge is excessive. The RESPA statute is not intended to be applied so broadly. Similarly, it is not the intent of Section 4 of my bill to subject charges where substantive services are provided by a single service provider to a test of merely whether they are excessive (provided there is no violation of 8(a) kickback or referral fee prohibitions).

Similarly, it is not the intent of Section 4 of my bill to apply the ''no, nominal, or duplicative'' test to commissions or fees charged by real estate brokers for services related to real estate sales, providing they are negotiated upfront in writing between a broker and the seller (or buyer), and provided that there is no violation of 8(a) kickback or referral fee prohibitions. The purpose of Section 4 of my bill with regard to charges by a single settlement provider is intended to address fees that are part of the mortgage loan process; thus, real estate fees agreed to voluntarily and explicitly by a seller months prior to a mortgage loan being made should not be subject to Section 8 RESPA scrutiny, providing there is no kickback or referral, and the fee is not increased above the agreed-upon amount.

Third, my bill strengthens consumer protections with respect to the administration of escrow accounts, which are commonly required by lenders for the payment of taxes and insurance. Section 6 makes loan servicers liable for fees and penalties arising from their failure to make timely payment of taxes, insurance premiums, and other charges. It also prohibits a servicer from profiting from the failure to make timely payment of insurance charges, by prohibiting such servicer from collecting any fees associated with force-placed hazard insurance.

And, Section 6 deals with the timely return of escrow funds upon loan repayment. As the HUD-Fed report noted, current law does not require return of such funds; it merely requires a final statement be sent out within 60 days of loan payoff. This can be a particular hardship for certain borrowers, especially those who are refinancing or buying a different home.

When a loan is prepaid in full, the borrower pays the lender all outstanding principal and interest. Accordingly, it is not unreasonable to ask the lender to return all escrow funds at the same time, e.g., as an offset. Therefore, Section 8 of my bill requires the lender to return all escrow funds at time of loan repayment, provided the borrower gives 7 calendar days notice of such intent to prepay. If notice is not given, the servicer must return escrow funds within 21 days. Monetary damages are provided for failure to comply with this requirement.

Fourth, the bill beefs up enforcement provisions. The HUD-Fed report noted that requirements relating to the Good Faith Estimate and the HUD-1 Settlement Statement are ''not supported by any enforcement authority under RESPA.'' Thus, while the details and scope of what enforcement provisions should be established is a matter for honest debate, it seems clear that the current lack of any enforcement mechanism is unacceptable.

Therefore, Section 7 provides for a uniform enforcement provision that would apply to violations of Section 4 (HUD-1 Settlement Statement), Section 5 (Good Faith Estimate), Section 6 (loan servicing disclosure requirements), and Section 10 (Escrow Account Statements). Settlement service providers that violate these sections would be liable for actual damages, plus additional damages as the court may award, up to $2,000 per loan, plus court costs in the case of successful legal action. In addition, this section provides for a uniform statute of limitations of three years for all enforcement actions.

Finally, Section 5 of the bill directs HUD to expand the Special Information Booklet required to be given to borrowers at the same time the Good Faith Estimate is provided, to include assistance in two common situations faced by borrowers. First, HUD is required to include an explanation of the issues involved in refinancing a mortgage loan, including the tradeoffs of lower interest rates and closing costs. Secondly, HUD is required to include an explanation that some lenders may offer the option that some loan fees may be paid up front, or in the form of a higher mortgage rate, including assistance in evaluating this type of option.

The ''Mortgage Loan Consumer Protection Act'' represents a balanced, common-sense approach to beef up consumer protections in our mortgage disclosure laws. I urge its consideration and adoption.

RECOGNIZING JESSE J. WUKIE ON HIS APPOINTMENT TO THE U.S. AIR FORCE ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize my constituent, Jesse J. Wukie of Fremont, Ohio, who recently accepted his appointment to the U.S. Air Force Academy.

Jesse will soon graduate from Fremont Ross High School. During his high school career, he has maintained a high grade point average and was named to the honor roll. He is an accomplished athlete, earning varsity letters in wrestling. And, he has clearly demonstrated his leadership ability, serving as captain of the wrestling team, and as Vice President of his 4-H Horse Club.

Jesse Wukie can be very proud of his many accomplishments. He is a credit to his family, his school, and his community. By accepting his appointment, Jesse is accepting a unique challenge.

The Academy is the pinnacle of leadership development for the United States Air Force. As a member of the Cadet Air Wing, he will face a most demanding academic curriculum and physical regimen. He will live, study and prepare in an environment where strong leadership thrives, individual achievement is expected, and personal integrity is demanded.

Mr. Speaker, General John W. Vessey, Jr. once wrote, ''The Nation's ability to remain free and at peace depends in no small measure on whether we will continue to inspire our youth to serve.''

I am confident that Jesse Wukie has the character and ability to excel at the U.S. Air Force Academy. I ask my colleagues to join me in wishing him well as he begins his very important service to our Nation.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3009, Andean Trade Preference Expansion Act.

Senate agreed to S. Con. Res. 118, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4741–S4821

Measures Introduced: Twenty bills and seven resolutions were introduced, as follows: S. 2554–2573, S. Res. 275–279, and S. Con. Res. 117–118.

(See next issue.)

Measures Reported:

Special Report entitled ''Further Revised Allocation To Subcommittees Of Budget Totals For Fiscal Year 2002''. (S. Rept. No. 107–155)

H.R. 1366, to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office Building''.

H.R. 1374, to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building''.

H.R. 3789, to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building''.

H.R. 3960, to designate the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the ''Joseph W. Westmoreland Post Office Building''.

H.R. 4486, Official Title Not Available.

S. Res. 182, expressing the sense of the Senate that the United States should allocate significantly more resources to combat global poverty, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 253, reiterating the sense of the Senate regarding Anti-Semitism and religious tolerance in Europe, with an amendment in the nature of a substitute.

S. Res. 274, expressing the sense of the Senate concerning the 2002 World Cup and co-hosts Republic of Korea and Japan.

S. 1868, to establish a national center on volunteer and provider screening to reduce sexual and other abuse of children, the elderly, and individuals with disabilities, with an amendment in the nature of a substitute.

S. 1970, to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building''.

S. 1983, to designate the facility of the United States Postal Service located at 201 Main Street, Lake Placid, New York, as the ''John A. 'Jack' Shea Post Office Building''.

S. 1989, to authorize the establishment of a National Cyber Security Defense Team for purposes of protecting the infrastructure of the Internet from terrorist attack, with an amendment.

S. 2217, to designate the facility of the United States Postal Service located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office Building''.

S. 2433, to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building''.

S. 2487, to provide for global pathogen surveillance and response.

S. Con. Res. 109, commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, with an amendment in the nature of a substitute and with an amended preamble.

(See next issue.)

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 117, to correct technical errors in the enrollment of the bill H.R. 3448. **Page S4787**

Andean Trade Preference Expansion Act: By 66 yeas to 30 nays (Vote No. 130), Senate passed H.R.

3009, to extend the Andean Trade Preference Act, and to grant additional trade benefits under that Act, after taking action on the following amendments proposed thereto: **Pages S4744–72, S4789–S4818**

Adopted:

Reid (for Harkin) Modified Amendment No. 3459 (to Amendment No. 3401), to include the prevention of the worst forms of child labor as one of the principal negotiating objectives of the United States. **Pages S4744, S4761–66**

Reid (for Corzine) Modified Amendment No. 3462 (to Amendment No. 3401), to provide for border search authority for certain contraband in outbound mail. **Pages S4744, S4775–76**

Reid (for Durbin) Modified Amendment No. 3458 (to Amendment No. 3401), to extend the temporary duty suspensions with respect to certain wool. **Pages S4744, S4796**

Reid (for Jeffords) Amendment No. 3521 (to Amendment No. 3401), to authorize appropriations for certain staff of the United States Customs Service. **Pages S4745, S4798**

Wellstone Amendment No. 3467 (to Amendment No. 3401), to protect human rights and democracy. (By 42 yeas to 53 nays (Vote No. 129), Senate earlier failed to table the amendment.) **Pages S4745, S4798–99**

Byrd Amendment No. 3548 (to Amendment No. 3401), to provide that no direct appropriation may be made under this Act. **Page S4799**

Baucus/Grassley Amendment No. 3401, in the nature of a substitute. **Pages S4744–72, S4789–S4817**

Rejected:

Reid (for Byrd) Amendment No. 3447 (to Amendment No. 3401), to amend the provisions relating to the Congressional Oversight Group. (By 66 yeas to 32 nays (Vote No. 125), Senate tabled the amendment.) **Pages S4744, S4760–61, S4794**

Reid (for Byrd) Amendment No. 3448 (to Amendment No. 3401), to clarify the procedures for procedural disapproval resolutions. (By 66 yeas to 32 nays (Vote No. 126), Senate tabled the amendment.) **Pages S4744, S4794–96**

Reid (for Corzine) Amendment No. 3461 (to Amendment No. 3401), to help ensure that trade agreements protect national security, social security, and other significant public services. (By 49 yeas to 47 nays (Vote No. 127), Senate tabled the amendment.) **Pages S4744, S4756–60, S4796–97**

Withdrawn:

Reid (for Byrd) Amendment No. 3450 (to Amendment No. 3401), to limit the application of trade authorities procedures to a single agreement resulting from DOHA. **Pages S4744, S4754**

Reid (for Byrd) Amendment No. 3449 (to Amendment No. 3401), to clarify the procedures for extension disapproval resolutions. **Pages S4744, S4796**

Reid (for Byrd) Amendment No. 3452 (to Amendment No. 3401), to facilitate the opening of energy markets and promote the exportation of clean energy technologies. **Pages S4744, S4796**

Reid (for Byrd) Amendment No. 3453 (to Amendment No. 3401), to require that certification of compliance with section 307 of the Tariff Act of 1930 be provided with respect to certain goods imported into the United States. **Pages S4744, S4796**

Reid (for Hollings) Amendment No. 3463 (to Amendment No. 3401), to provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits, and to amend the Internal Revenue code of 1986 to prevent corporate expatriation to avoid United States income tax. **Pages S4744, S4797**

Reid (for Hollings) Amendment No. 3464 (to Amendment No. 3401), to ensure that ISAC Committees are representative of the Producing sectors of the United States Economy. **Pages S4744, S4797**

Reid (for Hollings) Amendment No. 3465 (to Amendment No. 3401), to provide that the benefits provided under any preferential tariff program, excluding the North American Free Trade Agreement, shall not apply to any product of a country that fails to comply within 30 days with a United States government request for the extradition of an individual for trial in the United States if that individual has been indicted by a Federal grand jury for a crime involving a violation of the Controlled Substances Act. **Pages S4744–45, S4797**

During consideration of this measure, Senate also took the following action:

Reid (for Hollings) Amendment No. 3527 (to Amendment No. 3447), to provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits, fell when Reid (for Byrd) Amendment No. 3447 (to Amendment No. 3401), listed above, was tabled. **Pages S4744–54, S4793–94**

Chair sustained a point of order that the Reid (for Byrd) Amendment No. 3451 (to Amendment No. 3401), to address disclosures by publicly traded companies of relationships with certain countries or foreign-owned corporations, was not germane, and the amendment thus fell. **Pages S4744, S4796**

By 50 yeas to 46 nays (Vote No. 128), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the

motion to waive section 311 (a)(2)(b) of the Congressional Budget Act of 1974 with respect to Reid (for Landrieu) Amendment No. 3470 (to Amendment No. 3401), to provide trade adjustment assistance benefits to certain maritime workers. Subsequently, the point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S4745, S4754–56, S4797–98

Adjournment Resolution: Senate agreed to S. Con. Res. 118, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

(See next issue.)

Commemorating Independence of East Timor: Senate agreed to S. Con. Res. 109, commemorating the independence of East Timor, after agreeing to a committee amendment in the nature of a substitute.

(See next issue.)

2002 World Cup: Senate agreed to S. Res. 274, expressing the sense of the Senate concerning the 2002 World Cup and co-hosts Republic of Korea and Japan. **(See next issue.)**

Armed Forces Recognition: Senate agreed to S. Res. 278, calling upon all Americans to recognize on this Memorial Day, 2002, the sacrifice and dedication of our Armed Forces and civilian national security agencies. **(See next issue.)**

Jacob K. Javits Senate Fellowship Program: Senate agreed to S. Res. 279, to modify the funding of the Jacob K. Javits Senate Fellowship Program.

(See next issue.)

Greater Washington Soap Box Derby: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 356, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, and the resolution was then agreed to. **(See next issue.)**

Public Health Security and Bioterrorism Response Act Conference Report: By a unanimous vote of 98 yeas (Vote No. 124), Senate agreed to the conference report on H.R. 3448, to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies, clearing the measure for the President.

Pages S4772–86

Supplemental Appropriations Act/Hate Crimes Bill—Agreement: A unanimous-consent agreement was reached providing for consideration of H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002, at 2 p.m., on Monday, June 3, 2002; and that the text of S. 2551, Senate companion measure, be substituted in lieu thereof and considered original text, provided that no points of order be considered as having been waived by its adoption; that upon the disposition of H.R. 4775, the Senate proceed to the consideration of S. 625, the Hate Crimes bill; further that, if on Monday, June 3, the Senate has not received from the House the supplemental appropriations bill, the Senate proceed to S. 625 and it remain the pending business until the Senate receives H.R. 4775 at which time it be temporarily laid aside and the Senate begin consideration of H.R. 4775 and that no call for the regular order serve to displace H.R. 4775. **Page S4818**

Appointment:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed Senator Voinovich as a member of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 107th Congress, to be held in Sofia, Bulgaria, May 24–28, 2002. **(See next issue.)**

Nominations Confirmed: Senate confirmed the following nominations:

3 Air Force nominations in the rank of general.

26 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **(See next issue.)**

Nominations Received: Senate received the following nominations:

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2002.

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2005. (Reappointment)

Diana E. Furchtgott-Roth, of Maryland, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2004.

Harvey Jerome Goldschmid, of New York, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2004.

Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2005.

Randall Dean Anderson, of Utah, to be United States Marshal for the District of Utah for the term of four years. (Reappointment)

Miriam F. Miquelon, of Illinois, to be United States Attorney for the Southern District of Illinois.

3 Army nominations in the rank of general.

(See next issue.)

Messages From the House: **(See next issue.)**

Measures Referred: (See next issue.)

Measures Placed on Calendar: (See next issue.)

Executive Reports of Committees: (See next issue.)

Additional Cosponsors: (See next issue.)

Statements on Introduced Bills/Resolutions: (See next issue.)

Additional Statements: (See next issue.)

Amendments Submitted: (See next issue.)

Authority for Committees to Meet: (See next issue.)

Privilege of the Floor: (See next issue.)

Record Votes: Seven record votes were taken today. (Total—130) **Pages S4786, S4794, S4796–99, S4817**

Adjournment: Senate met at 9:30 a.m., and, pursuant to the provisions of S. Con. Res. 118, adjourned at 10:01 p.m., until 1 p.m., on Monday, June 3, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in the next issue of the Record).

Committee Meetings

(Committees not listed did not meet)

DISASTER ASSISTANCE

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine disaster assistance issues, focusing on drought, flood, disease, and their effects on livestock and crops, after receiving testimony from Senator Enzi; Keith Collins, Chief Economist, Department of Agriculture; Craig Hill, Iowa Farm Bureau Federation, Milo; Larry Barbie, Montana Grain Growers Association, Inverness; Bryan Dierlam, National Cattlemen's Beef Association, Washington, D.C.; Robert S. Green, Michigan Bean Commission, St. Johns; and Brian Chandler, Midland, Texas, on behalf of the National Farmers Union.

BANKING AND REAL ESTATE

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions concluded oversight hearings to examine banking and financial holding company engagement in real estate brokerage and property management, after receiving testimony from Tom Murphy, Chell Realtors, Sioux Falls, South Dakota, on behalf of the National Association of Realtors; James E. Smith, Citizens Union State Bank and Trust, Clinton, Missouri, on behalf of the American Bankers Association; John Taylor, National Community Reinvestment Coalition, Washington, D.C.; Howard W. Hanna III, Howard Hanna Real Estate Services, Pittsburgh, Pennsylvania, on behalf of the Real Estate Services Providers Council, Inc., and the Realty Alliance.

YUCCA MOUNTAIN REPOSITORY SITE

Committee on Energy and Natural Resources: Committee concluded hearings on S.J. Res. 34, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982, and a related Administration proposal recommending the Yucca Mountain site for development of a repository, and the objections of the Governor of Nevada to the Administration's recommendation, after receiving testimony from Richard A. Meserve, Chairman, Nils J. Diaz, Greta Joy Dicus, and Edward McGaffigan, Jr., all Commissioners, all of the Nuclear Regulatory Commission; Gary Jones, Director, Natural Resources and Environment, General Accounting Office; Jeffrey R. Holmstead, Assistant Administrator for Air and Radiation, Environmental Protection Agency; Robert Card, Under Secretary, Department of Energy; Jim Hall, Transportation Safety Coalition, Washington, D.C., former Chairman of the National Transportation Safety Board; and Jared L. Cohon, Carnegie-Mellon University, Pittsburgh, Pennsylvania, on behalf of the U.S. Nuclear Waste Technical Review Board.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Two optional protocols to the Convention on the Rights of the Child, both of which were adopted at New York, May 25, 2000: (1) The Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict, and (2) The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, signed on July 5, 2000 (Treaty Doc. 106–37). (Protocol 1, with five understandings, and three conditions; and Protocol 2, with one reservation, six understandings, one declaration, and one condition);

S. 2487, to provide for global pathogen surveillance and response;

S. Res. 182, expressing the sense of the Senate that the United States should allocate significantly more resources to combat global poverty, with an amendment in the nature of a substitute;

S. Res. 252, expressing the sense of the Senate regarding human rights violations in Tibet, the Panchen Lama, and the need for dialogue between the Chinese leadership and the Dalai Lama or his representatives, with an amendment in the nature of a substitute;

S. Res. 263, congratulating the Republic of Croatia on the 10th anniversary of its recognition by the United States, with an amendment in the nature of a substitute;

S. Con. Res. 109, commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, with an amendment in the nature of a substitute;

S. Res. 253, reiterating the sense of the Senate regarding Anti-Semitism and religious tolerance in Europe, with an amendment in the nature of a substitute;

S. Res. 274, expressing the sense of the Senate concerning the 2002 World Cup and co-hosts Republic of Korea and Japan;

S. Res. 272, expressing the sense of the Senate regarding the success of the Varela Project's collection of 10,000 certified signatures in support of a national referendum and the delivery of these signatures to the Cuban National Assembly, with an amendment in the nature of a substitute; and

The nominations of David A. Gross, of Maryland, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for International Communications and Information Policy in the Bureau of Economic and Business Affairs and U.S. Coordinator for International Communications and Information Policy, Jack C. Chow, of Pennsylvania, for the rank of Ambassador during his tenure of service as Special Representative of the Secretary of State for HIV/AIDS, Paula A. DeSutter, of Virginia, to be Assistant Secretary of State for Verification and Compliance, Michael Alan Guhin, of Maryland, for the rank of Ambassador during tenure of service as U.S. Fissile Material Negotiator, Stephen Geoffrey Rademaker, of Delaware, to be Assistant Secretary of State for Arms Control, and certain foreign service officer promotion lists.

D.C. VOTING RIGHTS

Committee on Governmental Affairs: Committee concluded hearings to examine voting representation in Congress for the citizens of the District of Columbia, after receiving testimony from Senator Feingold; Representative Eddie Bernice Johnson; District of Columbia Delegate Eleanor Holmes Norton; District of Columbia Mayor Anthony A. Williams, Linda W. Cropp, Chairman, Council of the District of Columbia, and Florence H. Pendleton, District of Columbia Statehood Senator; and Wade Henderson, University of the District of Columbia School of Law, on behalf of the Leadership Conference on Civil Rights, Adam H. Kurland, Howard University School of Law, and Jamin B. Raskin, American University Washington School of Law, all of Washington, D.C.

PUBLIC SCHOOL EQUALITY

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine educational equity and resource adequacy among public school systems within and among states, after receiving testimony from Representatives Fattah and Isakson; Judy Catchpole, Wyoming Department of Education, Cheyenne; Hugh B. Price, National Urban League, and Michael A. Rebell, Columbia University Law School, on behalf of the Campaign for Fiscal Equity, Inc., both of New York, New York; and Mary-Beth Lang, Fairfield, Connecticut, on behalf of the National Education Association.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1868, to establish a national center on volunteer and provider screening to reduce sexual and other abuse of children, the elderly, and individuals with disabilities, with an amendment in the nature of a substitute;

S. 1989, to authorize the establishment of a National Cyber Security Defense Team for purposes of protecting the infrastructure of the Internet from terrorist attack, with an amendment; and

The nominations of D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Roslynn R. Mauskopf, to be United States Attorney for the Eastern District of New York, Steven D. Deatherage, to be United States Marshal for the Central District of Illinois, Thomas M. Fitzgerald, to be United States Marshal for the Western District of Pennsylvania, G. Wayne Pike, to be United States Marshal for the Western District of Virginia, and David William Thomas, to be United States Marshal for the District of Delaware.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit, Henry E. Autrey, to be United States District Judge for the Eastern District of Missouri, Richard E. Dorr, to be United States District Judge for the Western District of Missouri, Henry E. Hudson, to be United States District Judge for the Eastern District of Virginia, Amy J. St. Eve, to be United States District Judge for the Northern District of Illinois, and Timothy J. Savage, to be United States District Judge for the Eastern District of Pennsylvania, after the nominees testified and answered questions in their own behalf. Mr. Smith was introduced by Senators Hutchinson and Lincoln, Mr. Autrey was introduced by Senator Bond and Representative Clay, Mr. Dorr was introduced by Senator

Carnahan and Representative Clay, Mr. Hudson was introduced by Senators Warner and Allen, and Representative Scott, Ms. St. Eve was introduced by Senators Durbin and Fitzgerald, and Mr. Savage was introduced by Senators Specter and Santorum, and Representative Robert Brady.

WOMEN IN RETIREMENT

Special Committee on Aging: Committee concluded hearings to examine challenges women face concerning retirement and security, focusing on financial education, retirement saving incentives, and social security modernization, after receiving testimony from Dorcas R. Hardy, Dorcas R. Hardy and Associates, Spotsylvania, Virginia, former Commissioner, Social Security Administration; Cindy Hounsell, Women's Institute for a Secure Retirement, Laurie Young, Older Women's League, and John Hotz, Pension Rights Center, all of Washington, D.C.; Muriel F. Siebert, Muriel Siebert and Company, Inc., and Women's Financial Network at Siebert, New York, New York; Irene LaMarche, Boise, Idaho; and Joan Mackey, Salem, New Jersey.

House of Representatives

Chamber Action

Measures Introduced: Measures introduced today will appear in the next issue.

Reports Filed: Reports were filed today as follows:

H.R. 2621, to amend title 18, United States Code, with respect to consumer product protection, amended (H. Rept. 107–485); and

H. Res. 431, providing for further consideration of H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002 (H. Rept. 107–486). **(See next issue.)**

Supplemental Appropriations: The House resumed consideration of H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002, but came to no resolution thereon. The bill was also considered on May 22. **Page H2947**

Agreed To:

Obey amendment, as modified, that removes the emergency designation requirement for intelligence funding; **Pages H2987, H2990**

Rejected:

Obey amendment that sought to remove the emergency designation requirement for FBI funding (rejected by a recorded vote of 199 ayes to 213 noes, Roll No. 200); **Pages H2981–82 (continued next issue)**

Obey amendment that sought to remove the emergency designation requirement for Guard and Reserve funding (rejected by a recorded vote of 197 ayes to 216 noes, Roll No. 201); and **Pages H2985–86 (continued next issue)**

McGovern amendment No. 2 printed in the Congressional Record of May 20 that sought to strike the authorities for the United States to support the war against terrorism in Colombia (rejected by a recorded vote of 192 ayes to 225 noes, Roll No. 202). **Pages H2996–H3008**

Points of order sustained against:

Gephardt amendment that sought to strike section 1403 which provides statutory assurance that the United States Government will take all steps necessary to guarantee the full faith and credit of the Government (agreed to sustain the ruling of the Chair by a recorded vote of 215 ayes to 203 noes, Roll No. 198; and **Pages H2970–73**

Hinchey amendment that sought to strike subsection (b) and insert new text in section 1404 which provides for Medicare reimbursement adjustments. **(See next issue.)**

Rejected the Obey motions to rise by a recorded vote of 99 ayes to 289 noes, Roll No. 197 and by a recorded vote of 144 ayes to 252 noes, Roll No. 199. **Pages H2947–48, H3010–11**

H. Res. 428, the rule that provided for consideration of the bill was agreed to on May 22.

Recess: The House recessed at 11:03 p.m. and reconvened at 12 midnight. **(See next issue.)**

Adjourn to Time Certain: By a yea-and-nay vote of 211 yeas to 189 nays, Roll No. 203, agreed that when the House adjourns on the legislative day of Thursday, May 23, 2002, it adjourn to meet at 1 a.m. on Friday, May 24, 2002. **(See next issue.)**

Senate Messages: Message received from the Senate today appears on page H2947.

Referral: S. 1644 was referred to the Committees on the Judiciary and Transportation and Infrastructure. **(See next issue.)**

Amendments: Amendments ordered printed pursuant to the rule will appear in the next issue.

Quorum Calls—Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of the House today and appear on pages H2973,

H3010–11 (continued next issue). There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:24 a.m. on Friday, May 24.

Committee Meetings

MIDDLE EAST—ASSESSING SUPPORT FOR TERRORISM

Committee on Armed Services: Special Oversight Panel on Terrorism held a hearing on assessing support for terrorism in the Middle East. Testimony was heard from public witnesses.

AMERICAN TRAVEL PROMOTION ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on H.R. 3321, American Travel Promotion Act of 2001. Testimony was heard from Representatives Foley and Farr; and public witnesses.

ASSESSING AMERICA'S HEALTH RISKS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Assessing America's Health Risks: How Well Are Medicare's Clinical Preventive Benefits Serving America's Seniors? How Will the Next Generation of Preventive Medical Treatments be Incorporated and Promoted in the Health Care System?'' Testimony was heard from Janet Heinrich, Director, Health Care-Public Health Issues, GAO; the following officials of the Department of Health and Human Services: Tom Grissom, Director, Centers for Medicare Management, Centers for Medicare and Medicaid Services; David W. Fleming, M.D., Acting Director, Centers for Disease Control and Prevention; and Carolyn Clancy, M.D., Acting Director, Agency for Healthcare Research and Quality; and public witnesses.

ONE BROKER GONE BAD

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''One Broker Gone Bad: Punishing the Criminal, Making Victims Whole.'' Testimony was heard from Lori Richards, Director, Office of Compliance, Inspections, and Examinations, SEC; Bradley W. Skolnik, Commissioner and Chairman, Securities Commission, State of Indiana; and public witnesses.

MAGNUSON-STEVENS AMENDMENTS; OVERSIGHT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action H.R. 4749, Magnuson-Stevens Amendments of 2002.

The Subcommittee also held an oversight hearing on the use of Marine Protected Areas (MPAs) as a fisheries management tool. Testimony was heard from Representative Peterson of Minnesota; Tim Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, Department of Commerce; Patricia E. Morrison, Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior; Gerry Davis, Acting Chief, Division of Aquatic and Wildlife Resources, Department of Agriculture, Guam; and public witnesses.

SUPPLEMENTAL APPROPRIATIONS FOR FURTHER RECOVERY AND RESPONSE TO TERRORISM ATTACKS ON THE UNITED STATES

Committee on Rules: Granted, by a vote of 8 to 4, a rule providing for further consideration of H.R. 4775, 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States. The rule provides that in addition to the amendments considered as adopted pursuant to House Resolution 428, the further amendments adopted in the Committee of the Whole and the amendments printed in the report of the Committee on Rules accompanying the resolution shall be considered as adopted. The rule provides that the previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit with or without instructions.

J–2 ISSUES

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence and the Subcommittee on Technical and Tactical Intelligence met in executive session to hold a joint hearing on J–2 Issues. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MAY 24, 2002

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

1 p.m., Monday, June 3

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2 p.m.), Senate will consider H.R. 4775, Supplemental Appropriations Act. Also, Senate will consider S. 625, Hate Crimes bill.

(If the House fails to adopt S. Con. Res. 118, Adjournment Resolution, the Senate will convene Monday, May 27, at 10 a.m., for a pro forma session only, and then adjourn until Thursday, May 30, at 10 a.m., for a pro forma session only, and then adjourn until Monday, June 3, at 1 p.m.)

Next Meeting of the HOUSE OF REPRESENTATIVES

1 a.m., Friday, May 24

House Chamber

Program for Friday: Consideration of H. Res. 431, providing for further consideration of H.R. 4775, making supplemental appropriations for the fiscal year ending September 30, 2002.

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(Senate and House proceedings for today will be continued in the next issue of the Record.)

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